



Health Care Reform in Indian Country

Self-Governance Communication & Education

Self-Governance Tribes Striving Towards Excellence in Health Care

To: Tribal Self-Governance Advisory Committee (TSGAC) Members

From: Doneg McDonough, Technical Advisor, TSGAC

Date: November 18, 2014

Subject: DEADLINE APPROACHING FOR APPLICATION TO WAIVE PENALTIES FOR NOT ACHIEVING MEANINGFUL USE (Deadline November 30, 2014)

CMS re-opened the submission period for hardship exception applications for eligible professionals and eligible hospitals to avoid the 2015 Medicare payment adjustments for not demonstrating meaningful use of Certified Electronic Health Record Technology (CEHRT) until **11:59 p.m. ET on November 30, 2014**.

Eligible professionals or eligible hospitals new to the EHR Incentive Program and unable to implement fully the 2014 edition CEHRT due to delays in 2014 edition CEHRT availability qualify for the hardship exception. In addition, eligible professionals unable to attest by October 1, 2014, and eligible hospitals unable to attest by July 1, 2014, using the flexibility options provided by the CMS 2014 CEHRT Flexibility Rule qualify for the hardship exception.

CMS will not approve hardship exception applications submitted by providers that attested in 2011 and/or 2012 because this application is available only for providers new to the EHR Incentive Program. If providers have attested to Medicare meaningful use in 2013 and/or 2014, they do not need to apply for this hardship exception because they are already exempt from the 2015 Medicare payment adjustment.

More information on the hardship exception, including a link to the application, is available at http://www.cms.gov/Regulations-and-Guidance/Legislation/EHRIncentivePrograms/paymentadj_hardship.html.