

MYTH: EHRs are built off a common API.

FACT: EHRs are built using a number of different applications owned by different vendors each using its own proprietary API.

Healthcare providers around the country use different Electronic Health Records (EHR) applications created and owned by a number of different vendors. Each of these applications stores and disseminates health information differently, and in order to exchange information between different healthcare systems in a meaningful way, these applications need to be interoperable.

One way to make systems interoperable is through the publication of Application Program Interfaces for these different EHR applications. Publishing an API for an application involves releasing proprietary information about the application in order to allow a third-party to build a new application that can interact with the original application. JASON, a group of scientists which advises the federal government, released two advisory reports in 2013 and 2014 addressing health information technology. Both reports stress the importance of publishing APIs for existing EHR applications in order to allow third-party programmers to develop applications to create a bridge between “the current legacy software used to store and process EHRs [and] the future system of broad interoperability.”¹

The 21st Century Cures Act, signed into law in 2016, addresses the need for open APIs. In the section on “Transparent Reporting on Usability, Security and Functionality,” the use of an open API is included as a certification requirement for health information developers and entities. The APIs must be published and allow for “health information from such technology to be accessed, exchanged, and used without special effort.” This includes providing access to all parts of a patient’s electronic health record, “permissible under applicable privacy laws.”²

In 2019, the Centers for Medicare and Medicaid Services (CMS) and the Office of the National Coordinator for Health Information Technology (ONC) released proposed rules to implement this section of the 21st Century Cures Act. The rules from both agencies promote the increased use of open APIs. ONC created new standards that APIs must meet for certification.

For More Information:

- See our resources on the 2019 ONC and CMS proposed rules [here](#).
 - See our resources on the [21st Century Cures Act](#).
 - See our resources on [interoperability](#) and APIs.
- Follow us on Twitter at [@HealthInfoLaw](#)

¹ JASON, *A Robust Health Data Infrastructure*, November 2013, Pages 3-4. Available at: https://www.healthit.gov/sites/default/files/ptp13-700hhs_white.pdf

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² 21st Century Cures Act, H.R. 34, 114th Cong. (2015).