

SUMMARY OF H.R. 5040, THE “HITECH EXTENSION FOR BEHAVIORAL HEALTH SERVICES ACT OF 2010.”

On April 14th, Congressmen Patrick Kennedy (D-RI) and Tim Murphy (R-PA) introduced H.R. 5040, the “HITECH Extension for Behavioral Health Services Act of 2010.” H.R. 5040 would amend current law to make certain providers of addiction and mental health services eligible for health information technology funds. These funds would include HIT resources provided through the “American Recovery and Reinvestment Act of 2009” (ARRA) which allocated HIT funds to many health service providers but excluded most providers of addiction and mental health services from eligibility.

Specifically, H.R. 5040 would:

- Amend current law to make certain providers of addiction treatment and mental health services eligible for health information technology (HIT) funds made available through the “American Recovery and Reinvestment Act of 2009” (ARRA); in particular, H.R. 5040 would make the following providers eligible for ARRA incentive funds for the “meaningful use” of electronic health records:
 - Substance abuse professionals and substance abuse treatment facilities
 - Behavioral and mental health professionals and clinics
 - Psychiatric hospitals
- Extend eligibility for Medicaid HIT implementation funds to:
 - Certain mental health and substance abuse treatment facilities (those facilities with at least ten percent of their patient volume receiving Medicaid assistance), and private and public psychiatric hospitals
 - Workforce professionals including certain clinical psychologists and clinical social workers
- Extend eligibility for Medicare HIT payment incentives to certain physicians, clinical psychologists and clinical social workers; certain psychiatric hospitals would also be included as hospitals eligible to receive Medicare HIT funds
- Authorize a \$15 million grant program, through the Department of Health and Human Services’ Office of the National Coordinator for Health Information Technology; entities eligible to receive grant funds would include: mental health and substance abuse treatment facilities and certain psychiatric hospitals; grant funds could be used to:
 - Facilitate the purchase and enhance the use of HIT
 - Train personnel in the use of HIT
 - Improve the secure electronic exchange of health information among mental health and addiction workforce professionals and other health care providers, including primary care providers
 - Improve HIT for adaptation to “community-based behavioral health settings”
 - Assist with the implementation of telemedicine, including facilitation of distance clinical consultations in rural and underserved areas; and
 - Collaborate and integrate with HIT regional extension centers

H.R. 5040 was referred to the House Energy and Commerce and Ways and Means Committees where the legislation awaits review. Full text and status of H.R. 5040 can be found at: <http://thomas.loc.gov>.