EHR Incentive Programs
A program of the Centers for Medicare & Medicaid Services

News Updates | September 9, 2014

Broadband Access: Find Out What Exclusions and Hardship Exceptions May Apply

CMS offers exclusions and hardship exceptions for eligible professionals who face challenges in meeting meaningful use objectives that require that they and their patients have broadband access and Internet connectivity.

Patients' Access to Broadband
The Secure Electronic Messaging measure for eligible professionals and the second measure for the Patient Electronic Access objective for eligible professionals and eligible hospitals/CAHs require that patients access health information electronically. CMS recognizes that some patient populations face greater challenges in getting online access to health information.

To address these barriers, CMS included exclusions for these two requirements:

> Eligible professionals who conduct 50 percent or more of their patient encounters in a county in which 50 percent or more of its housing units do not have availability to 3Mbps broadband (according to the latest information available from the FCC) on the first day of the EHR reporting period may exclude these measures.

Eligible professionals can use the FCC's National Broadband Map to search,

analyze, and map broadband availability in their area to determine if these exclusions apply. For more information, read the new FAQ.

Hardship Exceptions for Insufficient Internet Connectivity

Many meaningful use objectives, such as Summary of Care and Electronic Prescribing, require Internet connectivity to send health information to patients, pharmacies, registries, and laboratories. CMS has determined that lack of sufficient Internet connectivity renders compliance with these meaningful use requirements a hardship.

If eligible professionals can demonstrate insufficient Internet connectivity, they can apply for a hardship exception for future payment adjustments. To qualify for the exception, they must demonstrate that the Internet connectivity is insufficient to comply with the meaningful use objectives, and that there are significant barriers— like high cost— to obtaining a sufficient infrastructure.

Learn more about hardship exceptions on the Payment Adjustments and Hardship Exceptions webpage.

For More Information

For more information about meaningful use objectives, exclusions, and hardship exceptions, visit the EHR website. To view the FCC's National Broadband Map, go to: http://www.broadbandmap.gov/.