

## WHO SHOULD APPLY FOR A HARDSHIP EXEMPTION FROM THE 2015 PAYMENT ADJUSTMENTS?

Any EP who is **eligible** to participate in the Medicare CMS EHR Incentive program and who bills Medicare Part B on the Physician Fee Schedule is subject to a 2015 Medicare adjustment. This adjustment for EPs consists of a one percent adjustment of Part B claims, potentially rising to five percent in subsequent years. (EHs and CAHs are subject to different amounts. Visit <http://www.ihs.gov/meaningfulUse/incentivesoverview/incentivesreduction/> for details.)

Because the 2015 Medicare adjustment is based on a two-year look-back period, EPs who successfully demonstrated MU with either Medicare or Medicaid in 2013 are exempt from the 2015 Medicare adjustment. However, Medicare EPs who did not demonstrate MU in CY **2013** will be subject to the payment adjustment described above in CY 2015.

EPs demonstrating MU for their first time in CY 2014 have until October 1, 2014, to demonstrate MU successfully to avoid the 2015 payment adjustment.

Because many vendors have not yet released a 2014 certified EHR, Medicare EPs who are participating in the Medicare or Medicaid EHR Incentive Program **for the first time** in 2014 may apply for a vendor hardship exception to avoid the 2015 payment adjustment. EPs who choose to apply for this hardship must do so by July 1, 2014, and will need appropriate documentation from their vendor. Contact your area MU coordinator or consultant for assistance. (**Note:** October 1 is the attestation deadline for EPs in their first participation year to avoid the 2015 payment adjustment. However, EPs who miss this deadline can still demonstrate MU for any 90-day period through December 31, 2014, and earn an incentive payment for 2014.)

### Contents

Who Should Apply for a Hardship Exemption from the 2015 Payment Adjustments? ..... 1

Flowchart: Should I Submit a Hardship Exemption Application? ..... 2

Email [meaningfuluseteam@ihs.gov](mailto:meaningfuluseteam@ihs.gov) with topics for the next issue.

Keep in mind that:

1. A/I/U does not count as demonstrating MU; and
2. Medicaid payments are not subject to these adjustments.

See the flow chart on page 2 to determine whether an EP will be subject to the 2015 Medicare payment adjustment. For more information, visit:

[http://www.cms.gov/Regulations-and-Guidance/Legislation/EHRIncentivePrograms/PaymentAdj\\_Hardship.html](http://www.cms.gov/Regulations-and-Guidance/Legislation/EHRIncentivePrograms/PaymentAdj_Hardship.html).

The Centers for Medicare & Medicaid Services (CMS) has released a proposed rule that would allow EPs, EHs, and CAHs to use the 2011 Certified EHR (CEHRT), a combination of 2011 and 2014, or 2014 CEHRT to demonstrate MU in FY/CY 2014. However, this rule is not final; therefore, EPs that are unable attest to MU by Oct. 1, 2014, should consider applying for a hardship exemption. Contact your national MU consultant for assistance (see <http://www.ihs.gov/meaningfuluse/resourcesoverview/resourcesstaff/>).

**Note: Beginning in FY/CY 2015, all EHs and EPs will be required to report using 2014 CEHRT.**

## SHOULD I SUBMIT A HARDSHIP EXEMPTION APPLICATION?

