

WITHDRAWN**AMERICAN BAR ASSOCIATION****BRUCE WILDER, ABA MEMBER****REPORT TO THE HOUSE OF DELEGATES****RECOMMENDATION**

1 RESOLVED, That the American Bar Association urges
2 the government of the United States, and specifically, the
3 Department of Health and Human Services to undertake
4 measures which would:

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- 6 1. Ensure the least possible disclosure of patients'
7 personally identifiable information contained in the
8 electronic health record (EHR), except in specific
9 instances as required by law, using state-of-the-art
10 technological means, including the determination of
11 quality measures, and facilitation of the conduct of
12 research to advance medical science;
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 - 14 2. Make available to both individual and institutional
15 health care providers, at nominal cost, EHR software
16 with open source code; and
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 - 18 3. Provide for transparent governance and development of

19 open source Health Information Technology (HIT), by a
20 public, non-governmental consortium of interested
21 parties, including but not limited to, consumers,
22 individual health care providers, and individuals with
23 technical, clinical and legal expertise in EHR systems.