



**Medicare and Medicaid Programs: Allowing Eligible Hospitals and Critical Access Hospitals to Attest Clinical Quality Measures in Payment Year 2012 for EHR Incentive Program/ Electronic Reporting Pilot Program  
Notice of Proposed Rulemaking Fact Sheet**

**Summary**

- On July 18<sup>th</sup>, 2011, CMS published a [Notice of Proposed Rulemaking](#) titled: “Medicare and Medicaid Programs: Hospital Outpatient Prospective Payment; Ambulatory Surgical Center Payment; Hospital Value-Based Purchasing Program; Physician Self-Referral; and Provider Agreement Regulations on Patient Notification Requirements.”
- In Section J of the NPRM (pages 42334-42336 of the July 18 Federal Register), CMS proposes that hospitals can choose one of two ways to meet Meaningful Use Quality Reporting requirements for Meaningful Use Stage 1:
  - To allow eligible hospitals and critical access hospitals (CAHs) to meet clinical quality measure reporting requirements for Meaningful Use Stage 1 through attestation in payment year 2012.
  - CMS will propose that eligible hospitals and CAHs can also choose to meet clinical quality measure reporting requirements by participating in the EHR Incentive Program Electronic Reporting Pilot for Payment Year 2012.
- CMS is seeking public comments on the EHR Incentive Program Electronic Reporting Pilot.
- Public Comments are due on August 30, 2011.

**Corresponding HIMSS Policy Principle**

- Principle 2.9 Align EHR incentive program quality reporting requirements with other Federal reporting/incentive programs.
- Principle 4.6 Promote the public-private development, coordination and use of harmonized standards to support the coding and reporting *of defined quality measures*, interoperability, public reporting, other components of healthcare, as well as work products such as standards, implementation guides, integration profiles, and technical reports.

**Background**

- The CMS EHR Incentive Program Final Rule for Meaningful Use Stage 1 published on July 14<sup>th</sup>, 2010, requires that eligible hospitals and critical access hospitals (CAHs) report clinical quality measures (CQMs) to CMS.
- For the 2012 payment year and subsequent years, an eligible hospital or CAHs using certified EHR technology must submit information on the specified clinical quality measures electronically. (Hospitals and CAHs can attest for payment year 2011.)
- In the CMS EHR Incentive Program Final Rule, CMS also stated that if CMS does not have the capacity to accept electronic reporting of CQMs in 2012, consistent with the HITECH Act requirements, CMS would continue to rely on attestation for reporting CQMs as a requirement for demonstrating meaningful use.
- In the Certification Final rule, certified EHR technology will be required to transmit calculated clinical quality measure results under the PQRI 2009 Registry XML specification.
- PQRI 2009 XML specification was the only such standard that the certified EHR technology would be able to support based on the standards that have been adopted for certified EHR technology.

### **Proposed Changes to Meaningful Use Reporting**

- Since the publication of the July 14<sup>th</sup> final rule, CMS determined that it is not feasible to receive electronically the information necessary for clinical quality measure reporting based solely on the use of PQRI 2009 Registry XML Specification content exchange standard, because the specification is tailored to the elements required for 2009 PQRI Registry XML submission, rather than constituting a more generic standard.
- CMS now is proposing that for the 2012 payment year and subsequent years, eligible hospitals and CAHs may continue to report clinical quality measure results as calculated by certified EHR technology by attestation, or, for the 2012 payment year, eligible hospitals and CAHs would be able to participate in the proposed FY 2012 Medicare EHR Incentive Program Electronic Reporting Pilot for Eligible Hospitals and CAHs.

### **EHR Incentive Program Electronic Reporting Pilot**

- The proposed Electronic Reporting Pilot is a secure portal that allows participants to submit CQM data on all 15 CQMs listed in Table 10 of the final rule to CMS.
- In the July 14<sup>th</sup> 2010 final rule, CMS required eligible hospitals and CAHs to report aggregate-level CQM data. However, for the proposed Electronic Reporting Pilot, eligible hospitals and CAHs participating in the proposed Electronic Reporting Pilot would submit patient-level CQM data for Medicare patients only.
- Aside from requiring attestation to other objectives/measures based on data for all patients, CMS proposes that eligible hospitals and CAHs participating in the Pilot would:
  1. Submit CQM data on Medicare patients only;
  2. Submit Medicare patient-level data from which CMS may calculate CQM results using a uniform calculation process, rather than aggregate results calculated by the eligible hospital or CAH's certified EHR technology;
  3. Submit one full Federal fiscal year of CQM data, regardless of the eligible hospital or CAH's year of participation in the Medicare and Medicaid EHR Incentive Programs;
  4. Use electronic specifications for transmission as specified by CMS which we expect would be Level 1 QRDA.

### **Electronic Reporting Pilot and Certification**

- Participants in the Pilot must use a Certified EHR.
- Functionality of reporting CQMs to CMS will not rely on the certification process because participants in the pilot will be using a web portal for reporting.
- Participants would report CQMs to CMS based on a pilot measurement period (October 1, 2011-September 30, 2012), regardless of whether the eligible hospital or CAH is in the first year of participating in the EHR Incentive Programs.
- The period for submitting CQM information would be October 1, 2012- November 30, 2012.
- The CQM reporting format will likely be Quality Data Reporting Architecture (QDRA) Level 1.
- A test period would be offered July 1, 2012.
- Additional details on the proposed Electronic Reporting Pilot will be offered at [www.qualitynet.org](http://www.qualitynet.org).