



Provider Inquiry Assistance

Program Overview: 2009 Electronic Prescribing (E-Prescribing) Incentive Program – JA6394B

Related CR Release Date: March 20, 2009 **Revised**

Date Job Aid Revised: November 17, 2010

Effective Date: January 1, 2009

Implementation Date: June 22, 2009

Note: JA6394B article was revised to add a link to SE1021

(<http://www.cms.gov/MLN MattersArticles/downloads/se1021.pdf>) for the latest information on participating in the 2010 PQRI and E-Prescribing Incentive Program. All other information remains the same.

Key Words MM6394, CR6394, R459OTN, E-Prescribing, Incentive, Program

Contractors Affected

- Part A/B Medicare Administrative Contractors (A/B MACs)
- Medicare Carriers

Provider Types Affected Physicians and other practitioners who qualify as eligible professionals to participate in the Centers for Medicare & Medicaid Services (CMS) new 2009 E-Prescribing Incentive Program



Change Request (CR) 6394 provides high-level overviews of the 2009 PQRI implementation and the new 2009 E-Prescribing Incentive Program implementation.

Note: There is another Job Aid (JA6394A) associated with CR6394 that addresses the 2009 PQRI Implementation.

2009 E-prescribing Incentive Program Implementation Overview

Eligible Professionals

- For 2009, the following professionals are eligible to participate the E-prescribing Incentive Program:

1. Medicare physicians

- Doctor of Medicine;
- Doctor of Osteopathy;
- Doctor of Podiatric Medicine;
- Doctor of Optometry;
- Doctor of Oral Surgery;
- Doctor of Dental Medicine; and
- Doctor of Chiropractic.

2. Practitioners

- Physician Assistant;
- Nurse Practitioner;
- Clinical Nurse Specialist;
- Certified Registered Nurse Anesthetist (and Anesthesiologist Assistant);
- Certified Nurse Midwife;
- Clinical Social Worker;
- Clinical Psychologist;
- Registered Dietician;
- Nutrition Professional; and
- Audiologists (as of January 1, 2009).

3. Therapists

- Physical Therapist;
 - Occupational Therapist; and
 - Qualified Speech-Language Therapist.
- All Medicare-enrolled professionals in these categories are eligible to participate in the 2009 E-prescribing Incentive program, regardless of whether the professional has signed a Medicare participation agreement to accept assignment on all claims.
 - To participate in this incentive program, a professional in one of categories of eligible professionals must be authorized by his or her respective state laws to prescribe medication and prescribing medications must fall within the individual eligible professional's scope of practice.

Provider Needs to Know...

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- Some professionals are eligible to participate but are not able to participate for one or more reasons.
 - Services payable under fee schedules or methodologies other than the Medicare Physician Fee Schedule (MPFS) are not included in E-Prescribing Incentive Program (for example, services provided in federally qualified health centers, independent diagnostic testing facilities, independent laboratories, hospitals [including method I critical access hospitals], rural health clinics, ambulance providers, and ambulatory surgery center facilities).
 - The E-Prescribing Incentive Program fact sheet at <http://www.cms.hhs.gov/ERxIncentive/Downloads/erxintroeprescribing.pdf> on the CMS website provides an excellent guide for participation in the program.

Professionals Eligible to Participate But Not Able to Participate

- Some professionals are eligible to participate but are not able to participate for one or more reasons.
- Professionals eligible to participate but not able to participate include:
 1. Professionals paid under or based upon the Medicare Physician Fee Schedule (MPFS) billing Medicare Carriers or MACs who do not bill directly.

For example, Qualified Speech-Language Therapists who do not currently bill Medicare directly. It is anticipated that Qualified Speech-Language Therapists will begin billing Medicare directly on July 1, 2009, at which point they would be able to participate.

2. Professionals paid under the MPFS, billing Medicare fiscal intermediaries (FIs) or MACs. The FI/MAC claims processing systems currently cannot accommodate billing at the individual physician or practitioner level:
 - Critical access hospital (CAH), method II payment, where the physician or practitioner has reassigned his or her benefits to the CAH. In this situation, the CAH bills the FI/MAC for the professional services provided by the physician or practitioner.
 - All institutional providers that bill for outpatient therapy provided by physical and occupational therapists and speech language pathologists (for example, hospital, skilled nursing facility Part B, home health agency, comprehensive outpatient rehabilitation facility, or outpatient rehabilitation facility). This does not apply to skilled nursing facilities under Part A.
- Professionals not eligible to participate in the E-Prescribing Incentive Program and not able to qualify to earn an incentive payment are those that are not defined as eligible professionals in the Medicare Improvements for Patients and Providers Act (MIPPA).

Services Not Included

- Services payable under fee schedules or methodologies other than the MPFS are not included in the E-prescribing Incentive Program. For example services provided in the following:
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- Federally qualified health centers;
 - Independent diagnostic testing facilities;
 - Independent laboratories;
 - Hospitals (including method I critical access hospitals);
 - Rural health clinics;
 - Ambulance providers; and
 - Ambulatory surgery center facilities.

Form and Manner of Reporting

- For 2009, participation in the E-Prescribing Incentive Program is limited to the submission of quality data codes for the E-Prescribing measure through Medicare's claims processing system, as described in the 2009 MPFS final rule with comment period.
- Eligible professionals do not need to enroll or register to begin claims-based reporting for the 2009 E-Prescribing Incentive Program.
- Participating eligible professionals who bill for the services or procedures included in the denominator of the 2009 E-Prescribing measure will report the corresponding appropriate numerator G-code on their claim.
- Claims-based reporting may be via: (1) the paper-based CMS 1500 Claim form or (2) the equivalent electronic transaction claim, the 837-P.
- The specifications for the 2009 E-Prescribing measure are available on the CMS E-Prescribing Incentive Program website at <http://www.cms.hhs.gov/ERXIncentive> on the CMS website.
- The applicable current procedural terminology (CPT) Category II code or G-code quality data must be reported on the same claim as the billable service or procedure to which the quality-data code applies.
- The 2009 E-Prescribing measure does not require a diagnosis code to help determine the denominator.

Reporting Periods

- For 2009, the reporting period for the E-Prescribing Incentive Program is the entire calendar year, or January 1, 2009 – December 31, 2009.

Payment for Reporting

- For 2009, eligible professionals, who are determined to be "successful E-Prescribers" (as discussed below), may earn an incentive payment equal to 2.0 percent of the total estimated allowed charges for all such MPFS-covered professional services:
 - Furnished by the eligible professional during the reporting period of January 1 through December 31, 2009;

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- Received into the CMS National Claims History (NCH) file by February 28, 2010; and
 - Paid under or based upon the MPFS.
 - Because claims processing times may vary, participating eligible professionals should submit claims service dates late in 2009 promptly, so that those claims will reach the NCH file by February 28, 2010.
 - CMS anticipates that the E-Prescribing incentive payments will be paid as a lump sum in mid-2010.
 - There is no beneficiary co-payment or notice to the beneficiary regarding the E- Prescribing incentive payments.
 - According to the statute, there is a limitation with regard to the application of the incentive.
 - For 2009, the incentive **does not** apply to eligible professionals, for the reporting period, if the Medicare allowed charges for all covered professional services for the codes to which the E- Prescribing measure applies are less than 10% of the total of the allowed charges under Medicare Part B for all such covered professional services furnished by the eligible professional.
 - Under the E- Prescribing Incentive Program, covered professional services are those paid under or based upon the MPFS.
 - The E- Prescribing incentive payment will apply to allowed charges for all covered professional services, not just those charges associated with the E- Prescribing measure.
 - The term "allowed charges" refers to total charges, including the beneficiary deductible and co-payment, not just the 80% paid by Medicare or the portion covered by Medicare where Medicare is the secondary payer.
 - **The amounts billed above the MPFS amounts for assigned and non-assigned claims will not apply to the incentive.**
 - The statute defines E- Prescribing covered services as those paid under or based upon the MPFS only, which includes technical components of diagnostic services and anesthesia services, as anesthesia services are considered fee schedule services though based on a unique methodology.
 - For 2009, the analysis of determining successful E- Prescribers will be performed at the individual eligible professional level using individual-level NPI data.
 - CMS will use the TIN as the billing unit, so any E- Prescribing incentive payments earned will be paid to the TIN holder of record.
 - E- Prescribing incentive payments will be paid to the holder of the TIN, aggregating individual incentive payments for groups that bill under one TIN.
 - For eligible professionals who submit claims under multiple TINs, CMS will group claims by TIN for payment purposes.
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- As a result, a provider with multiple TINs who qualifies for the E-Prescribing incentive payment under more than one TIN will receive a separate e-prescribing incentive payment associated with each TIN.
- In situations where eligible professionals who are employees or contractors have assigned their payments to their employers or facilities, section 1848(m)(2)(A) of the Act specifies that any E-Prescribing incentive payment earned will be paid to the employers or facilities.

Determination of a Successful E-Prescriber

- For purposes of qualifying for the E-Prescribing incentive payment for 2009, an eligible professional will be considered a successful E-Prescriber if he/she reported the applicable E-Prescribing quality measure in at least 50 percent of the cases in which such measure is reportable by the eligible professional during the reporting period.

Confidential Feedback Reports

- CMS will provide confidential feedback reports to participating eligible professionals at or near the time that the lump sum incentive payments are made in 2010.
- Access to confidential feedback reports may require eligible professionals to complete an identity-verification process to obtain a login identification and password for a secure interface.
- Section 1848(m)(5)(G) of the Act requires CMS to post on the CMS website, in an easily understandable format, a list of the names of the eligible professionals who are successful e-prescribers.
- The names of eligible professionals who are determined to be successful e-prescribers for the 2009 E- Prescribing Incentive Program will be posted at <http://www.medicare.gov> on the Internet after the lump sum incentive payments are made in 2010.

Background

- Section 132 of the MIPPA, which was enacted on July 15, 2008, authorized a new incentive program for eligible professionals who are successful E-Prescribers as defined by MIPPA.
- The 2009 E-Prescribing Incentive Program requirements are outlined in the 2009 MPFS final rule with comment period that was published in the Federal Register on November 19, 2008 (visit <http://edocket.access.gpo.gov/2008/pdf/E8-26213.pdf> on the Internet) and are summarized above.

**Operational
Impact**

N/A

Reference
Materials

The related MLN Matters® article can be found at
<http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM6394.pdf> on the CMS website.

The official instruction (CR6394) issued regarding this change may be viewed at
<http://www.cms.hhs.gov/Transmittals/downloads/R4590TN.pdf> on the CMS website.

MLN Matters® article MM6514 (Coding and Reporting Principles for the Electronic Prescribing (E-Prescribing) Incentive Program) can be found at
<http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM6514.pdf> on the CMS website.

Attachment 1

2009 E-Prescribing Incentive Program Information Resources

Resource	Description	Link/Navigation
E-Prescribing Made Simple Quick Reference Chart [PDF 433KB]	Step-by-step guide for participating in the 2009 E- Prescribing Incentive Program	http://www.cms.hhs.gov/ERxIncentive/Downloads/erx2009madesimple040109.pdf
E-Prescribing Incentive Fact Sheet – Introduction to E- Prescribing Incentive [PDF 183KB]	Describes 2009 Electronic Prescribing Incentive Program	http://www.cms.hhs.gov/ERxIncentive/Downloads/erxintroeprescribing.pdf
E-Prescribing Incentive Fact Sheet (Spanish Version) – Introduction to E- Prescribing Incentive [PDF 183KB]	Describes 2009 Electronic Prescribing Incentive Program – Spanish version	http://www.cms.hhs.gov/ERxIncentive/Downloads/introducción_al_incentivo_03-10-09.pdf
E- Prescribing Incentive Program Made Simple Fact Sheet [PDF 564KB]	Step-by-step guide for participating in the 2009 E- Prescribing Incentive Program	http://www.cms.hhs.gov/ERxIncentive/Downloads/erxintroeprescribing.pdf
E- Prescribing Measure Specifications [PDF 41KB]	Detailed specifications for the 2009 e-prescribing measure	http://www.cms.hhs.gov/apps/ama/license.asp?file=/PQRI/Downloads/2009EPrescribingSpecifications012209.pdf
Claims-Based Reporting Principles for E- Prescribing [PDF 22KB]	Guidance about how to report the e-prescribing measure on claims	http://www.cms.hhs.gov/ERxIncentive/Downloads/ClaimsBasedReportingPrinciplesforRx062209_508.pdf
2009 PQRI Electronic- Prescribing 1500 Claim Example [PDF 49KB]	Sample of CMS-1500 form completed for e-prescribing	http://www.cms.hhs.gov/ERxIncentive/Downloads/2009_eRx_1500ClaimExample_040909.pdf
Part D E- Prescribing Standards	Information on standards (links to different CMS website on e-prescribing standards)	http://www.cms.hhs.gov/eprescribing/
Spotlight	Section on e-prescribing website which highlights new content	http://www.cms.hhs.gov/ERxIncentive/02_Spotlight.asp#TopOfPage
Statute/Regulations	Information on the statutory authority for E- Prescribing Incentive Program	http://www.cms.hhs.gov/ERxIncentive/04_Statute_Regulations.asp#TopOfPage
Eligible Professionals	Lists EPs who are able and eligible to participate as well as those eligible but unable Note: EPs do not need to participate in PQRI to participate in the E- Prescribing Incentive Program	http://www.cms.hhs.gov/ERxIncentive/05_Eligible%20Professionals.asp#TopOfPage

Resource	Description	Link/Navigation
General E-Prescribing Information	Different section within CMS website for e-prescribing standards and regulations; separate from E-Prescribing Incentive Program	http://www.cms.hhs.gov/eprescribing/
Medicare's Practical Guide to the E-Prescribing Incentive Program [PDF 507 KB]	Guide for EPs interested in participating the 2009 E-Prescribing Incentive Program; explains the program and provides resources for more comprehensive guidance	http://www.cms.hhs.gov/partnerships/downloads/11399.pdf
E-Rx Report to Congress [PDF 311KB]	Pilot Testing of Initial Electronic Prescribing Standards – Cooperative Agreements Required Under Section 1860D-(4) (e) of the Social Security Act as Amended by the Medicare Prescription Drug, Improvement, and Modernization Action (MMA) of 2003	http://www.cms.hhs.gov/EPrescribing/Downloads/E-RxReporttoCongress.pdf
National E-Prescribing Conference	Materials from Oct. 6-7, 2008 conference available under “Presentations” tab	http://www.epsilonregistration.com/er/EventHomePage/CustomPage.jsp?ActivityID=378&ItemID=1117
E-Prescribing Final Rule on Additional Standards [PDF 209KB]	Monday, April 7, 2008 <i>Federal Register</i> article	http://edocket.access.gpo.gov/2008/pdf/08-1094.pdf
E-Prescribing Final Rule on Foundation Standards [PDF 223KB]	Monday, November 7, 2005 <i>Federal Register</i> article	http://www.cms.hhs.gov/EPrescribing/Downloads/E-Prescribingfinalruleonfoundationstandards.pdf
Evaluation of AHRQ and CMS-Funded E-Prescribing Pilot Projects	AHRQ website – HIT, best practices transforming quality, safety, and efficiency	http://healthit.ahrq.gov/