MARYLAND STATE-REGULATED PAYOR ELECTRONIC HEALTH RECORD ADOPTION INCENTIVE PROGRAM

MHCC | MARYLAND HEALTH CARE COMMISSION

MARYLAND EHR ADOPTION INCENTIVES

- Background
- Eligible Practices
- Incentive Components
- Application Process
- Program Transition

BACKGROUND

FORMATION OF STATE INCENTIVES

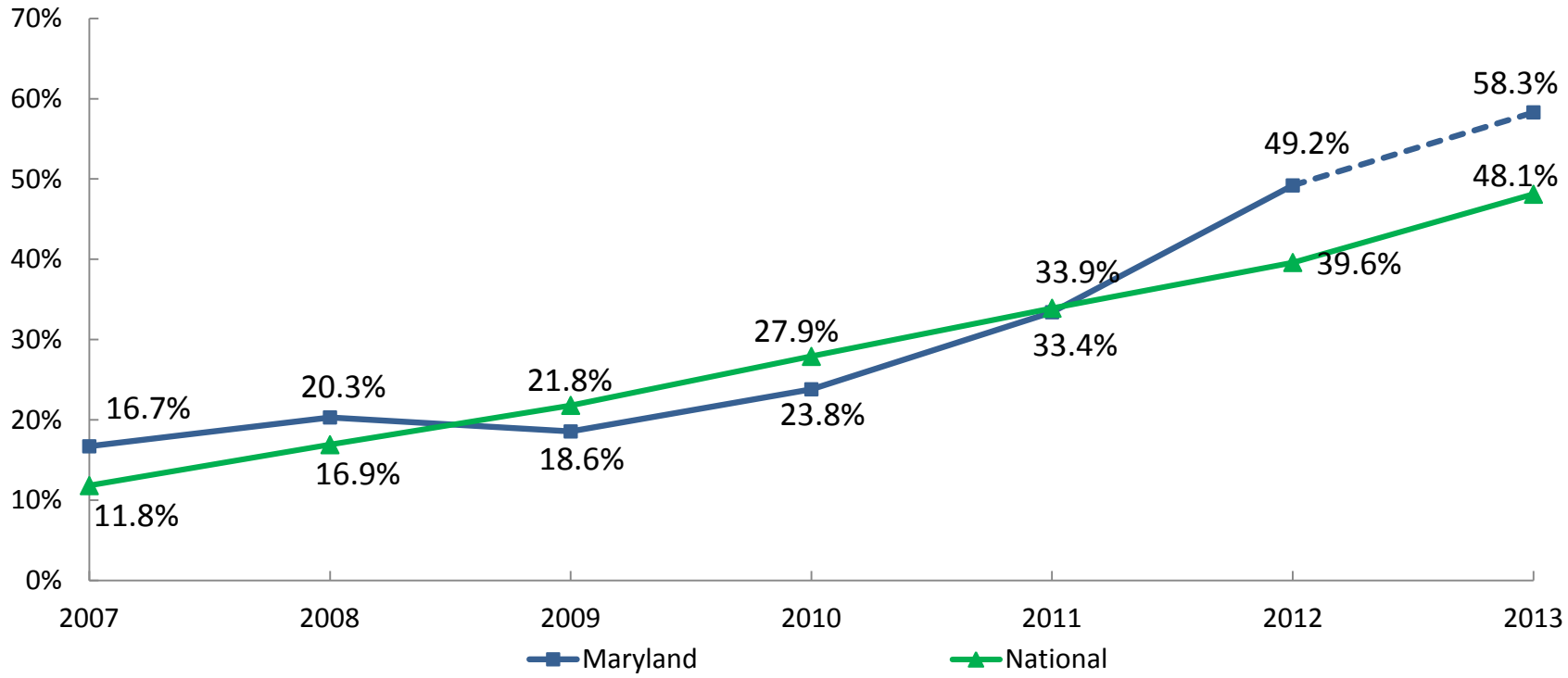
- Maryland was the first State to build on the Medicare and Medicaid Electronic Health Record (EHR) Incentive Program under the *American Recovery and Reinvestment Act of 2009* (ARRA), requiring State-regulated payors (payors) to provide incentives for the adoption of EHRs
- Current Legislation
  - House Bill 706 *Electronic Health Records – Regulation and Reimbursement* (HB 706), enacted in 2009, required the establishment of regulations governing specific payors to provide incentives to providers to promote the adoption of EHRs
  - The 2011 House Bill 736 *Electronic Health Records – Incentives for Health Care Providers* –Regulations (HB 736) further clarified the incentive program established under HB 706

THE REGULATIONS

- The Commission adopted as final COMAR 10.25.16, *Electronic Health Record Incentives* on April 21, 2011
- The regulations were amended to require that the incentives be paid in cash, unless a provider and payor agree on an incentive of equivalent value, and went into effect on October 21, 2011
- The regulations were replaced on June 9, 2014 in an effort to simplify some of the administrative requirements and align Maryland's program with the federal program
- This presentation details the requirements under the revised incentive program

EHR ADOPTION AMONG OFFICE-BASED PHYSICIANS

EHRs have the potential to improve health care quality, patient safety, care coordination, and continuity, while reducing health care costs



Maryland Data – Maryland Board of Physicians

National Data – National Center for Health Statistics

Dash line represents preliminary Data

PAYOR PARTICIPATION

- The six largest private payors required to provide incentive payments account for over 90 percent of the health care premium volume in Maryland and include :
  - Aetna
  - CareFirst BlueCross BlueShield
  - CIGNA Health Care Mid-Atlantic Region
  - Coventry Health Care
  - Kaiser Permanente
  - UnitedHealthcare, Mid-Atlantic Region

INCENTIVE ELIGIBILITY

WHO IS ELIGIBLE?

- Hospital owned and non-owned primary care practices (practices) who adopt a certified EHR
- Practices include physician or nurse practitioner led practices, providing health care services in the following subspecialties:
  - Family Practice
  - General Medicine
  - Internal Medicine
  - Pediatrics
  - Geriatrics
  - Gynecology

HOW DO PRACTICES QUALIFY?

- An EHR must be certified by an Authorized Testing and Certification Body designated by the Office of the National Coordinator for Health Information Technology

- In order to qualify, the practice must:

  1. Demonstrate that a Physician or Nurse Practitioner within the practice has attested to the current Meaningful Use requirements under the Medicaid or Medicare EHR Incentive Program; **or**

  2. Participates in a Maryland Health Care Commission (MHCC) approved patient centered medical home (PCMH) program and has achieved the National Committee for Quality Assurance's (NCQA) 2011 or later standards for at least level two PCMH recognition

INCENTIVE COMPONENTS

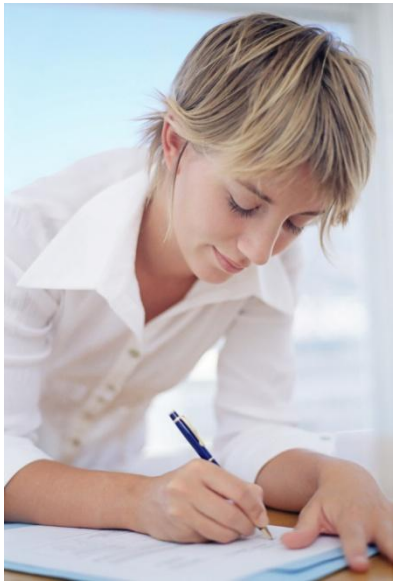
INCENTIVES - WHAT ARE THEY?

- A one-time cash incentive of up to $15,000 per payor; **or**
- Incentive of equivalent value, if agreed upon by a practice and payor, that may include:
  - Specific services
  - Gain-sharing arrangements
  - Rewards for quality and efficiency
  - In-kind payment
  - Other items that can be assigned a specific value

INCENTIVES CALCULATION

- An incentive from each payor is based on the payor's share of members treated by the practice
- Calculated at $25 per member and limited to Maryland residents
  - Based on each fully-insured patient assigned to a provider within the practice; **or**
  - In cases where the payor does not assign patients, the fully-insured patients enrolled with that payor who have been treated by the practice in the last 24 months
- Member eligibility used in the calculation is based on enrollment with the payor at the time a practice makes a request for the incentive payment
- The payment is per practice, not per provider

APPLYING FOR THE INCENTIVE



APPLICATION PROCESS – WHAT DO PRACTICES HAVE TO DO?

- Under the revised program, practices can apply for an incentive payment beginning on October 7, 2014
  - Incentive payment requests must be submitted prior to December 31, 2016
- Practices will need to:
  - Attest to Meaningful Use under the Medicare or Medicaid EHR Incentive Program; **or**
  - Demonstrate participation in any MHCC- approved PCMH program and achievement of at least NCQA level two PCMH recognition

EHR INCENTIVE PAYMENT REQUEST – WHAT IS INCLUDED?

- General information about the practice
- National Provider Identity (NPI) numbers of each provider within the practice
- The estimated total number of patients on the practice panel, if available
- Documents, such as:
  - A copy of the confirmation received from the Centers for Medicare and Medicaid Services (CMS) or Maryland Medicaid of acceptance of attestation to Meaningful Use by at least one physician or nurse practitioner within the practice; or
  - A copy of the NCQA PCMH recognition letter

AFTER SUBMITTING A REQUEST – WHAT HAPPENS NEXT?

- A payor may request additional information from a practice to validate the payment request
- After receiving a complete payment request, a payor will
  - Issue a payment request acknowledgment letter within 45 days
  - Process and pay the incentive in full within 75 days
- A payor may exclude members in the incentive calculation that were previously included in another practice's incentive calculation
- A practice may request an accounting of its EHR adoption incentive, including the names of each patient included in the incentive calculation

PROGRAM TRANSITION

PROGRAM TRANSITION – WHAT IF I APPLIED FOR OR RECEIVED AN INCENTIVE PAYMENT?

- If the practice submitted an application prior to June 9, 2014, but not an incentive payment request
  - The practice can apply for both base and additional incentive payments under the earlier incentive program until **August 8th 2014**
- Practices that received an incentive payment prior to June 9, 2014, may qualify for a supplemental payment
  - If the practice received an additional incentive that was less than or equal to the base incentive under earlier incentive program requirements
  - The practice may request the difference between the previously received incentive payment and the incentive payment calculated under the revised incentive program based on the practice's eligible patient enrollment with the payor at the time of the original payment request
  - The payment request must be submitted to the payor by **September 7, 2014**
  - The practice must meet the requirements under the current incentive program

KEY EHR INCENTIVE DATES

August 8, 2014
Deadline to request payment under previous program

September 7 , 2014
Deadline to request supplemental payment under previous program

October 7 , 2014
Payment request under revised program are accepted

December 31 , 2016
Deadline for payment request under revised program

KEY TAKEAWAYS

- One-time incentive per practice per payor
- Incentives are calculated at $25 per-patient
- Payors may exclude patients who are self-insured
- Primary care practices qualify, including those led by a nurse practitioner
- Practices must submit an *EHR Incentive Payment Request* by December 31, 2016
- Practices may submit requests for initial payments under the earlier incentive program or supplemental payment by certain dates

MORE INFORMATION

Maryland Health Care Commission Incentive Website:
http://mhcc.dhmh.maryland.gov/hit/ehr/Pages/stateincentive/stateehrincentive.aspx

For more information about applying for the State-Regulated Payor EHR Adoption Incentives, please contact the payor to which you plan to apply or have applied to using the information below. The following address and/or contact information was provided by each payor.

Aetna, Inc.	Coventry Health Care	Kaiser Permanente
Maryland EHR Incentives Fax: (860) 975-9223 MarylandEHRIncentives@aetna.com	Maryland EHR Incentives Fax: (866) 602-1255 CoventryEHRRequest@cvty.com	Provider Contracting and Network Management 2101 E. Jefferson St. Rockville, MD 20852 Phone: (301) 816-6564 Fax: (301) 388-1700 Provider.Relations@kp.org

CareFirst BlueCross BlueShield	CIGNA Health Care Mid-Atlantic Region	UnitedHealthcare, MidAtlantic Region
External Mandates, Mailstop: OM3-800 10455 Mill Run Circle Owings Mills, MD 21117 C/O EHR Incentive Coordinator Fax: (410) 505-2445 EHRIncentiveCoordinator@carefirst.com	Contracting, Electronic Health Records Fax: (888) 208-7173	Attention: MD EHR – Lisa Kahl 800 King Farm Blvd, Suite 600 Rockville, MD 20850 Fax: (855) 740-9924 md_ehr_incentive@uhc.com