



September 8, 2011

Office of the National Coordinator for Health Information Technology
Attention: Steven Posnack
Hubert H. Humphrey Building
Suite 729D
200 Independence Ave., SW
Washington, DC 20201

**45 CFR Part 170
RIN 0991-AB78**

**Metadata Standards to Support Nationwide Electronic Health Information Exchange
Advance Notice of Proposed Rulemaking (ANPRM)**

Dear Dr. Mostashari:

On behalf of the American College of Physicians (ACP), I am writing to share our views on the **Metadata Standards to Support Nationwide Electronic Health Information Exchange Advance Notice of Proposed Rulemaking (ANPRM)**. ACP is the largest physician specialty society and second-largest physician membership organization in the United States. ACP represents 132,000 internal medicine physicians and medical student members. Internists specialize in primary and comprehensive care of adolescents and adults.

General comments:

While we applaud the intent of the proposed rule and appreciate the opportunity to provide comments in advance of its release, we find each category of proposed metadata to be deficient in its ability to support the needs of daily practice. However, rather than delve into detailed technical arguments regarding the specification of data elements, we feel that it is best to describe our more general concerns with the process that ONC proposes.

We are concerned with the prospect of standards development via regulation. For many reasons, including the ability to maintain, update, and modify standards as needs arise, the regulatory process and government agencies are inappropriate vehicles for standards development. While government-mandated standards are appropriate in some cases, mandating an existing standard plus some additional requirements outside the standard introduces much more complicated issues. ONC needs to trust in the standards and work within their processes. The outcome of any comment solicitation must be to submit a set of recommendations to an appropriate standards development organization for proper implementation. We do not see anything in the questions that cannot be worked out through the usual use-case mechanism nor do we see anything that is so urgent that the usual standards development process has to be bypassed.

Thank you for the opportunity to comment in advance of the release of this proposed rule.

Sincerely,

Michael H. Zaroukian, MD, PhD, FACP, FHIMSS
Chair, Medical Informatics Committee
American College of Physicians