

## What physicians need to know about MIPS

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Watch the AMA's daily COVID-19 update, with insights from AMA leaders and experts about the pandemic.

### Featured topic and speakers

In today's COVID-19 update, experts discuss changes physicians need to know about the Merit-based Incentive Payment System (MIPS) made by CMS in response to the pandemic. Application deadline for the 2020 performance period is extended to Feb. 1, 2021. To apply, visit [QPP.cms.gov](https://www.cms.gov/qpp).

Learn more at the [AMA COVID-19 resource center](#).

### Speakers

- Michelle Schreiber, MD, deputy director, quality and value, Center for Clinical Standards & Quality, CMS
- Koryn Rubin, assistant director, federal affairs, AMA
- Jennifer McLaughlin, JD, assistant director, federal affairs, AMA

### Transcript

**Unger:** Hello, this is the American Medical Association's COVID-19 update. Today we're discussing changes physicians should know about with the Merit-Based Incentive Payment System or MIPS made by CMS in response to the pandemic. I'm joined today by Dr. Michelle Schreiber, Centers for Medicare and Medicaid Services deputy director of quality and value in the Center for Clinical Standards and Quality and director of the Quality Measurement and Value-based Incentive Group. Koryn Rubin, AMA's assistant director, federal affairs in Washington, D.C. And Jennifer McLaughlin, also an AMA assistant director, federal affairs in Washington, D.C. I'm Todd Unger, AMA's chief experience officer in Chicago. We know many physicians have struggled during the pandemic. In response, Dr. Schreiber, can you talk about the flexibilities that CMS has instituted with the 2020 MIPS program performance period?

**Dr. Schreiber:** Hi Todd. First of all, thank you so much for the introduction. Before I get started though, I just want to pause for a moment and first thank the American Medical Association for putting this video together so that we can help clinicians understand what the requirements are and what the flexibilities are for the MIPS program and really the AMA's partnership and collaboration throughout the pandemic. But most importantly, on behalf of CMS, to say thank you for every one of those clinicians and providers who have been the true health care heroes. So from us to all of you, thank you so much.

**Dr. Schreiber:** We clearly recognize that practices have been impacted by the COVID-19 pandemic. There have been swings in practices with significantly decreased volumes, revenues being impacted, and of course, hospitals being packed. And therefore, for the 2020 and the 2021 performance years for MIPS, we want to extend the flexibility of using our Extreme and Uncontrollable Circumstances policy that will allow clinicians groups and virtual groups to submit an application to request the reweighting of one or more of the MIPS performance categories due to this COVID pandemic or the public health emergency.

So what this means for a clinician for example, is that they can request the reweighting of one category such as cost measures or quality measures, or they can reweight all performance categories and to be held harmless from a MIPS penalty if the waiver is approved, which we will be very flexible about. I do want to flag one thing though, there are slight differences in the requirements for the APM, the Advanced Payment Model entities. APM entities are required to request reweighting for all performance categories.

**Unger:** Ms. Rubin, anything to add to that?

**Rubin:** Yeah. It's important to know that if a physician does not apply for the extreme and uncontrollable circumstance hardship that they will be held accountable for the MIPS program in 2020. So we greatly encourage practices to apply for the hardship. You would only be automatically exempt if you qualify for some other reason, like the Medicare low volume threshold. It's also worth noting that if you do submit data that in order to receive incentive payment, you must be scored on

two or more categories.

**Unger:** Ms. Rubin, let's talk a little bit more about that. So can you tell us what circumstances should a physician consider when determining whether to apply for a 2020 hardship exception or not?

**Rubin:** The AMA really does recommend applying for a hardship, but certain things to consider given there's a myriad of circumstances that may have affected a clinician and their practice is you might want to ask yourself, are you at the forefront of treating COVID-19 patients? And you just don't have the bandwidth at this time to collect and submit data to CMS. Perhaps you had to close your office for a while, or furlough staff, or you're seeing a reduced number of patients at that time. It's something you'd want to consider. Also, has your practice been seeing patients via telehealth and the telehealth platform that you're using doesn't connect to your EHR system? It is also worth noting that the public health emergency was declared on January 31st, 2020, as you consider the impact to your practice.

**Unger:** Ms. McLaughlin, what would you add to that in terms of advice?

**McLaughlin:** Yeah. Thanks Todd. I would like to emphasize that the AMA strongly encourages physicians and practice administrators to apply to reweight the cost category to 0% of their final score in 2020 as a minimum precaution. And there's a couple of reasons why we make that recommendation. The first is that the cost measures use a national benchmark and we have some concerns that because of the national benchmarks, physicians who are caring for patients with COVID-19 may be inadvertently impacted and inadvertently penalized by those costs measures.

The second reason is that we know a number of physician practices are facing financial peril, seeing fewer patients, scheduling fewer surgeries. And in those cases, we have concerns that they may not have a reliable case minimum for the cost measures. And another concern that we have is that patients are postponing or even foregoing some preventative and routine visits and we're concerned that this could cause attribution to skew toward the sickest patients. And I do want to note that even though there are no data submission requirements for the cost category and CMS calculates the scores on the back end using Medicare claims data, we do still have serious concerns about the cost category in 2020 being effected by the COVID-19 pandemic.

**Unger:** Dr. Schreiber, can you talk about how does a physician or practice go about applying for a hardship for the 2020 program?

**Dr. Schreiber:** Thank you. We've tried to make it as easy as possible. Although obviously there are steps that are engaged. First is to go to the QPP website, which I'm sure you'll show afterwards, or send out [qpp.cms.gov](https://qpp.cms.gov) and log in to complete the application to do this. In order to do that, you must have a QPP account. The process is really pretty simple and straightforward. And by the way, my own husband, who's not particularly computer savvy, I saw him do it this week. I know it can be done and I know it only took a few minutes. So it's fairly simple and straightforward.

**Dr. Schreiber:** You can find additional information on setting up an account, including sort of a how to guide by going to the QPP resource library. We would encourage people to set up an account as soon as possible and not wait until the deadline of February 1st, because on a few occasions, the accounts have taken longer than a day to set up. In terms of providing documentation to show that they may qualify for a hardship, a physician or practice only needs to state in their application, that they have been affected by the COVID-19 public health emergency. It doesn't take any more detail than that. Again, there's a guide as to how to do this and a video available on the QPP resource library. It's important to note that the application is only open through February 1st. And actually this is an extension, the original deadline for performance was December 31st, but CMS has extended that to February 1st for COVID-related applications.

**Unger:** And again, that URL [qpp.cms.gov](https://qpp.cms.gov). Dr. Schreiber, how would a physician know if their application has been approved?

**Dr. Schreiber:** It comes up electronically and they should know relatively soon.

**Unger:** All right.

**Dr. Schreiber:** They'll be notified by email if their request is approved or denied. Also, they can tell by looking at their eligibility profile on the QPP participation status tool.

**Unger:** Thank you. Ms. Rubin, if a practice submitted a hardship exception application that was approved, can it then change its mind and if it wants to submit data and participate in MIPS?

**Rubin:** Yes. If you do submit data by the 2020 data submission deadline, it will override your hardship application or your performance that was going to be reweighted on a category by category basis. And then you will receive a 2020 MIPS final score based on the data that you submitted. Although it's important to note that if you are an APM entity, it won't override the performance category reweighting. Also for planning purposes, we recommend that physicians keep in mind that you must be scored on two performance categories in order to receive a score above the performance threshold.

**Unger:** Ms. McLaughlin, any other comments on that?

**McLaughlin:** Yes. Thanks Todd. I'd like to add one specific note related to the cost performance category. Again, this goes back to what we were talking about with CMS doing the calculations on the back end, using Medicare claims data and there being no data submission requirements for costs. So if a hardship exception to reweight the cost performance category 0% is approved, then those cost measures would not be scored under any circumstances because there's no data submission to override the approval of that hardship.

**Unger:** All right. Dr. Schreiber, if a physician or practice chooses to participate in the 2020 performance period, are there any other considerations that have been made due to the public health emergency?

**Dr. Schreiber:** There are several times, Todd, so thank you. First, we've added a new, highly weighted improvement activity called COVID-19 Clinical Data Reporting. This is really to encourage clinicians to be reporting clinical data, either participating in a clinical trial or reporting to a clinical registry. We wanted to make sure that physicians got credit for participating in activities that contributed to the knowledge of the COVID. So we're very excited about that. In addition to the new improvement activity, this provides flexibility in the type of clinical trial or the type of registry that clinicians are using, again, all for the purpose to support innovation in the ability to collect COVID-19 related data.

**Unger:** Is there anything else physician should consider Ms. Rubin?

**Rubin:** Yes. Recognizing the difficulty of treating patients during the COVID-19 pandemic in the 2021 Physician Fee Schedule Quality Payment Program Final Rule, CMS increased the complex patient bonus for the 2020 program from five points to 10 points. So clinician groups, virtual groups and APM entities will be able to earn up to 10 points extra if their patients are deemed to be complex.

**Unger:** Okay. Dr. Schreiber, last question for you. You mentioned the Extreme and Uncontrollable Circumstances policies also been applied to the 2021 performance period. How does a physician or practice go about applying for a hardship for the 2021 program?

**Dr. Schreiber:** So in the 2021 PFS schedule, CMS recognized that the COVID-19 public health emergency will likely still be going on in 2021. And so we've extended the MIPS Extreme and Uncontrollable Circumstances, the ECE exception policy to apply to the 2021 MIPS performance period as well. We recognize the clinicians need flexibility and minimal administrative burden to continue to meet the needs of their patients during this, we hope once in a century pandemic. And so they can plan and determine the best way to allocate their resources toward patients safety and caring for the COVID patients. And we'll have those same flexibilities for the participation in MIPS in 2021. The 2021 hardship exception process will mirror the 2020 process. So what a clinician learns how to do in 2020 will also apply to 2021. We don't know what the dates are around, what those reporting periods may be, that will be issued later.

**Unger:** Excellent. Well, in closing, Ms. McLaughlin, any other advice and remind our viewers where to go for more information and how to apply?

**McLaughlin:** Yes. That site to go to is [qpp.cms.gov](https://www.cms.gov/qpp). And there are a wealth of resources there in addition to the application, how to guides and videos to help make sure that you're submitting it successfully. And the AMA also has a number of detailed summaries on our website about the 2020

and 2021 MIPS changes for planning purposes. If you are looking to participate, those are good resources. And the AMA continues to stay apprised of what's going on in the MIPS program and will continue to advocate for any additional flexibilities and waivers that are necessary to ensure physicians are successful in the program.

**Unger:** Well, thank you so much. Dr. Schreiber, thank you and the folks at CMS for all of this work. Ms. Rubin, Ms. McLaughlin, the work that the AMA is doing during this unprecedented time, we appreciate you being here today and sharing this important information. We'll be back soon with another COVID-19 update. In the meantime for resources on COVID-19 visit [ama-assn.org/covid-19](https://ama-assn.org/covid-19). Thanks for joining us, please take care.

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