

Meaningful Use - An Ever Evolving Standard

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The touchstone for receipt of incentives available under the American Recovery and Reinvestment Act of 2009 for conversion to electronic health records by hospitals and physicians is that the provider must establish that it is a meaningful user of EHR. Healthcare professionals have been struggling to understand what features of an EHR will satisfy this definition.

On June 16, 2009 the Health Information Technology Policy Committee made public its first effort to define meaningful use. Based upon this draft, by 2011 providers would have to implement an EHR that does the following:

- maintains information about patient's current problems, active medications, active medication allergies, vital signs, lab results and demographics; and
- electronic prescribing that incorporates certain drug interaction and formulary checks.

The recommendations were returned to the policy committee for further discussions and will likely be a topic of discussion at the next policy committee meeting on July 16, 2009.

This initial draft of the definition of meaningful use tells us several things about the criteria that providers will have to meet by 2011 to receive the available financial incentives. The primary lesson is that the requirements to satisfy the definition of meaningful use will evolve over time and presumably require more functionality. The initial proposed definition did not require that an EHR perform in 2011 all the requirements specified in ARRA for meaningful use. For example, it did not require the provider to show that the provider is using certified EHR technology for the electronic exchange of health information to improve the quality of health care.

The definition of meaningful use will no doubt go through changes in the drafting process before it is finally published as a regulation. However, it does appear that providers will be expected to satisfy this definition incrementally. It also means that providers must implement EHR's that have the capacity to increase functionality over time. This latter point should be a key provision of the terms of any agreement with an EHR vendor.

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