



Physicians Caring for Texans

September 29, 2022

The Honorable Xavier Becerra  
Secretary  
U.S. Department of Health and Human Services  
200 Independence Ave., SW  
Washington, D.C. 20201

Via: [Xavier.Becerra@HHS.gov](mailto:Xavier.Becerra@HHS.gov) | [Secretary@HHS.gov](mailto:Secretary@HHS.gov)

Dear Secretary Becerra:

On behalf of the Texas Medical Association (TMA) and our more than 56,000 physician and medical student members, we respectfully ask that the U.S. Department of Health and Human Services (HHS) delay the full implementation of the 21st Century Cures Act Interoperability and Information Blocking Regulations.

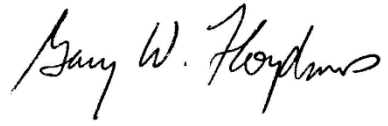
The Texas Medical Association agrees that interoperability is a vital function in today's health care environment. [TMA's health information exchange \(HIE\) policy](#) recognizes that patient safety, privacy, and quality of care are the guiding principles of all HIE efforts; cost reduction and efficiency are expected byproducts.

Physicians are feeling crushed by the increasing regulatory demands and are in a precarious position when trying to balance these demands with technical capabilities. On Oct. 6, physicians will be required to make all electronic health information (EHI) available to patients, physicians, and providers upon request. This is an expansion beyond the current requirements that limit EHI to data elements represented in the United States Core Data for Interoperability Version 1 (USCDI v1).

Electronic health record (EHR) vendors must certify to the 2015 Edition Cures Update by Dec. 31, 2022, which includes incorporation of USCDI v1 data elements. TMA is very concerned that EHR vendors are certifying only to USCDI v1 by Dec. 31, even though *all* EHI is required to be shared on or after Oct. 6. We urge you to delay the Oct. 6 expansion of EHI until certified EHR vendors can demonstrate that all EHI can be extracted *easily* from the EHR to the patient portal or other medium as requested by the patient before requiring this of physicians.

We sincerely appreciate your consideration of this request. Any questions may be directed to Shannon Vogel, TMA associate vice president, Health Information Technology, by emailing [shannon.vogel@texmed.org](mailto:shannon.vogel@texmed.org) or calling (512) 370-1411.

Sincerely,



Gary W. Floyd, MD  
President  
Texas Medical Association



Ogechika Alozie, MD, MPH  
Chair, Health Information Technology Committee  
Texas Medical Association