

## Meaningful Use for Eligible Professionals - Medicaid

### Overview

On February 17, 2009, President Barack Obama signed into law the *American Recovery and Reinvestment Act of 2009* (ARRA)<sup>1</sup>. The law outlines incentive programs under Medicare and Medicaid for eligible professionals (EPs) and hospitals (EHs) that adopt and demonstrate meaningful use of electronic health records (EHRs), among other things. EPs may participate in either the Medicare or Medicaid program and are allowed to change participation from one to the other, only once. The Medicaid incentive program is voluntarily offered by the States. Eligibility for these incentives is defined in the law and is based on the individual provider, not the practice. EPs cannot be hospital based. Medicaid EPs include:

- Physicians
- Nurse Practitioners
- Dentists
- Certified nurse-midwives
- Physician assistants working in a Federally Qualified Health Center (FQHC) or Rural Health Clinic (RHC) managed by a physician assistant

### Requirements for Medicaid EPs

- EPs must have a National Provider Identifier (NPI)
- EPs must use certified EHR technology
- Medicaid EPs must meet one of the following patient volume thresholds:
  - A minimum Medicaid patient volume of 30 percent; or
  - For pediatricians, a minimum Medicaid patient volume of 20 percent; or
  - A minimum of 30 percent patient volume attributed to needy individuals (in FQHC or RHC only)

- Medicaid EPs may obtain an incentive in the first year of participation for adopting, implementing, or upgrading a certified EHR
  - *Adoption* is defined as acquire/install an EHR
  - *Implementation* is defined as commence utilization
  - *Upgrade* is defined as upgrade or expand use of an existing EHR
- The EHR must be nationally certified
- Reporting is not required for the first year
- EHR incentive payments are made through the State based on the calendar year
- EPs can only receive one incentive payment per year with a maximum participation of six years
- A maximum incentive amount of \$63,750 per EP is available over a six-year period
- Incentive payments will not be made after 2021
- For a chart detailing Medicaid EHR incentive payments by calendar year, visit the CMS website: [http://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/EHRIP\\_Eligible\\_Professionals\\_Tip\\_Sheet.pdf](http://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/EHRIP_Eligible_Professionals_Tip_Sheet.pdf)

### Stages of Meaningful Use

The Medicare and Medicaid EHR Incentive Programs provide financial incentives for the meaningful use of certified EHR technology to improve patient care. To receive an EHR incentive payment, providers must show that they are meaningfully using their EHRs by meeting thresholds for a number of objectives. Meaningful Use (MU) is completed in a phased approach, which includes three stages.<sup>2</sup>

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<sup>2</sup> U.S. Department of Health & Human Services, *HHS announces next steps to promote use of electronic health records and health information exchange*, August 23, 2012. Available at: <http://www.hhs.gov/news/press/2012pres/08/20120823b.html> Is this foot note referenced in somewhere in the text on this page? Can't find.

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<sup>1</sup> For additional information regarding ARRA, visit: [http://www.recovery.gov/About/Pages/The\\_Act.aspx](http://www.recovery.gov/About/Pages/The_Act.aspx)

- Stage 1 includes using the basic functionalities of an EHR, such as capturing data electronically and providing patients with electronic copies of health information. Payments began in 2011.
- Stage 2 requires increased use of health information exchange between providers and promotes patient engagement by giving patients secure online access to their health information. Stage 2 requirements will begin as early as 2014.
- Stage 3 will continue to expand MU requirements to improve health care outcomes. Recommendations for Stage 3 are currently under development.

On September 4, 2012, CMS published a final rule that specifies the Stage 2 criteria that EPs, EHRs, and critical access hospitals must meet in order to continue to participate in the CMS EHR incentive programs.<sup>3</sup> All providers must achieve MU under the Stage 1 criteria before moving to Stage 2.

## General Requirements Meaningful Use

There are three components to MU:

- Use a certified EHR in a meaningful way
- Use a certified EHR to exchange health information electronically
- Use a certified EHR to submit clinical quality measures (CQMs) and other such measures selected by the Secretary of the U.S. Department of Health and Human Services

## Stage 1 Requirements

MU includes both a core set and a menu set of objectives that are specific to EPs or EHRs. There are 25 core objectives that all EPs must meet. To qualify for an incentive payment, 20 of the 25 objectives must be met:

- EPs must report 15 core objectives

- EPs must submit data on five of 10 menu objectives including one public health objective

## Stage 2 Requirements

Stage 2 also uses a core and menu structure for objectives that EPs must achieve in order to demonstrate MU. EPs are required to meet the following criteria for Stage 2:

- Meet 17 core objectives
- Meet 3 menu objectives that they select from a total list of 6
- For additional information and changes to the core objectives from Stage 1, refer to information available from the CMS webpage: <https://www.cms.gov/Regulations-and-Guidance/Legislation/EHRIncentivePrograms/Downloads/Stage1vsStage2CompTablesforEP.pdf>

## Reporting

- States can seek CMS prior approval to require four core MU objectives for Medicaid providers
- MU reporting for year one is only 90 days of EHR use; each subsequent reporting year equals one full calendar year of reporting
- For certain measures, 80 percent of patients must have certified EHR records

## Helpful Links

Stage 1, CMS official website:

[https://www.cms.gov/Regulations-and-Guidance/Legislation/EHRIncentivePrograms/Meaningful\\_Use.html](https://www.cms.gov/Regulations-and-Guidance/Legislation/EHRIncentivePrograms/Meaningful_Use.html)

Stage 2, CMS Official website:

[https://www.cms.gov/Regulations-and-Guidance/Legislation/EHRIncentivePrograms/Stage\\_2.html](https://www.cms.gov/Regulations-and-Guidance/Legislation/EHRIncentivePrograms/Stage_2.html)

Certification and certified EHRs: <http://healthit.hhs.gov>

<sup>3</sup> The CMS Stage 2 Final Rule is located at: <https://www.federalregister.gov/articles/2012/09/04/2012-21050/medicare-and-medicaid-programs-electronic-health-record-incentive-program-stage-2>