



PatientRightsAdvocate.org Statement Commending Today’s Interoperability and Patient Access Final Rules from CMS and ONC

March 9, 2020 – In response to today’s finalized rules enabling patient data access, PatientRightsAdvocate.org Founder and Chairman, Cynthia A. Fisher, stated: “We thank the Trump Administration and HHS for delivering on the bipartisan 21st Century Cures Act by giving American consumers complete, real-time, free transparency to their comprehensive electronic health information (EHI) and putting a stop to information blocking by enforcing substantial penalties.”

“These new rules put patients at the center of their care, giving them the right of access to their complete health information at their fingertips on their mobile phones. Armed with complete information, patients and their doctors will benefit from more accurate diagnoses and better treatments. These rules will save lives, while saving time and money.”

American taxpayers will finally benefit from the nearly \$40 billion they paid to have portable access to their own EHI wherever they get care. No longer will they be held hostage by the hospitals, electronic health record (EHR) vendors, and networks who withhold this information from patients while using it and brokering to maximize their revenues. Even still, these entities hide behind the smokescreen of privacy concerns for patients to protect their special interests and the status quo, and delay these rules.

In reality, consumers know that in their everyday lives, they benefit elsewhere from trusted, secured mobile apps in banking, travel, and retail – and trust that the same can apply to healthcare. These measures pave the road for new competitors and innovators to disrupt and “Uber-ize” the broken system by enabling mobile access to health information and prices systemwide.

These critical interoperability rules will put patients in the driver’s seat to the on-ramp of the healthcare transparency information highway. With these measures and the Administration’s price transparency rules, patients will soon have access and the ability to choose and receive the best quality of care at the lowest possible price. Empowered with transparency, the consumer will fix our broken healthcare system by demanding better outcomes at a lower cost of care and coverage.

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PatientRightsAdvocate.org is a non-profit, non-partisan organization that provides a voice for consumers of healthcare – patients, employees, employers, and taxpayers – to have real access, real prices, real choices, and a trusted, competitive market in healthcare. Ms. Fisher is a life sciences entrepreneur, a member of the Health Information Technology Advisory Committee (HITAC), and founder and former CEO of ViaCord. She is available for interviews on this topic.

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Improve Outcomes and Save Lives

Real-time access to patients' own health information and the ability to easily share it will make patients, caregivers, and physicians more informed and engaged, empowering them to better manage their care. This transparency will improve diagnoses, ensure appropriate treatments, and most importantly, save lives.

Example: Whit

During a recent hospital stay, Whit's care team overlooked the most significant piece of information on his medical records: he had cancer. Only by requesting his medical records and delving into his own health history did he find an egregious error of omission – his scan revealed he had renal cell carcinoma, and nobody had told him. Access to Whit's records saved his life.

Example: Kelly

After collapsing, Kelly was sent to the ER in a new city without access to her medical records. The hospital called her proxy who also was unable to access her health information. Kelly was misdiagnosed with a stroke, mistreated with the wrong medications, and mischarged for it all. This lack of access to Kelly's health information could have killed her.

Enable a Technological Revolution

With these rules, the Trump Administration is opening the door for a technology revolution in American healthcare. Technology innovators will break down the monopolistic barriers built by giants like Epic and hospital systems that hold patients' data hostage. Mobile apps can provide patients easy, unobstructed digital access to their own health information systemwide, allow them to share it with whomever they choose, and give them control of privacy.

Enable Patients and Employers to Shop for their Care

Transparency into real-time electronic health information along with real prices will empower patients to shop for the best quality of care at the lowest possible price. Patients will be able to seek care anywhere they choose and bring their data with them, breaking down the hurdles and silos that trap patients to narrow provider systems.

Save Time and Money for Patients, Families, and Caregivers

Real-time access will save time and money for patients and their caregivers. No longer will they lose countless, frustrating hours of productive time hunting down medical records for themselves, their children, or their aging parents.

Reduce the Cost of Care and Coverage for American Workers, Employers, and Families

This transparency into health information will eliminate redundancies in care, allow patients and physicians to make more informed decisions, and save valuable time and money for both patients and caregivers. Through the ability to bring their data with them wherever they seek care, consumers can shop in a functional, competitive marketplace in healthcare. Ultimately, transparency into health information, including pricing and payment, will greatly reduce the costs of care and coverage for patients, employers, and the economy.