

CMS 2014 CEHRT Flexibility Rule

Beth Myers

Policy and Outreach Lead, CMS eHealth Initiatives
Office of E-Health Standards and Services, CMS

Elise Anthony

Senior Policy Advisor
Office of the National Coordinator for Health
Information Technology (ONC)

Vidya Sellappan

Health Insurance Specialist
Office of E-Health Standards and Services, CMS

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The information provided is only intended to be a general summary. It is not intended to take the place of either the written law or regulations. We encourage readers to review the specific statutes, regulations, and other interpretive materials for a full and accurate statement of their contents.

CMS 2014 CEHRT Flexibility Rule Overview

- » CMS published final rule on August 29
- » Effective October 1
- » Rule provisions:
 - Allows providers to meet meaningful use with EHRs certified to the 2011 or the 2014 Edition criteria, or a combination of both Editions for an EHR Reporting Period in 2014
 - Requires providers to report using 2014 Edition certified EHR technology (CEHRT) for EHR Reporting Period in 2015
 - Extends Stage 2 through 2016

Stage 2 Extension

Rule extends Stage 2 through 2016

Earliest a provider can begin Stage 3 is now 2017

Benefits of this extension include:

- Ensures that CMS has enough data to inform Stage 3 policy
- Allows providers who first attested to meaningful use in 2011 or 2012 to remain in Stage 2 for an additional year
- Affords providers and technology developers with additional time to prepare for Stage 3

2014 CEHRT Flexibility

- Flexibility only available to providers who are **unable to fully implement** 2014 Edition CEHRT for an EHR reporting period in 2014 due to delays in 2014 Edition CEHRT availability
- First-year Medicaid participants must use 2014 Edition CEHRT in order to receive a payment for adopt, implement, or upgrade for 2014 participation

2014 Flexibility Options: Stage 1

Options for providers scheduled to meet Stage 1 in 2014

2011 CEHRT

- 2013 Stage 1 objectives and 2013 CQMs

2011 & 2014 CEHRT

- 2013 Stage 1 objectives and 2013 CQMs; **or**
- 2014 Stage 1 objectives and 2014 CQMs

2014 CEHRT

- 2014 Stage 1 objectives and 2014 CQMs

2014 Flexibility Options: Stage 2

Options for providers scheduled to meet Stage 2 in 2014

2011 CEHRT

- 2013 Stage 1 objectives and 2013 CQMs

2011 & 2014 CEHRT

- 2013 Stage 1 objectives and 2013 CQMs; **or**
- 2014 Stage 1 objectives and 2014 CQMs; **or**
- 2014 Stage 2 objectives and 2014 CQMs

2014 CEHRT

- 2014 Stage 2 objectives and 2014 CQMs; **or**
- 2014 Stage 1 objectives and 2014 CQMs

Attestation System Updates

- Attestation System will make options clear
- Enter EHR product information into CHPL to identify Edition of CEHRT and obtain a unique certification ID
 - Entering that ID into Attestation System will show provider which options they have for 2014
- New Attestation User Guide will be available soon

For CHPL, go to: <http://oncchpl.force.com/ehrcert?q=chpl>

ONC CHPL Website:

<http://oncchpl.force.com/ehrcert?q=chpl>

The screenshot shows a web browser window displaying the "Certified Health IT Product List" website. The header includes the "HealthIT.gov" logo and the title "Certified Health IT Product List - The Office of the National Coordinator for Health Information Technology". Below the header, there is a paragraph explaining the CHPL's purpose and eligibility criteria. A section titled "STEP 1: TO WHICH EDITION OF ONC HIT EHR CERTIFICATION ARE YOU ATTESTING?" features three buttons: "2011 Edition", "Combination of 2011 and 2014 Edition", and "2014 Edition". Below this, a section titled "USING THE CHPL WEBSITE / CERTIFICATION ID NUMBERS FOR OPTIONS UNDER THE 2014 CEHRT FLEXIBILITY RULE" contains an "UPDATE" notice and instructions for browsing the CHPL and obtaining a CMS EHR Certification ID.

The Certified Health IT Product List (CHPL) provides the authoritative, comprehensive listing of Complete Electronic Health Records (EHRs) and EHR Modules that have been tested and certified under the ONC HIT Certification Program, maintained by The Office of the National Coordinator for Health Information Technology (ONC).

Each Complete EHR and EHR Module listed on CHPL has been tested and certified by an authorized testing and certification body against applicable standards and certification criteria adopted by the HHS Secretary. EHR technologies that have been certified under the ONC HIT Certification Program are eligible to be used for the Centers for Medicare and Medicaid (CMS) EHR Incentive Programs. The CHPL provides CMS EHR Certification ID for qualified products to be used in the CMS EHR Incentive Programs.

Eligible providers have the ability to use EHR technology that is certified to 2011 edition certification criteria, 2014 edition certification criteria, and a combination of 2011 and 2014 edition certification criteria to generate CMS EHR Certification ID that is submitted to CMS as part of attesting to meaningful use of certified EHR technology.

Please send suggestions and comments regarding the Certified Health IT Product List (CHPL) to ONC.certification@hhs.gov, with "CHPL" in the subject line.

Vendors or developers with questions about their product's listing should contact their certification body that certified their product.

STEP 1: TO WHICH EDITION OF ONC HIT EHR CERTIFICATION ARE YOU ATTESTING?

2011 Edition Combination of 2011 and 2014 Edition 2014 Edition

USING THE CHPL WEBSITE / CERTIFICATION ID NUMBERS FOR OPTIONS UNDER THE 2014 CEHRT FLEXIBILITY RULE

UPDATE: These step-by-step instructions also would apply to providers who intend to use a certified EHR technology option identified in the Flexibility Rule, which was published by CMS on September 4, 2014. The Flexibility Rule grants flexibility to providers who are unable to fully implement 2014 Edition for an EHR reporting period in 2014 due to delays in the availability of 2014 certified EHR technology. Under the Flexibility Rule, such providers participating in the Medicare and Medicaid EHR Incentive Programs in 2014 may use EHRs that have been certified under the 2011 Edition, a combination of the 2011 and 2014 Edition, or the 2014 Edition. More information on the Flexibility Rule may be found [here](#).

To browse the CHPL and review the comprehensive listing of certified EHR products, follow the steps outlined below:

1. Select the EHR Certification Criteria Edition for attestation (2011 Edition, Combination of 2011 and 2014 Edition, 2014 Edition)
 - 2011 Edition – List of EHR products that are certified to 2011 Edition certification criteria.
 - 2014 Edition – List of EHR products that are certified to 2014 Edition certification criteria.
 - Combination of 2011 and 2014 Edition – List of EHR products that are certified to 2011 Edition certification criteria AND/OR equivalent 2014 Edition certification criteria.
2. Select Practice Type (Ambulatory or Inpatient). Practice Type selection available only for '2011 Edition' and 'Combination of 2011 and 2014 Edition' attestation.
3. Select the "Browse" button to view the list of all CHPL products.

To obtain a CMS EHR Certification ID, follow the steps outlined below:

1. Select the EHR Certification Criteria Edition for attestation (2011 Edition, Combination of 2011 and 2014 Edition, 2014 Edition)
2. Select Practice Type (Ambulatory or Inpatient). Practice Type selection available only for '2011 Edition' and 'Combination of 2011 and 2014 Edition' attestation.
3. Search for certified complete EHR products or EHR modules by browsing all products, searching by product name, CHPL product number, vendor name, product classification, or certification criteria. A search by clinical quality measures (CQM) is available only for 2014 Edition attestation.

Addressing Public Comments: Attesting

- Attestation Timing Options
 - Attest at any time after reporting period ends- up until 2 months after end of fiscal/calendar year
 - Ex: Providers can attest to Q1 data after Attestation System updates with flexibility options in mid-October

Addressing Public Comments: Payment Adjustments

- Payment adjustments set by HITECH Act
- To avoid **2016** payment adjustment, Medicare eligible professionals should:
 - Demonstrate meaningful use during an EHR reporting period in 2014 and attest by:
 - **November 30, 2014** for eligible hospitals
 - **February 28, 2015** for eligible professionals
 - OR**
 - Apply to CMS for hardship exception by:
 - **April 1, 2015** for eligible hospitals
 - **July 1, 2015** for eligible professionals

April 1, 2014

Medicare EH
2015 hardship
exception
deadline

Oct 1, 2014

1st yr Medicare EP
attestation deadline to
avoid 2015 payment
adjustment

Feb 28, 2015

Medicare EP
attestation
deadline for
2014 payment
/avoid 2016
adjustment

July 1, 2015

Medicare EP
2016 hardship
exception
deadline

July 1, 2014

- Medicare EP
2015 hardship
exception
deadline
- 1st yr Medicare
EH attestation
deadline to avoid
2015 adjustment

Nov 30, 2014

- Medicare EH
attestation
deadline for
2014
payment/
avoid 2016
adjustment
- Reopened
hardship
exception
application
deadline for
both EPs and
EHs

April 1, 2015

Medicare EH
2016 hardship
exception
deadline

Addressing Public Comments: Reporting

- Flexibility does **not** allow for objectives and measures to be mixed and matched
- CQMs **cannot** be separated from meaningful use objectives and measures
 - Allowed to use updated specifications

CEHRT Rule Resources

- » [CEHRT Interactive Decision Tool](#) – providers answer a few questions about their current stage of meaningful use and Edition of EHR certification, and the tool displays the corresponding 2014 options.
- » [2014 CEHRT Flexibility Chart](#) – chart provides a visual overview of CEHRT participation options for 2014.
- » [2014 CEHRT Rule Quick Guide](#) – guide provides corresponding resources based on the option a provider chooses for 2014 EHR Incentive Programs participation.

These resources are all available on the Educational Resources webpage:
<http://www.cms.gov/Regulations-and-Guidance/Legislation/EHRIncentivePrograms/EducationalMaterials.html>

Additional Resources

- ❑ EHR Incentive Programs Website
 - <http://www.cms.gov/EHRIncentivePrograms/>
- ❑ EHR Incentive Program Information Center
 - 888-734-6433, TTY: 888-734-656
- ❑ General Info on CQMs
 - <http://www.cms.gov/Regulations-and-Guidance/Legislation/EHRIncentivePrograms/ClinicalQualityMeasures.html>