# HealthInformation & the Law

### Myth Busters

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# **MYTH:** All health care providers can receive federal incentive payments for adopting electronic health records.

**FACT:** Participation in the Meaningful Use Program is limited to certain types of providers that participate in the Medicare and/or the Medicaid program.

The Medicare and Medicaid Electronic Health Record Incentive Programs (also known as the Meaningful Use Programs) grant incentive payments to eligible participants who demonstrate meaningful use of certified electronic health record (EHR) technology. The Programs are available only to certain health care providers ("eligible professionals") and hospitals who participate in Medicare and/or the Medicaid.

#### Medicare v. Medicaid Program

The Medicare EHR Incentive Program is administered by the Centers for Medicare & Medicaid Services (CMS), while the Medicaid EHR Incentive Program is administered by each state's Medicaid program, if that state chooses to participate (as of June 2013, 48 states & 3 territories were participating). Eligible professionals may participate in either the Medicare or the Medicaid EHR Incentive Program, but not both. Eligible hospitals may participate in both programs.

### Medicaid EHR Incentive Program Eligible Hospitals (EHs)

- Acute care hospitals (including CAHs and cancer hospitals) with at least 10% Medicaid patient volume
- Children's hospitals

### Medicaid EHR Incentive Program Eligible Professionals (EPs)

- Physicians;
- Nurse practitioners (NP);
- Certified nurse-midwives;
- Dentists; or
- Physician's assistants (PA) who work in either a Federally Qualified Health Center (FQHC) or a Rural Health Clinic (RHC) that is led by a PA

#### Who also:

- Have a minimum 30% Medicaid patient volume;
- Be a pediatrician and have a minimum 20% Medicaid patient volume (not including CHIP patients); **or**
- Practice predominantly at a FQHC or RHC and have a minimum 30% patients who are needy individuals.

## Medicare EHR Incentive Program Eligible Hospitals (EHs) and Eligible Professionals (EPs)

- Subsection (d) hospitals paid under the Inpatient Prospective Payment System (IPPS)
- Critical Access Hospitals (CAH)
- Medicare Advantage (MA)-Affiliated Hospitals
- Doctors of medicine (MD) or osteopathy (DO)
- Doctors of dental surgery (DDS) or medicine (DMD)
- Doctors of podiatry (DP)
- Doctors of optometry (OD)
- Chiropractors

#### **Special Rules for Eligible Professionals**

- Eligible professionals who are hospital-based practitioners (90% or more of his/her services are provided in a hospital inpatient or emergency room setting) are ineligible for incentive payments.
- Eligible professionals who are part of a practice group may each qualify for an incentive payment if the professional demonstrates meaningful use of certified EHR technology

#### For More Information:

• <u>Learn</u> about the meaningful use program.

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