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March 4, 2019

The Honorable Seema Verma  
Administrator  
Centers for Medicare and Medicaid Services  
US Department of Health and Human Services  
200 Independence Avenue SW  
Washington, DC 20201

Dear Administrator Verma,

Thank you for addressing health information and technology stakeholders during HIMSS19 Global Conference. Members of the Electronic Health Record Association -- EHR developer companies whose products support the majority of U.S. healthcare organizations -- appreciated hearing your thoughts on the newly-released Interoperability and Patient Access Proposed Rule. We are excited that CMS has put the patient at the center of its rule; ensuring that patients have access to their data is something that everyone can support and fulfills an early promise made by this administration.

As you know, the proposed rule from CMS is a substantive one, especially coming in parallel with the ONC proposed rule fulfilling 21<sup>st</sup> Century Cures Act requirements. Together these rules suggest complicated, significant adjustments to the complex regulations already governing the health IT industry, and stakeholders deserve adequate time to provide thoughtful, detailed comments on the impacts of the proposals. **Therefore, the EHR Association writes today to request a 30-day extension of the comment period to June 3, 2019.**

We know you share our aversion to unintended consequences and added provider burden that sometimes accompanies new standards and measures. An extended comment period will allow all stakeholders to carefully evaluate the potential effects of CMS' proposals and multiple requests for information.

As we've begun to delve more deeply into the proposed rule, we have already identified several areas that would indirectly require developer action, which appears unanticipated by the authors of the proposed regulations. We recognize the desire to roll out these rules quickly; but, with an ultimate goal of enhanced usability and

widespread data sharing, it's important that adequate time be allowed for commenters.

Between CMS and ONC's two proposed rules, developers and other healthcare stakeholders have a lot of work ahead of us for this comment period. We expect HHS to hold developers to high standards and implementation timelines, and we also hope that the department will work with the development community to finalize requirements that are achievable. To do it right, we must first be allowed the time needed to provide the data and insights necessary for regulators to draft an implementable final rule that will effectively support patients and their healthcare providers.

Sincerely,



Cherie Holmes-Henry  
Chair, EHR Association  
NextGen Healthcare



Sasha TerMaat  
Vice Chair, EHR Association  
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#### About the EHR Association

Established in 2004, the Electronic Health Record (EHR) Association is comprised of more than 30 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).