Whereas, The private practice of medicine has protected the relationship between doctor and patient; and  
Whereas, The patient chart and its data are protected under HIPAA; and  
Whereas, The ownership of the chart rests with the doctor originating the chart; and  
Whereas, The continued art and science of the practice of medicine depends on the protected relationship of the doctor and the patient, and the documentation of that relationship; and  
Whereas, Electronic medical records have improved the documentation of the doctor-patient relationship; and  
Whereas, The access to the patient chart is protected by HIPAA; and  
Whereas, The private practice is affected by forces in the free marketplace; and  
Whereas, The access and ownership of the patient chart has effect on its value in the marketplace; and  
Whereas, The ownership of the chart has not been ruled on in most states; and  
Whereas, The spread of Accountable Care Organizations (ACOs) may direct referrals within a geographic area and have restricted trade; and  
Whereas, All electronic medical records are to move to interoperability as defined and mandated by the Centers for Medicare and Medicaid Services (CMS) for compliance with federal programs; and  
Whereas, There are means of sharing data between organizations in accordance with HIPAA via alliances like CommonWell Health Alliance and Carequality Interoperability Framework that are in common usage for patient data and its interoperability; and  
Whereas, The use of alliances such as CommonWell Health Alliance and Carequality Interoperability Framework have accelerated the ability of unrelated healthcare entities including inpatient and outpatient facilities to share data through interoperability; and  
Whereas, ACOs have begun to mandate the use of single and specific EMR software vendors; therefore be it
RESOLVED, That our American Medical Association adopt policy stating that Accountable Care Organizations cannot mandate their membership to use a single specific Electronic Medical Record (EMR) (New HOD Policy); and be it further

RESOLVED, That our AMA move to effect legislation that prevents Accountable Care Organizations from imposing EMR mandates. (Directive to Take Action)

Fiscal Note: Not yet determined

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