

June 15, 2015

Secretary Sylvia Matthews Burwell
Acting Administrator Andy Slavitt, Centers for Medicare and Medicaid Services
National Coordinator Karen DeSalvo, M.D., Office of the National Coordinator for Health IT
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, D.C. 20201

**Re: Formal Comments on Meaningful Use Stage 2 Rulemaking
File No. CMS-3311-P**

Dear Secretary Burwell, Acting Administrator Slavitt, and Dr. DeSalvo:

We the undersigned organizations read with dismay that CMS intends to no longer require that 5 percent of patients view, download or transmit their health information or send a secure message to their providers. Instead, CMS proposes that doctors and hospitals merely show that *just one patient* used online access to their information, and that secure messaging was *merely turned on*, not whether any patient has actually used it. We are deeply disappointed in CMS's reversal of these critical commitments to patient and family engagement.

Every available piece of survey data shows that 5 percent is more than achievable. In fact, CMS itself reports that median performance is 32 percent of patients for doctors and 11 percent of patients for hospitals on Stage 2's measure of actual online access.¹

According to a national survey, of all patients who have online access, 86 percent use it, and 55 percent use it at least three times per year. A majority (56%) of patients want the ability to email their providers.²

HHS's national initiative on delivery system reform cannot possibly succeed without active engagement of patients and family caregivers, and online access is a critical tool for so many. The more frequently individuals access their health information online, the more they report that it motivates them to do something to improve their health (71% for frequent users, compared with 39% for infrequent users).³ Online access to personal health information is a cornerstone of better care, smarter spending and healthier people.

A minimum standard of 5 percent signals a genuine expectation by CMS, and is meaningful enough to drive real progress in patient and family engagement. Dropping to just one patient, and merely turning secure messaging on, signals a drastic change in CMS's expectations of providers and patient engagement. We urge you to reverse these proposed changes immediately.

Sincerely,

[Signatories listed here. To sign on, please [click here.](#)]

1 Centers for Medicare & Medicaid Services (CMS), Data and Program Reports, available at <https://www.cms.gov/Regulations-and-Guidance/Legislation/EHRIncentivePrograms/DataAndReports.html>.

2 National Partnership for Women & Families, *Engaging Patients and Families: How Consumers Value and Use Health IT* (Dec. 2014), available at <http://www.nationalpartnership.org/research-library/health-care/HIT/engaging-patients-and-families.pdf>.

3 Ibid.