

New meaningful use rules issued, despite calls for reassessment

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Two major regulations pertaining to the electronic health record (EHR) meaningful use program were issued late Tuesday afternoon, even as physicians and others continued calls for a full reassessment of the program.

The final rule from the Centers for Medicare & Medicaid Services includes changes in current reporting requirements and sets forth requirements for meaningful use Stage 3, which is planned for implementation in 2018.

The final rule from the Office of the National Coordinator for Health IT finalizes new certification criteria for EHR systems that will qualify for achieving meaningful use in Stage 3.

The AMA is still in the process of reviewing the lengthy and complex regulations. Although the first rule eases some of the previous meaningful use requirements, its late publication raises questions about whether and how physicians who postponed reporting in 2015 can qualify for a hardship exemption.

That rule also finalizes new requirements for meaningful use Stage 3, despite calls from the AMA and other medical associations to postpone issuing more requirements until the overall framework is developed for the new Merit-Based Incentive Payment System (MIPS) mandated by the Medicare Access and CHIP Reauthorization Act.

At the same time, the Department of Health and Human Services (HHS) has noted that it will continue to receive comments on Stage 3, suggesting that the program may still be revised in the future.

Members of the U.S. House of Representatives and U.S. Senate also have been urging regulators to delay finalizing the meaningful use Stage 3 regulations. In the House, Reps. Renee Ellmers, R-N.C., Tom Price, MD, R-Ga., and David Scott, D-Ga., led a bipartisan letter that was signed by 113 other members of the House, urging a delay in the rule.

On the Senate side, Sen. John Thune, R-S.D., chairman of the Senate Committee on Commerce, Science and Transportation, and Sen. Lamar Alexander, R-Tenn., chairman of the Senate Committee on Health, Education, Labor and Pensions, sent a similar letter to federal regulators the same day.

The AMA will continue to urge HHS to use the 60-day comment period and the upcoming MIPS rulemaking process to evaluate and reset the meaningful use program.