

**STATEMENT BY**  
**THE HONORABLE ELIZABETH A. MCGRATH**  
**DEPUTY CHIEF MANAGEMENT OFFICER**

BEFORE THE  
SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS  
HOUSE VETERANS AFFAIRS COMMITTEE

JULY 20, 2011

Chairman Johnson, Ranking Member Donnelly, and members of this distinguished Committee thank you for extending the invitation to the Department of Defense to address your recently introduced bill, “The Ensuring Servicemembers' Electronic Records' Viability (E-SERV) Act,” H.R. 2470. To improve the electronic health information systems and capabilities of the Department of Defense and the Department of Veterans Affairs.”

The Department of Defense does not support H.R. 2470 as currently written. While we appreciate the Committee’s desire to be helpful in strengthening the role of the Interagency Program Office (IPO) for electronic health records, we believe that existing legislation on this subject provides sufficient authority and flexibility to the Secretaries of Defense and Veterans Affairs to effectively administer the integrated electronic health record way ahead.

Section 1635 of the National Defense Authorization Act for FY 2008 established the IPO and vested it with authority:

- (A) To act as a single point of accountability for the Department of Defense and the Department of Veterans Affairs in the rapid development and implementation of electronic health record systems or capabilities that allow for full interoperability of personal health care information between the Department of Defense and the Department of Veterans Affairs.
- (B) To accelerate the exchange of health care information between the Department of Defense and the Department of Veterans Affairs in order to support the delivery of health care by both Departments.

Section 1635 therefore tasked the IPO with a dual role: to collaborate with the Departments in order to accelerate the exchange of healthcare information between them, and to serve in an oversight capacity to ensure that interoperability is achieved.

The two Departments are currently revising the IPO's charter to reflect the direction of the Secretaries of Defense and Veterans Affairs and take advantage of the authority provided in Section 1635. The revised Charter will be complete in August 2011. The Department of Defense does not believe that additional legislation is necessary, and in fact, could jeopardize the progress that has recently been made.

Additionally, the Department is concerned by the provision in H.R. 2470 that would make the IPO the only office of the Department of Defense and the Department of Veterans Affairs responsible for electronic health record capabilities, including any such capabilities existing before January 16, 2008. We believe that this would divert the attention of the IPO toward day to day management of legacy systems and make it less effective in what we view as its primary and proper function of developing the integrated electronic health record way ahead.

Finally, let me say that although we do not support H.R. 2470 as currently written, I am glad to appear before the Committee today to discuss the growing role of the IPO and, most importantly, to emphasize to you the partnership, level of effort and shared sense of urgency that exist between the Department of Defense and the Department of Veterans Affairs regarding the vital need to achieve a common integrated electronic health record for our service members and veterans. We strongly believe that we are on the right track and that sufficient legislation is already in place to ensure that we reach our mutual goal.

I look forward to your questions.