Quality Payment
PROGRAM

The 2022 Merit-based Incentive Payment System (MIPS) Automatic Extreme and Uncontrollable Circumstances Policy

UPDATED: 8/11/2022

The Merit-based Incentive Payment System (MIPS) automatic extreme and uncontrollable circumstances (EUC) policy was established to support clinicians affected by natural disasters and public health emergencies. Clinicians affected by certain circumstances may have their performance categories reweighted and receive a neutral payment adjustment. This resource addresses the automatic EUC policy as it applies to individual MIPS eligible clinicians for performance year 2022.

The MIPS automatic EUC policy (and this fact sheet) only applies to MIPS eligible clinicians participating as individuals.

The MIPS automatic EUC policy doesn't apply to group, virtual group, or APM Entity participation. The 2022 MIPS EUC Exception application is now available for individuals, groups, virtual groups, and APM Entities.

Who Does the MIPS Automatic EUC Policy Apply to?

The MIPS automatic EUC policy applies to MIPS eligible clinicians identified as located in a Centers for Medicare & Medicaid Services (CMS)-designated region affected by extreme and uncontrollable circumstances (such as a Federal Emergency Management Agency (FEMA)-designated major disaster or Secretary of Health and Human Services determined public health emergency) during the 2022 performance year. For these clinicians, we aim to reduce their reporting burden by eliminating the need to submit an application to request reweighting of one or more MIPS performance categories. We'll continue to update this resource if additional qualifying circumstances are identified that trigger this policy.

The MIPS automatic EUC policy doesn't apply to group, virtual group, or APM Entity participation.

- Groups that submit data will be scored according to existing MIPS scoring policies. The MIPS eligible clinicians in the group will receive the group's final score and associated payment adjustment unless they have a higher score from individual or APM Entity participation.

- Virtual groups (regardless of data submission) will be scored according to existing MIPS scoring policies. The MIPS eligible clinicians in the virtual group will receive the virtual group's final score and associated payment adjustment.
- APM Entities that submit MIPS data will be scored according to existing MIPS scoring policies. MIPS eligible clinicians in the APM Entity will receive the APM Entity's final score and associated payment adjustment unless they have a higher score from individual or group participation.

How Does the MIPS Automatic EUC Policy Work?

We identify MIPS eligible clinicians in CMS-designated areas that have been affected by an extreme and uncontrollable circumstance based on the address associated with the clinician in the Provider Enrollment, Chain, and Ownership System (PECOS), which is the practice address, displayed on the Quality Payment Program (QPP) Participation Status Tool.

MIPS eligible clinicians who are automatically identified and subject to MIPS will have all 4 performance categories weighted at 0% of their final score.

> We make every effort to accurately identify all clinicians who are eligible for this policy. **Clinicians should ensure that the practice address listed in PECOS is current and check their performance feedback on qpp.cms.gov to ensure the policy was applied correctly**, if applicable.

Individual clinicians will automatically have all 4 MIPS performance categories reweighted to 0% and receive a score equal to the performance threshold, which will result in a neutral payment adjustment for the 2024 MIPS payment year **unless**:
- The clinician submits data, or can be scored, as an individual for 2 or more MIPS performance categories (quality, improvement activities, and/or Promoting Interoperability);
  - Data submission by individual clinicians voids the 0% performance category weight on a category-by-category basis.
  - Clinicians who participate in an alternative payment model (APM) are eligible to receive automatic credit in the improvement activities performance category; for these MIPS eligible clinicians, submitting data for the quality and/or Promoting Interoperability performance categories will initiate a score in the improvement activities performance category (they will automatically receive 20 out of 40 possible points).
  - Clinicians will receive a final score based on the data submitted and available for scoring.
- The clinician is part of a group or APM Entity that submits data on behalf of its clinicians; OR
- The clinician is part of a virtual group.

> Under the MIPS automatic EUC policy, **the cost performance category will always be weighted at 0%**, even if you submit data as an individual for the other performance categories.
>
> As a reminder, the MIPS automatic EUC policy doesn't apply to group, virtual group, or APM Entity participation.

For a more detailed explanation of how your performance categories will be reweighted under the automatic policy based on data submission, please see Appendix A.

Frequently Asked Questions

How do I know if I'm in an area designated by CMS as being affected by an extreme and uncontrollable circumstance?

We communicate information about events and circumstances that trigger the MIPS automatic EUC policy through the QPP listserv. You can subscribe to the QPP listserv on the Quality Payment Program website. In addition, we will update this fact sheet to identify any new events or changes to previously identified events.

We're applying this policy to clinicians in the following designated area listed on the FEMA website:

- Certain counties in Kentucky for the Kentucky severe storms, flooding, landslides, and mudslides.
  - Kentucky: DR-4663-KY
- Certain counties in New Mexico for the New Mexico wildfires and straight-line winds.
  - New Mexico: DR-4652-NM

Additionally, if we identify new qualifying events, you can find information about designated disaster areas in this fact sheet and on the FEMA-designated disaster areas webpage. Clinicians can monitor these pages for updates on designated disaster areas. Appendix B identifies the counties identified as located in CMS-designated areas that have been affected by an extreme and unrollable circumstance.

What if I am part of a group, virtual group, or APM Entity where some, but not all, clinicians are located in areas designated by CMS as affected by an extreme and uncontrollable circumstance?

The automatic EUC policy will only apply to individual MIPS eligible clinicians located in the designated area. CMS will assign a weight of 0% to all performance categories, resulting in a

neutral payment adjustment for the 2024 MIPS payment year to MIPS eligible clinicians located in the designated area(s), **unless** your group or APM Entity submits data on your behalf or you are part of a CMS-approved virtual group during the 2022 submission period (January 3, 2023 – March 31, 2023).

A group or APM Entity (with clinicians who qualify for the automatic EUC policy) that chooses to submit data at the group or APM Entity level for performance year 2022 will be scored as a group or APM Entity according to the existing and applicable 2022 MIPS scoring policies.

All CMS-approved virtual groups will be scored as a virtual group according to existing MIPS scoring policies, regardless of if they submit data or not.

Groups and virtual groups can complete an EUC Exception application if the extreme and uncontrollable circumstance affects their ability to collect data, at a group or virtual group level, for a specific MIPS performance category or categories. APM Entities also may submit an application but must request reweighting for all performance categories.

What should I do if I am eligible for the MIPS automatic EUC policy, but my performance feedback does not reflect the correct reweighting?

If you believe that you qualified for the automatic EUC policy, but don't see it reflected in your performance feedback, you should submit a targeted review. Targeted reviews can be requested for 60 days after the release of the 2024 payment adjustment in your 2022 performance feedback.

What happens if I am a MIPS eligible clinician covered by the MIPS automatic EUC policy but still submit data?

It depends on how many performance categories for which you submit data **as an individual**.

- If you submit data for 1 performance category (or no data at all), you will receive a final score equal to the performance threshold and receive a neutral payment adjustment.
    - o Note: If you participate in an APM, you're eligible to receive automatic credit in the improvement activities performance category. Submitting data for the quality or Promoting Interoperability performance categories will initiate a score in the improvement activities performance category (20 out of 40 possible points), and you'll receive a final score based on the data submitted and available for scoring.

- If you submit data for 2 or 3 performance categories (quality, improvement activities, and/or Promoting Interoperability), you will be scored on the performance categories for which you submitted data. Your final score will determine your payment adjustment.
    - o Note: If you participate in an APM, you're eligible to receive automatic credit in the improvement activities performance category. Submitting data for the quality and Promoting Interoperability performance categories will initiate a score in the improvement activities performance category (20 out of 40 possible points), and you'll receive a final score based on the data submitted and available for scoring.

- You **won't** be scored in any performance category for which data isn't submitted (see exception noted above for APM participants).

- You **won't** be scored on the cost performance category under the <u>automatic</u> EUC policy even if data are submitted in other performance categories. (Reminder: The automatic EUC policy **doesn't** apply to group, virtual group, or APM Entity participation.)

What happens if I've submitted Medicare Part B claims before an event that triggers the MIPS automatic EUC policy?

If a MIPS eligible clinician in a small practice reports quality measures through Medicare Part B claims collection **and** we receive data for the clinician before a triggering event for the automatic EUC policy, their Medicare Part B claims data would only contribute to their individual final score if they also submit data as individuals for either the Promoting Interoperability or improvement activities performance categories.

Please note that **we will no longer automatically calculate a score for the quality performance category at the group level** when clinicians in a small practice report quality measures through Medicare Part B claims. Beginning with performance year 2022, we'll calculate a group score only if the group also submits data for another performance category at the group level.

Where Can I Learn More?
- [Quality Payment Program website](#)
- [CY 2022 Physician Fee Schedule (PFS) Final Rule](#)
- [FEMA-Designated Disaster Areas webpage](#)
- [CMS's Emergency Preparedness & Response webpage](#)

To receive QPP information and updates, you can subscribe to the [QPP listserv](#). You can also contact the QPP Service Center at 1-866-288-8292, Monday through Friday, 8 a.m. – 8 p.m. ET or by email at QPP@cms.hhs.gov. Customers who are hearing impaired can dial 711 to be connected to a TRS Communications Assistant.

Version History Table

If we need to update this document, changes will be identified here.

Date	Change Description
08/11/2022	Updated to reflect that the automatic EUC policy applies to certain counties in Kentucky following the Kentucky severe storms, flooding, landslides, and mudslides.
05/26/2022	Updated to reflect that the automatic EUC policy applies to certain counties in New Mexico following the New Mexico wildfires and straight-line winds.
05/11/2022	Original Posting.

Appendix A

Table 1 depicts the 2022 MIPS performance category reweighting policies that CMS will apply under the MIPS automatic EUC policy to clinicians who submit MIPS data as individuals. (Clinicians in a small practice should refer to Table 2.)

Table 1: Reweighting for Clinicians Not in a Small Practice

Data Submitted	Quality Category Weight	Promoting Interoperability Category Weight	Improvement Activities Category Weight	Cost Category Weight	Payment Adjustment
No data	0%	0%	0%	0%	Neutral
Submit Data for 1 Performance Category					
Quality Only[1]	100%	0%	0%	0%	Neutral
Promoting Interoperability Only[1]	0%	100%	0%	0%	Neutral
Improvement Activities Only	0%	0%	100%	0%	Neutral
Submit Data for 2 Performance Categories					
Quality **and** Promoting Interoperability[1]	70%	30%	0%	0%	Positive, Negative, or Neutral
Quality **and** Improvement Activities	85%	0%	15%	0%	Positive, Negative, or Neutral
Improvement Activities **and** Promoting Interoperability	0%	85%	15%	0%	Positive, Negative, or Neutral
Submit Data for 3 Performance Categories					

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[1] APM participants are eligible to receive automatic credit in the improvement activities performance category; for these MIPS eligible clinicians, submitting data for the quality and/or Promoting Interoperability performance categories will initiate a score in the improvement activities performance category (20 out of 40 possible points), and they'll receive a final score based on the data submitted and available for scoring.

Data Submitted	Quality Category Weight	Promoting Interoperability Category Weight	Improvement Activities Category Weight	Cost Category Weight	Payment Adjustment
Quality **and** Improvement Activities **and** Promoting Interoperability	55%	30%	15%	0%	Positive, Negative, or Neutral

Table 2 depicts the 2022 MIPS performance category reweighting policies that CMS will apply under the MIPS automatic EUC policy to clinicians in small practices who submit MIPS data as individuals.

Table 2: Reweighting for Clinicians in a Small Practice

Data Submitted	Quality Category Weight	Promoting Interoperability Category Weight	Improvement Activities Category Weight	Cost Category Weight	Payment Adjustment
No data	0%	0%	0%	0%	Neutral
Submit Data for 1 Performance Category					
Quality Only[2]	100%	0%	0%	0%	Neutral
Promoting Interoperability Only[2]	0%	100%	0%	0%	Neutral
Improvement Activities Only	0%	0%	100%	0%	Neutral
Submit Data for 2 Performance Categories					
Quality **and** Promoting Interoperability[2]	70%	30%	0%	0%	Positive, Negative, or Neutral

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[2] APM participants are eligible to receive automatic credit in the improvement activities performance category; for these MIPS eligible clinicians, submitting data for the quality and/or Promoting Interoperability performance categories will initiate a score in the improvement activities performance category (20 out of 40 possible points), and they'll receive a final score based on the data submitted and available for scoring.

Data Submitted	Quality Category Weight	Promoting Interoperability Category Weight	Improvement Activities Category Weight	Cost Category Weight	Payment Adjustment
Quality **and** Improvement Activities	50%	0%	50%	0%	Positive, Negative, or Neutral
Improvement Activities **and** Promoting Interoperability	0%	85%	15%	0%	Positive, Negative, or Neutral
Submit Data for 3 Performance Categories					
Quality **and** Improvement Activities **and** Promoting Interoperability	55%	30%	15%	0%	Positive, Negative, or Neutral

Appendix B

The table below lists the affected counties located in a CMS-designated region affected by an extreme and uncontrollable event during the 2022 MIPS performance year. (This information is current as of the most recent date in the version history table and may not reflect changes that have already been identified on the FEMA pages linked above.)

New Mexico Wildfires and Straight-line Winds – New Mexico Counties – DR-4652-NM

Note: The automatic EUC policy applies to the following counties in New Mexico:

- Colfax
- Lincoln
- Mora
- San Miguel
- Valencia

Kentucky Severe Storms, Flooding, Landslides, and Mudslides – Kentucky Counties – DR-4663-KY

Note: The automatic EUC policy applies to the following counties in Kentucky:

PA-A

• Clay	• Martin	• Pike
• Floyd	• Owsley	
• Knott	• Perry	

PA-B

• Breathitt	• Leslie	• Perry
• Clay	• Letcher	• Pike
• Floyd	• Magoffin	• Wolfe
• Johnson	• Martin	
• Knott	• Owsley	