

December 15, 2023

Valli Chidambaram, PhD  
Director, Office of Informatics and Data Systems  
Utah Department of Health and Human Services  
Martha Hughes Cannon Building  
288 North 1460 West  
Salt Lake City, UT 84116

RE: Proposed Rule Number R380-70, Standards for Electronic Exchange of Clinical Health Information

Dear Dr. Chidambaram,

On behalf of the 29 member companies of the HIMSS Electronic Health Record (EHR) Association, we appreciate the opportunity to provide input to Utah Department of Health and Human Services regarding the proposed rule for Standards for Electronic Exchange of Clinical Health Information, Rule Number R380-70.

As a national trade association of EHR developers, EHR Association member companies serve the vast majority of hospital, post-acute, specialty-specific, and ambulatory healthcare providers using EHRs and other health IT across the United States. Together, we work to improve the quality and efficiency of care through the adoption and use of innovative, interoperable, and secure health information technology.

#### **R-380-70-4 Exemptions**

The exemptions noted in the Standards for Electronic Exchange of Clinical Health Information do not include electronic exchanges for claims and administrative transactions that include information meeting the definition of 'Clinical Health Information.' As the regulation pertains to exchanges between healthcare providers and third-party payers, the EHR Association requests that the regulation either exempts these transactions explicitly or clarifies that electronic transactions containing 'Clinical Health Information' subject to federally required standards are not governed by this regulation.

#### **R-380-70-5 Electronic Data Interchange Standards**

The EHR Association recommends incorporating an additional provision into the Electronic Data Interchange Standards explicitly allowing alignment with clinical exchange standards mandated by the Office of the National Coordinator for Health Information Technology (ONC) in their certification rules.

AdvancedMD	CureMD	Flatiron Health	MEDITECH, Inc.	Oracle Health
Allscripts	eClinicalWorks	Foothold Technology	Modernizing Medicine	PointClickCare
Altera Digital Health	Elekta	Greenway Health	Netsmart	Sevocity
Athenahealth	EndoSoft	Harris Healthcare	Nextech	STI Computer Services
BestNotes	Epic	MatrixCare	NextGen Healthcare	Varian – A Siemens
CPSI	Experity	MEDHOST	Office Practicum	Healthineers Company

This will support more seamless integration between the standards articulated in this rule and ONC's certification requirements for clinical health information exchange, fostering a streamlined approach to promoting interoperability and adherence to industry-recognized standards.

The Association has long advocated for standardization in the exchange of electronic health information, as it is a crucial component of promoting interoperability, improving patient care, and ensuring consistency across healthcare systems. We support the agency's efforts to update and streamline standards.

Sincerely,

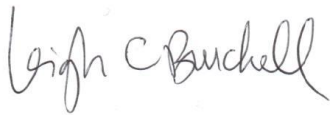


David J. Bucciferro  
Chair, EHR Association  
Foothold Technology



William J. Hayes, M.D., M.B.A.  
Vice Chair, EHR Association  
CPSI

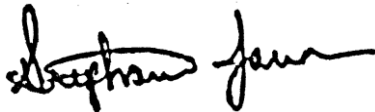
**HIMSS EHR Association Executive Committee**



Leigh Burchell  
Altera Digital Health



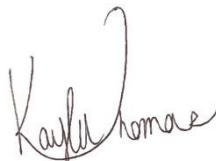
Cherie Holmes-Henry  
NextGen Healthcare



Stephanie Jamison  
Greenway Health



Ida Mantashi  
Modernizing Medicine



Kayla Thomas  
Oracle Health

*Established in 2004, the Electronic Health Record (EHR) Association is comprised of 29 companies that supply the vast majority of EHRs to physicians' practices and hospitals across the United States. The EHR Association operates on the premise that the rapid, widespread adoption of EHRs will help improve the quality of patient care as well as the productivity and sustainability of the healthcare system as a key enabler of healthcare transformation. The EHR Association and its members are committed to supporting safe healthcare delivery, fostering continued innovation, and operating with high integrity in the market for our users and their patients and families. The EHR Association is a partner of HIMSS. For more information, visit [www.ehra.org](http://www.ehra.org).*