

Nuesoft™

# Meaningful Use and the HITECH Act

## Top Five Things to Know

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# ARRA Background

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- American Recovery & Reinvestment Act (ARRA) of 2009
- \$800 billion stimulus package
- Includes HITECH (Health Information Technology for Economic and Clinical Health) Act.
  - \$20 billion set aside for deployment of EHRs
  - Includes incentives from Centers for Medicare and Medicaid Services (CMS)
  - To qualify for these payments an eligible professional must demonstrate “**meaningful use**” of a **certified EHR system**

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- #1: Eligibility requirements are different between the Medicare and Medicaid Programs.

# Eligibility Differences

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- Medicare eligible professionals
  - Medical Doctors
  - Osteopaths
  - Dental Surgeons/Dental Medicine
  - Podiatrists
  - Optometrists
  - Chiropractors
  - EPs may not be hospital-based
- Medicaid eligible professionals
  - Physicians (as defined by State Medicaid program)
  - Nurse Practitioners
  - Certified Nurse Midwives
  - Dentists
  - Physicians Assistants (working in an FQHC or rural health clinic led by a PA)
  - EPs may not be hospital-based

# Eligibility Differences

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- Medicare eligible professionals
  - If you're filing Medicare Part B, your maximum incentive payment is 75% of your claims for that year.
- Medicare incentive program is federally run by CMS
- Medicaid eligible professionals
  - 30% Medicaid patient load (20% for Pediatricians)
- Medicaid incentive program is run by States and is voluntary

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- #2: There is still time to find the right EHR vendor.

# Implementation Timelines

- Medicare

- Implement in either 2011 or 2012 for max incentive
- Must begin by 2014 to receive incentive payments
- Last payment year is 2016
- Maximum payment = \$44,000 over 5 years
- 1<sup>st</sup> Year: demonstrate meaningful use of a certified EHR for continuous 90-day period

- Medicaid

- Implement as late as 2016 to qualify
- Incentives available through 2021
- Maximum payment = \$63,750 over 6 years
- 1<sup>st</sup> Year: adopt, implement or upgrade to a certified EHR
- Must demonstrate meaningful use in each subsequent year to qualify for payment

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- #3: There will be penalties for not implementing an EHR.

# Penalties for not Implementing

- Applies only to Medicare program
- Payment adjustments may apply for any EP who accepts Medicare and does not demonstrate meaningful use in 2015
- 1% reduction in 2015
- 2% reduction in 2016
- 3% reduction in 2017
- Maximum reduction set at 5%

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- #4: Meaningful use requirements will be rolled out in stages.

# Criteria to meet Meaningful Use

- Stage 1 Requirements
  - Published in the Federal Register on July 28
  - Applicable for 2011 and 2012
- Stage 2 Requirements
  - Open for public comment by the end 2010
  - To be effective in 2013

# Criteria to meet Meaningful Use

- Initial ruling encompassed 25 objectives for meaningful use.
- Final rule was adjusted by CMS to include:
  - A set of 15 core objectives
  - A menu set of 10 objectives
    - 5 required
      - Must include at least one of the population and public health measures as part of the menu set

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- #5: The vendor certification process has just recently been finalized.

# Certified EHR Technology

- To qualify for incentives, eligible professionals must show meaningful use of certified EHR technology
  - Temporary certification process currently in place
- Certification will cover both 'complete EHRs' and 'EHR modules'
- CCHIT certification is not the same as certified EHR technology for the incentive payments

# Certified EHR Technology

- Two organizations have been selected as  
ONC – Authorized Testing and Certification  
Bodies (ATCBs)
  - Drummond Group Inc
  - Certification Commission for Health Information  
Technology (CCHIT)
- There are currently no EHR solutions that  
have been tested and certified
- Testing set to begin in Fall 2010

# Top Things You Need to Know

1. Eligibility requirements are different between Medicare and Medicaid programs.
2. There is still time to find the right EHR vendor.
3. There will be penalties for not adopting a certified EHR technology and using it in a meaningful way.
4. Meaningful Use requirements will be rolled out in stages.
5. The vendor certification process has just recently been finalized.

# Additional Information

- [www.nuesoft.com](http://www.nuesoft.com)
  - click on the red ARRA button on the homepage.
- Final Rule from the Federal Register:
  - <http://edocket.access.gpo.gov/2010/pdf/2010-17207.pdf>
- Final Rule and related information:
  - <http://healthit.hhs.gov>
- Registration for the EHR Incentive Program
  - <http://www.cms.gov/EHRIncentivePrograms>