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## 42 U.S. Code § 300jj–34

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### Competitive grants to States and Indian tribes for the development of loan programs to facilitate the widespread adoption of certified EHR technology

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#### **(a) In general**

The National Coordinator may award competitive grants to eligible entities for the establishment of programs for loans to health care providers to conduct the activities described in subsection (e).

#### **(b) Eligible entity defined**

For purposes of this subsection, the term “eligible entity” means a State or Indian tribe (as defined in the Indian Self-Determination and Education Assistance Act [25 U.S.C. 5301 et seq.]) that—

- (1) submits to the National Coordinator an application at such time, in such manner, and containing such information as the National Coordinator may require;
- (2) submits to the National Coordinator a strategic plan in accordance with subsection (d) and provides to the National Coordinator assurances that the entity will update such plan annually in accordance with such subsection;
- (3) provides assurances to the National Coordinator that the entity will establish a Loan Fund in accordance with subsection (c);
- (4) provides assurances to the National Coordinator that the entity will not provide a loan from the Loan Fund to a health care provider unless the provider agrees to—
  - (A) submit reports on quality measures adopted by the Federal Government (by not later than 90 days after the date on which such measures are adopted), to—
    - (i) the Administrator of the Centers for Medicare & Medicaid Services (or his or her designee), in the case of an entity participating in the Medicare program under title XVIII of the Social Security Act [42 U.S.C. 1395 et seq.] or the Medicaid program under title XIX of such Act [42 U.S.C. 1396 et seq.]; or
    - (ii) the Secretary in the case of other entities;
  - (B) demonstrate to the satisfaction of the Secretary (through criteria established by the Secretary) that any certified EHR technology purchased, improved, or otherwise financially supported under a loan under this section is used to exchange health information in a manner that, in accordance with law and standards (as adopted under section 300jj–14 of this title) applicable to the exchange of information, improves the quality of health care, such as promoting care coordination; and <sup>[1]</sup>
  - (C) comply with such other requirements as the entity or the Secretary may require;
  - (D) include a plan on how health care providers involved intend to maintain and support the certified EHR technology over time;
  - (E) include a plan on how the health care providers involved intend to maintain and support the certified EHR technology that would be purchased with such loan, including the type of resources expected to be

involved and any such other information as the State or Indian Tribe, respectively, may require; and

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