

The stimulus bill enacted in 2009 included provisions to provide Medicare and Medicaid incentive payments to physicians who adopted health information technology, or more specifically, to physicians who are “meaningful users” of “certified” EHR (electronic health record) technology. Physicians are eligible for payments beginning in calendar year 2011 (some States may adopt Medicaid incentive payments as early as this year.)

How Much Am I Eligible to Receive? A physician who uses EHR technology in 2011 and 2012 is eligible for \$44,000 in increased Medicare payments over 5 years, with decreasing amounts payable to physicians who begin using EHR technology in 2013 and 2014. Beginning in 2015, physicians who aren’t using EHR will be subject to Medicare payment penalties. To be eligible for Medicaid payments, physicians have to show that at least 30% of their patients are Medicaid patients. Medicaid payments to a physician who begins using EHR by 2016 total \$63,750. There are no penalties under the Medicaid provisions. Physicians who are eligible for both programs must choose one.

How do I know if I am Eligible? Hospital-based physicians are not eligible for payments under either program. Physicians who receive Medicare e-prescribing incentive payments are not eligible for the Medicare EHR incentive, but can receive the Medicaid EHR incentive.

CMS issued proposed rules on January 13 to implement the meaningful use criteria and the Office of the National Coordinator for Health Information Technology (ONC) issued an interim final rule on the same day to describe “certified” technology. Among the issues addressed by CMS in its proposed rule is the meaning of “hospital-based physician”, which CMS is defining as a physician who provides 90% or more of his or her services in a hospital inpatient, outpatient or emergency room. CMS also describes the clinical quality indicators that physicians will have to report to be considered “meaningful users.” The ONC rule is designed to comport with the CMS proposed rule, and ONC says that it will be issuing another rule shortly that will implement a certification program for EHR technology. Comments on the rules are due March 15, 2010. For a more detailed description of the rules, click [HERE](#).