

March 20, 2015

## HHS announces proposed rules to support the path to nationwide interoperability

*Electronic Health Record Incentive Programs and 2015 Edition Health IT Certification Criteria rules proposed*

The U.S. Department of Health and Human Services, Centers for Medicare & Medicaid Services (CMS) and Office of the National Coordinator for Health Information Technology (ONC) today announced the release of the Stage 3 notice of proposed rulemaking for the Medicare and Medicaid Electronic Health Records (EHRs) Incentive Programs and 2015 Edition Health IT Certification Criteria to improve the way electronic health information is shared and ultimately improve the way care is delivered and experienced. Together, these proposed rules will give providers additional flexibility, make the program simpler, and drive interoperability among electronic health records, and increase the focus on patient outcomes to improve care.

The proposed rules are one part of a larger effort across HHS to deliver better care, spend health dollars more wisely, and have healthier people and communities by working in three core areas: to improve the way providers are paid; improve the way care is delivered; and improve the way information is shared. Together, these [improvements](#) can support better care and lower costs in the health care system.

“The flow of information is fundamental to achieving a health system that delivers better care, smarter spending, and healthier people. The steps we are taking today will help to create more transparency on cost and quality information, bring electronic health information to inform care and decision making, and support population health,” said HHS Secretary Sylvia M. Burwell.

The Meaningful Use Stage 3 proposed rule issued by CMS specifies new criteria that eligible professionals, eligible hospitals, and critical access hospitals must meet to qualify for Medicaid EHR incentive payments. The rule also proposes criteria that providers must meet to avoid Medicare payment adjustments (Medicaid has no payment adjustments) based on program performance beginning in payment year 2018. The rule give more flexibility and simplifies requirements for providers by focusing on advanced use of electronic health records and eliminating requirements that are no longer relevant.

The 2015 Edition Health IT Certification Criteria proposed rule aligns with the path toward interoperability – the secure, efficient, and effective sharing and use of health information – identified in ONC’s draft shared [Nationwide Interoperability Roadmap](#). The proposed rule builds on past editions of adopted health IT certification criteria, and includes new and updated IT functionality and provisions that support the EHR Incentive Programs care improvement, cost reduction, and patient safety across the health system.

“This Stage 3 proposed rule does three things: it helps simplify the meaningful use program, advances the use of health IT toward our vision for improving health delivery, and further aligns the program with other quality and value programs,” said Dr. Patrick Conway, M.D., M.Sc., CMS acting principal deputy administrator and chief medical officer. “And, in an effort to make reporting easier for health care providers, we will be proposing a new meaningful use

reporting deadline soon.”

“ONC’s proposed rule will be an integral component in the shared nationwide effort to achieve an interoperable health system,” said Karen DeSalvo, M.D., M.P.H, M.Sc., national coordinator for health IT. “The certification criteria we have proposed in the 2015 Edition will help achieve that vision through provisions that consider the range of health IT users and uses across the care continuum, including those focused on interoperable standards, data portability, improved transparency, privacy and security capabilities, and increased oversight through ONC’s Health IT Certification Program.”

Under the Health Information Technology for Economic and Clinical Health Act, doctors, health care professionals and hospitals, including critical access hospitals, can qualify for Medicare and Medicaid incentive payments when they adopt and meaningfully use health IT technology certified by ONC. Since the programs began in 2011, more than 433,000 eligible professionals and eligible hospitals have received an incentive payment representing about 60 percent of eligible professionals in either the Medicare or Medicaid programs and about 95 percent of eligible hospitals.

The Stage 3 proposed rule’s scope is generally limited to the requirements and criteria for meaningful use in 2017 and subsequent years. CMS is considering additional changes to meaningful use beginning in 2015 through separate rulemaking. Read more about this announcement on [Dr. Conway's blog](#).

The Stage 3 proposed rule may be viewed at [here](#) and the comment period ends on May 29, 2015. The 2015 Edition proposed rule may be viewed at [here](#) and the comment period ends on May 29, 2015. The Draft 2015 Edition Certification Test Procedures may be viewed at [HealthIT.gov](#), and the comment period ends on June 30, 2015.

More information on meaningful use can be found on the CMS EHR Incentive Programs website at <http://www.cms.gov/Regulations-and-Guidance/Legislation/EHRIncentivePrograms/index.html>.

More information on ONC’s editions of certification criteria can be found at <http://www.healthit.gov/policy-researchers-implementers/standards-and-certification-regulations>.

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