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UPDATE: Chiropractors and HHS CMS Electronic Health Records Incentive Program

Final Rule was posted July 28, 2010

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This is excerpted from an article available on www.ICCOM.org [click here](#)

Many chiropractors have asked me to comment on the Medicare & Medicaid EHR Incentive Program. The final ruling was posted on July 28, 2010. Although no one knows for sure exactly how this is going to work until the process actually begins. I am going to try to make this as easy to understand as possible. Yes, chiropractors are considered an eligible professional (EP) and therefore qualified to receive the incentive payments as long as they follow All of the rules.

Background

Get ready for a mind twister. Hope you can keep all of these acronyms straight. The Centers for Medicare and Medicaid Services (CMS) Electronic Health Record (EHR) Incentive program is all part of the Health Information Technology for Economic and Clinical Health Act (HITECH) programs created by the American Recovery and Reinvestment Act of 2009 (ARRA). It was established to promote the adoption and “meaningful use” of health information technology (HIT) and electronic health records (EHRs). These incentive payments are part of a broader effort under the HITECH Act to *accelerate* the adoption of HIT and utilization of qualified EHRs.



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Did you get that? Keep these acronym definitions close they will be used throughout this article and you will hear them more and more from CMS and in other articles. It does not get any easier, but hopefully I can distill it down for you. The final ruling is 276 pages. There is much to sift through but these are the highlights. 276 pages cannot be distilled completely into a few pages and I am not going to try it get it all into this article. Believe me, this is only the beginning and much more will follow as it all moves forward. My goal is only to give you enough information to make an initial decision concerning participation. Most doctors I know are mostly interested in how they can get all or at least part of the \$44,000.00 they were told was available to each EP. After finding out exactly what it is going to take, you may or may not be so interested.

Chiropractors Are Eligible. Do You Want to Participate? ...the bullet points!

[\(Indepth explanation is in the full article www.ICCOM.org click here\)](#)

- * This is considered a voluntary program; however, if you are not compliant by 2015 adjustments to your Medicare payments will be reduced 1% each year and continue to be reduced by as much as 5 percent by 2018.
- * Incentive payments are 75% of your allowed charges not to exceed the maximum amount specified by CMS.
- * You must demonstrate “meaningful use” of the health information technology (HIT). To better understand the term “meaningful use”. Think of it as MEANINGFULLY USING the technology you had to purchase.
- * You as an Eligible Professionals (EPs) are required to demonstrate “meaningful use” of 15 of 15 Core Set Objectives, 5 or 10 Menu Set Objectives and 3 of 38 Clinical Quality Measures. BUT...
- * You are NOT required to demonstrate “meaningful use” of any

Core Sets or Menu Sets that are outside your scope of practice. i.e. chiropractors are not required to demonstrate e-prescriptions. You must attest to your “exclusion” of a specific Core Set objective or Menu Set objective. You will then be required to meet all remaining Core Sets and a percentage of Menu Sets reduction based on number of exclusions.

* You are required to “attest” that you have met the criteria and maintain the documentation for 10 years for audit. You will be required to go online and answer questions of your compliance outcomes followed by your attestation that all information is true. Attesting to this will be the same as an electronic signature on your tax returns.

* You are required to have certified Health Information Technology (software). A list will be posted on ONC website by 2011.

* The requirements in the Final Rule are only for years 2011 and 2012 (Stage One). Stage Two and Stage Three will be determined later.

To read the entire article that explains everything in detail and also includes the lists and tables of Core Set Objectives, Menu Set Objectives, Clinical Quality Measures go to www.ICCOM.org/EHR

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I will be speaking at the Michigan Association of Chiropractors fall convention, October 1-3, 2010. Bring your compliance official for additional training. I will be covering HIPAA Privacy, HIPAA Security compliance and how to respond to OCR when you receive a letter telling you there has been a complaint against you.

www.chiromi.com

I will also be speaking at COCSA, November 4-7, 2010 on the compliance highlights of HIPAA Privacy, HIPAA Security and EHRs.

And remember, if you have any questions, just ASK!

Go to my website and read the entire article along with all the lists and tables to help you make a decision on your participation.

www.ICCOM.org [click here for the article](#)

If you are still not sure if you are compliant, go take the checklist quiz? Are you compliant? Find out for yourself.

[HIPAA Privacy Checklist](#)

[HIPAA Security Checklist](#)

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Please visit my website that further explains the HIPAA Privacy and HIPAA Security rules and more.

http://www.iccom.org/index_files/ICCOMProducts.html

email me with any questions you may have: [\(click here to email me\)](#)