

HR 6043

Behavioral Health Information Technology Act of 2012

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Health

Introduced: Jun 27, 2012

Current Status: Referred to the Subcommittee on Health.

Latest Action: Referred to the Subcommittee on Health. (Jul 9, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/6043>

Sponsor

Name: Rep. Murphy, Tim [R-PA-18]

Party: Republican • **State:** PA • **Chamber:** House

Cosponsors (29 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Blackburn, Marsha [R-TN-7]	R · TN		Jun 27, 2012
Rep. Marino, Tom [R-PA-10]	R · PA		Jun 27, 2012
Rep. Ryan, Tim [D-OH-17]	D · OH		Jun 27, 2012
Rep. Sullivan, John [R-OK-1]	R · OK		Jun 27, 2012
Rep. Tiberi, Patrick J. [R-OH-12]	R · OH		Jun 27, 2012
Rep. Bono Mack, Mary [R-CA-45]	R · CA		Jul 9, 2012
Rep. Burgess, Michael C. [R-TX-26]	R · TX		Jul 9, 2012
Rep. Murphy, Christopher [D-CT-5]	D · CT		Jul 9, 2012
Rep. Connolly, Gerald E. [D-VA-11]	D · VA		Jul 13, 2012
Rep. Myrick, Sue Wilkins [R-NC-9]	R · NC		Jul 17, 2012
Rep. Green, Gene [D-TX-29]	D · TX		Jul 30, 2012
Rep. Guthrie, Brett [R-KY-2]	R · KY		Jul 30, 2012
Rep. Loebsack, David [D-IA-2]	D · IA		Jul 30, 2012
Rep. Quigley, Mike [D-IL-5]	D · IL		Aug 2, 2012
Rep. Tierney, John F. [D-MA-6]	D · MA		Aug 2, 2012
Rep. Smith, Christopher H. [R-NJ-4]	R · NJ		Sep 11, 2012
Rep. Bucshon, Larry [R-IN-8]	R · IN		Sep 12, 2012
Rep. Graves, Sam [R-MO-6]	R · MO		Sep 12, 2012
Rep. Kissell, Larry [D-NC-8]	D · NC		Sep 12, 2012
Rep. Gerlach, Jim [R-PA-6]	R · PA		Sep 14, 2012
Rep. Dent, Charles W. [R-PA-15]	R · PA		Sep 18, 2012
Rep. Lofgren, Zoe [D-CA-16]	D · CA		Sep 18, 2012
Rep. Bilbray, Brian P. [R-CA-50]	R · CA		Sep 19, 2012
Rep. Cassidy, Bill [R-LA-6]	R · LA		Sep 21, 2012
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		Sep 21, 2012
Rep. Matheson, Jim [D-UT-2]	D · UT		Sep 21, 2012
Rep. Platts, Todd Russell [R-PA-19]	R · PA		Sep 25, 2012
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Oct 23, 2012
Rep. Roe, David P. [R-TN-1]	R · TN		Dec 20, 2012

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Jun 29, 2012
Ways and Means Committee	House	Referred to	Jul 9, 2012

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
112 HR 3239	Related bill	Oct 21, 2011: Referred to the Subcommittee on Health.
112 S 539	Related bill	Mar 10, 2011: Read twice and referred to the Committee on Finance.

Behavioral Health Information Technology Act of 2012 - Amends the Public Health Service Act to include as a health care provider behavioral and mental health professionals, substance abuse professionals, psychiatric hospitals, certain community mental health centers, and residential or outpatient mental health or substance abuse treatment facilities.

Amends title XVIII (Medicare) of the Social Security Act (SSA), with respect to incentives for meaningful use of certified electronic health records (EHR) technology under the pay schedule for physician's services, to include as eligible professionals clinical psychologists providing qualified psychologist services.

Makes inpatient psychiatric hospitals eligible for payment for inpatient hospital services.

Amends SSA title XIX (Medicaid) to treat as Medicaid providers: (1) public and certain private hospitals that are principally psychiatric hospitals, (2) certain community mental health centers, and (3) certain residential or outpatient mental health or substance abuse treatment facilities.

Makes eligible professionals under the Medicaid program certain clinical psychologists providing qualified psychologist services.

Authorizes a covered entity to submit to a Patient Safety Organization information on electronic health record (EHR)-related adverse events with respect to certified EHR technology the entity has used or provided.

Specifies covered entities as certain EHR users, health information exchange entities, and health care professionals who use EHR technology.

Defines an EHR-related adverse event as a defect, malfunction, or error in the certified health information technology or electronic health record used by a provider, or in the input or output of data maintained through such technology or record, that results or could reasonably result in harm to a patient.

Limits electronic discovery (e-discovery) in any health care lawsuit against a covered entity relating to an Reallotted adverse event involving certified EHR technology to information: (1) related to that event, and (2) from the period in which the event occurred.

Prohibits a claimant from commencing a lawsuit more than three years after the manifestation of injury or one year after the claimant discovers, or should have discovered, the injury, whichever occurs first. Requires tolling of this limitation, however, to the extent that the claimant is able to prove: (1) fraud; (2) intentional concealment; or (3) the presence of a foreign body, with no therapeutic or diagnostic purpose or effect, in the injured person.

Subjects each party to such a lawsuit which is not a covered entity to proportionate liability only.

Allows punitive damages against a covered entity only upon proof by clear and convincing evidence that the entity acted with reckless disregard for the claimant's health or safety.

Shields covered entities, employees, agents, and representatives from civil liability for libel or slander arising from information or entries made in certified EHR technology, or transferred to another eligible provider, if the information, entries, or transfer were made in good faith and without malice.

Actions Timeline

- **Jul 9, 2012:** Referred to the Subcommittee on Health.
- **Jun 29, 2012:** Referred to the Subcommittee on Health.
- **Jun 27, 2012:** Introduced in House
- **Jun 27, 2012:** Referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.