

# Practice hit hard by Omicron? MIPS hardship exemption reopened

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**What's the news:** The Centers for Medicare & Medicaid Services has reopened the 2021 Merit-based Incentive Payment System (MIPS) extreme and uncontrollable hardship exemption process in response to AMA advocacy. Physicians have until March 31 to submit a 2021 exemption to avoid a 2023 negative payment adjustment, or to request reweighting of one or more of the MIPS performance categories.

At the start of this year, the AMA heard from multiple physician practices concerned they would get a negative 2023 MIPS payment adjustment because they missed the 2021 MIPS extreme and uncontrollable hardship application deadline, or because their year-end MIPS scores were affected by the dramatic surge in COVID-19 cases driven by the SARS-CoV-2 Omicron variant.

“The American Medical Association is grateful the Centers for Medicare & Medicaid Services agreed that physicians and administrative staff needed flexibility this year when filing a 2021 MIPS extreme and uncontrollable circumstances hardship application because of the Omicron surge,” said AMA President Gerald E. Harmon, MD.

**Why it's important:** The original hardship application deadline coincided with the increase in COVID-19 cases and, as a result, increased demands on physician practices. The reopening of the 2021 application period will give physicians, including alternative payment model (APM) participants, much-needed relief and better ensure they avoid a 2023 MIPS negative payment adjustment.

Individual physicians within a group, participating as a group, have until March 31 to submit an extreme and uncontrollable circumstances exception application due to COVID-19. For groups, the hardship exception application will not override data that has already been submitted and may be scored. However, for APM entities with an approved hardship exception application, the physicians in the APM will get a neutral payment adjustment even if data is submitted.

Physicians who do not submit any MIPS data for the 2021 MIPS program will automatically avoid a 2023 penalty. The hardship exception application will not override data that has already been submitted and may be scored. A doctor, practice, or physician or practice that is part of an APM and unsure of their status and affected by the extreme and uncontrollable circumstances such as the pandemic can apply for this exception by March 31. If a physician is part of an APM, that entity must apply on behalf of the doctor.

**Learn more:** The Quality Payment Program COVID-19 Response webpage of the Quality Payment Program (QPP) website has more information. Also, you can contact the QPP at (866) 288-8292, Monday–Friday, 7 a.m.–7 p.m. CST, or by email at [QPP@cms.hhs.gov](mailto:QPP@cms.hhs.gov).

To get faster help, call during nonpeak hours—before 9 a.m. and after 1 p.m. CST. Customers who are hearing impaired can dial 711 to be connected to a TRS communications assistant.