

HR 5040: The Health Information Technology Extension for Behavioral Health Services Act of 2010

Congressman Patrick J. Kennedy

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Section-by-Section Summary

The *Health Information Technology Extension for Behavioral Health Services Act of 2010* provides mental health providers, substance use providers, and psychiatric hospitals parity with other health care providers for the meaningful use of health information technology (HIT) and electronic health records (EHR).

Section 1—Short Title

Section 2— Extension of Health Information Technology Assistance for Behavioral and Mental Health and Substance Abuse

- Clarifies that the definition “health care provider” includes behavioral and mental health professionals, substance abuse professionals, psychiatric hospitals, behavioral and mental health clinics, and substance use treatment facilities. This ensures that when the HITECH Act refers to health care providers, for example in reference to assessments of provider implementation, these new providers are included in the definition.

Section 3—Behavioral Health Information Technology Grant Program

- Establishes grants for those mental health treatment facilities not eligible for meaningful use incentives through the HITECH Act. The grants allow for the purchase of certified electronic medical records (EHRs), training of medical staff in the use of EHRs, and improvement in the exchange of health information between mental health providers and other health care providers.

Section 4—Extension of Eligibility for Medicare and Medicaid Health Information Technology Implementation Assistance

Subsection (a): Eligible Providers for Medicare Reimbursement

- The current HITECH Act provides Medicare reimbursement for the meaningful use of EHRs to those clinicians who are doctors of medicine, osteopathy, dentistry, optometry, or podiatry, and chiropractors. This section extends this provision to licensed psychologists and licensed clinical social workers who provide clinical care.

Subsection (b): Eligible Hospitals for Medicare Reimbursement

- The current HITECH Act provides Medicare reimbursement for meaningful use of EHRs to only to subsection (d) hospitals, which excludes psychiatric hospitals.

This section extends reimbursement to ensure that inpatient psychiatric hospitals are eligible for reimbursement.

Subsection (c): Eligible Medicaid Provider

- The current HITECH Act language does not extend Medicaid meaningful use incentives to many mental health facilities and hospitals. This section extends these incentives to mental health treatment facilities, psychiatric hospitals, substance abuse treatment facilities, behavioral and mental health professionals, and substance abuse professionals.