

## Frequently Asked Questions

### Promoting Interoperability (PI) Hardship Exceptions

**If I submit a hardship exception application, does that mean that I cannot report on the Promoting Interoperability performance category for Performance Year 2018?**

No. You may still report on the Promoting Interoperability performance category, and if you choose to report, your data will be scored. If you have a pending or approved hardship exception application and choose to report on the Promoting Interoperability measures, your hardship exception application will be dismissed and the category will not be reweighted.


**If I have received a hardship exception for Promoting Interoperability performance category, do I still need to report on the Promoting Interoperability performance category if I am participating in a MIPS APM?**

It depends on how your MIPS APM Entity requires its participants to submit Promoting Interoperability data. If data will be submitted by individual clinicians participating in the MIPS APM, you would not be required to submit data. If data will be submitted by groups (one submission representing all MIPS eligible clinicians in the practice) participating in the MIPS APM, your group would still need submit data unless all of the MIPS eligible clinicians in the group qualified for reweighting.

Even if you are not required to submit data, you will still receive the APM Entity score for the Promoting Interoperability performance category. Please note, however, that the MIPS Promoting Interoperability hardship exception does not exempt you from reporting on any CEHRT activities required for participation in your APM.

**Will CMS require the submission of supporting documentation along with the hardship exception application?**

CMS does not require a MIPS-eligible clinician or group to submit documentation with the exception application. CMS will review the application to record the category selected and use the identifying information for each clinician and group listed on the application. Clinicians, groups, and Virtual Groups should retain documentation of their circumstances supporting their application for their own records in the event CMS requests data validation or audit.



**If a practice has multiple office locations under the same TIN, and one office is within a broadband availability area but the other office for the practice is not, would that practice still qualify for the hardship exception (same TIN)?**

No, the office with broadband availability would not qualify for the hardship exception and, if a practice has an office site with sufficient internet access, the group must report for those clinicians for whom they have data.

**Can MIPS-eligible clinicians that have switched CEHRT vendors apply for a hardship exception and have their Promoting Interoperability performance category weight reallocated to the Quality performance category?**

Yes, if a MIPS-eligible clinician switches CEHRT vendors during the performance period and is unable to demonstrate meaningful use, the clinician may apply for an Extreme and Uncontrollable Circumstances hardship exception within the Promoting Interoperability Hardship Exception Application. For example, if a MIPS-eligible clinician switches CEHRT vendors in 2017 and is unable to submit measures for the Promoting Interoperability performance category for the 2017 performance period, the MIPS-eligible clinician can apply for an Extreme and Uncontrollable Circumstance category hardship exception, before the submission deadline.

**What if my electronic health record (EHR) product is decertified?**

If your EHR product is decertified, you can still use that product to submit your Promoting Interoperability performance category measures if your performance period ended before the decertification occurred. If your performance period ended after the decertification occurred, you can apply for a Promoting Interoperability performance category hardship exception.

**What if I'm in a small practice?**

We recognize that adopting and implementing CEHRT may be a significant hardship for some, but not all, small practices. For small practices experiencing a significant hardship, you can apply for a hardship exception if there are overwhelming barriers to complying with the requirements of the Promoting Interoperability performance category. You do not need to submit documentation of the overwhelming barriers with your application, but please retain this documentation in the event of an audit.

## **Extreme and Uncontrollable Circumstances**

### **What does the Merit-based Incentive Payment System (MIPS) automatic Extreme and Uncontrollable Circumstances policy apply to?**

If you're located in area impacted by significant natural disasters, such as those designated by a Federal Emergency Management Agency (FEMA) as a major disaster, we've tried to lessen your burden by not requiring you to submit an application to reweight the performance categories for MIPS. We are proposing to apply the automatic extreme and uncontrollable circumstances policy adopted for the 2017 transition year to the 2018 MIPS performance period as well as for future years. In addition to the Quality, Improvement Activities and Promoting Interoperability performance categories, we are proposing to include the Cost performance category beginning with the 2018 MIPS performance period.

If we identify you as being impacted by an event, such as those designated by FEMA as a major disaster, you will not need to complete an extreme and uncontrollable circumstances request. We will automatically weight the Quality, Improvement Activities, Cost and Promoting Interoperability performance categories at zero percent of your final score and will assign you a final score equal to the performance threshold, which means you will receive a neutral payment adjustment. We plan to communicate events that qualify for this policy through email, QPP.gov, and other communication channels.

Also proposed for the 2018 MIPS performance period, if a MIPS eligible clinician qualifies for automatic reweighting due to an extreme and uncontrollable circumstance the reweighting is voided by submitting data for the Quality, Improvement Activities, and/or Promoting Interoperability performance categories.

### **If I am affected by an extreme and uncontrollable circumstance not included in the automatic policy, what are my options for participation in MIPS?**

Beginning with the 2018 MIPS performance period, MIPS eligible clinicians, groups and virtual groups can apply for reweighting of the Quality, Cost, Improvement Activities and/or Promoting Interoperability performance categories due to an extreme and uncontrollable circumstance. The MIPS eligible clinician would indicate the performance categories that were subject to extreme and uncontrollable circumstance and the impact it had on preventing the clinician from collecting or submitting data for the 2018 MIPS performance period. The application for extreme and uncontrollable circumstances is open from August 6, 2018-December 31, 2018 for the 2018 MIPS performance period.

## **What is considered an extreme and uncontrollable circumstance?**

Extreme and uncontrollable circumstances are events, such as natural disasters, entirely outside the control of the MIPS eligible clinician, group or virtual group that causes the MIPS eligible clinician to not be able to collect information, for an extended period, during the 2018 performance year.

## **What happens if I have an approved extreme and uncontrollable circumstances application for the 2018 MIPS performance period and I submit data?**

If a MIPS eligible clinician's extreme and uncontrollable circumstances application is approved for the 2018 performance year, the performance categories included in the request (Quality, Cost, Improvement Activities and/or Promoting Interoperability performance categories) would be weighted at zero percent of the final score and the performance category weight would be redistributed to other performance categories.

- If you included the Promoting Interoperability (PI) performance category in your application and submit data for this category, your submission will override any application for the Promoting Interoperability performance category and you will receive a Promoting Interoperability category score.
- \*If you included the Quality performance category in your application and submit data for this category, your Quality category will continue to be weighted at 0% and you will not receive a Quality category score.
- \*If you included the Improvement Activities performance category in your application and submit data for this category, your Improvement Activities category will continue to be weighted at 0% and you will not receive an Improvement Activities category score.
- If you included the Cost performance category in your application, we will not score you on Cost measures.
- If your application is approved and only receive a score in one performance category, you will receive the performance threshold score. When fewer than two performance categories are scored, the final score for the 2018 MIPS performance period would be equal to the performance threshold and you would receive a neutral payment adjustment in 2020.

\*For simplicity, we are proposing the alignment of the Promoting Interoperability Hardship Exception and Extreme and Uncontrollable Circumstances in the 2019 MIPS performance period as well as for future years.



**Will you consider the length of time I was impacted by an extreme and uncontrollable circumstance with the 2018 MIPS performance period?**

We will review both the event and timing of the extreme and uncontrollable circumstances request to assess the ability of a MIPS eligible clinician to submit data for each performance category. For example, in the 2018 performance year, the Improvement Activities performance period is only 90 days and is 12 months for the Quality Performance category, so an issue lasting 3 months may have more impact on the availability of measures for the Quality performance category than your ability to submit Improvement Activities.

**Can the 2018 MIPS Cost performance category be granted an exception for extreme and uncontrollable circumstances?**

MIPS eligible clinicians would not be scored on quality and cost measures calculated from administrative claims data if the clinician's extreme and uncontrollable circumstances request is approved for those performance categories.

**How will my final score be impacted if I request an extreme and uncontrollable circumstances exception for 3 performance categories?**

In this situation, the approved performance categories would be weighted at zero percent of the final score. When fewer than two performance categories are scored, the final score for the 2018 MIPS performance period would be equal to the performance threshold and you would receive a neutral payment adjustment in 2020.