STATE OF COLORADO

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Bill Ritter, Jr.
Governor

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EXECUTIVE ORDER

Designating the Colorado Regional Health Information Organization as Colorado's Qualified State-Designated Entity to lead efforts to expand the use of health information across Colorado to meet state and federal goals for improving health and health care

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I, Bill Ritter, Jr., Governor of the State of Colorado, hereby issue this Executive Order designating the Colorado Regional Health Information Organization as Colorado's Qualified State-Designated Entity to lead efforts to expand the use of health information across Colorado to meet state and federal goals for improving health and health care.

I. Background and Purpose

Health information technology provides tools that can improve the quality, safety, and value of health care services. There is a vital need to promote electronic health data exchange amongst payers, health care providers, consumers of health care, researchers, and government agencies. The State is a major purchaser of health care as an employer and through Medicaid, the Child Health Insurance Program, the Colorado Public Employees Retirement Administration, and, therefore, has a central role to play in improving the quality, transparency, and accountability of health care. However, the full benefit of health information technology cannot be realized until electronic health record systems that support the exchange of health information are in place and used by health care providers, payers, and consumers throughout the state, and across state boundaries. This will ensure that clinical information is available where and when needed to promote health and deliver cost-effective health care services.

The American Recovery and Reinvestment Act of 2009 ("ARRA") included within it the Health Information Technology for Economic and Clinical Health ("HITECH") Act. The HITECH Act provides an unprecedented opportunity to develop and implement the health information technology infrastructure needed to modernize and improve America's health care system. It includes provisions to encourage – and in many instances require – the adoption and meaningful use of health information technology and promote quality, safety, and efficiency of health care services.

The HITECH Act authorizes approximately $36 billion over six years for health information technology. The goal of the legislation is to ensure that each person in the United States has an electronic health record by 2014. To that end, section 3013 of the HITECH Act directs the National Coordinator of the Office of the National Coordinator for Health Information Technology to establish a program, known as the ONCHIT Program, which will facilitate and expand the movement and use of electronic health information in accord with nationally recognized standards. The ONCHIT Program provides for the awarding of grants to states or qualified state-designated entities.

Approximately $34 billion is expected to be distributed directly to qualified health care providers who adopt and use electronic health records (EHRs) in accordance with provision of the HITECH Act. These funds will be distributed to health care providers as incentive payments through Medicaid and Medicare between 2011 and 2016. An additional $2 billion is expected to be made available for health information infrastructure through the United State Secretary of Health and Human Services in the form of grants, loans, and demonstration projects in areas including, but not limited to:

- Regional, state and multi-state infrastructure
- Implementation assistance
- State grants for health IT promotion generally
- Health Information Exchange (HIE) projects
- Loan programs for adoption of certified EHRs
- Demonstration projects for integrating Health IT into clinical education
- Health informatics education programs

The Secretary of Health and Human Services and the Office of National Coordinator ("ONC") have substantial responsibility for setting the strategy for distribution of these funds. The HITECH Act explicitly authorizes federal funds to be used for HIE projects through a state-designated entity and the state will have an opportunity to submit a state plan for achieving meaningful health information exchange. Despite the different pathways for funds that can come to Colorado and its providers, it is in the State's best interest that the state plan reflects a coordinated approach for using these funds for shared goals.

Colorado is well positioned in the area of health information technology. In addition to the significant HIT efforts underway in communities and among providers across the state, the Colorado Regional Health Information Organization ("CORHIO") is well established as a statewide public/private non-profit organization dedicated to the promotion of health information exchange. CORHIO serves as the statewide convener of stakeholders to develop solutions and coordinate implementation of statewide information sharing, to link regional HIE projects and meet statewide HIT adoption and information sharing needs. CORHIO reflects stakeholder perspectives from across sectors and interests throughout the state. The CORHIO board is comprised of consumers, providers, health plans, government agencies, and experts in health care quality, value, and information technology. In December 2008, CORHIO launched a secure health data

exchange between Denver Health and Hospital Authority, KaiserPermanente of Colorado, University of Colorado Hospital and The Children's Hospital, making it among the first group of operational statewide HIE projects in the country. Thus, CORHIO is ideally suited to serve as Colorado's designated entity responsible for coordinating Colorado's health information technology initiatives, and to participate in programs and coordinate opportunities that will be made available under the HITECH Act.

II. Directives

A. CORHIO shall provide leadership and coordination of health information technology related efforts across Colorado to improve health care quality and value.

B. CORHIO is hereby designated as Colorado's Qualified State-Designated Entity to participate in the ONCHIT Program and those promulgated by other national agencies and to be responsible for furthering the State's HIT Initiatives by coordinating, facilitating, and helping to implement multifaceted efforts to advance Health IT adoption and health information exchange across Colorado.

C. Agencies under my direct executive authority shall cooperate in the implementation of this Order. Other entities of State government not under my direct executive authority are requested to assist in CORHIO's efforts to advance the State's HIT Initiative.

III. Duration

This Executive Order shall remain in force until modified or rescinded by future Executive Order of the Governor.

GIVEN under my hand and the Executive Seal of the State of Colorado this third day of April, 2009.

Bill Ritter, Jr.
Governor