

2019 Exceptions: Frequently Asked Questions

Looking for information about the Extreme and Uncontrollable Circumstances policy and exception application for all performance categories? [Skip ahead.](#)

Promoting Interoperability Performance Category Hardship Exceptions

If I submit a Promoting Interoperability performance category hardship exception application, does that mean that I cannot report on the Promoting Interoperability performance category for Performance Year 2019?

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 performance category measures, your hardship exception application will be dismissed and the category will not be reweighted.

Will CMS require the submission of supporting documentation along with the Promoting Interoperability performance category hardship exception application?

No. You are not required to submit documentation with the Promoting Interoperability performance category hardship exception application. However, clinicians, groups and Virtual Groups should retain documentation of their circumstances supporting their application for their own records in the event they are selected by CMS for 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(s) for the practice is not, would that practice still qualify for the Promoting Interoperability performance category hardship exception (same TIN)?

No. The office with broadband availability would not qualify for the Promoting Interoperability performance category 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 Promoting Interoperability performance category 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 2019 performance period and is unable to demonstrate meaningful use, the clinician may indicate an extreme and uncontrollable circumstances hardship exception and select vendor issues within the Promoting Interoperability Hardship Exception Application before the application deadline.

What qualifies as an extreme and uncontrollable circumstance for the Promoting Interoperability performance category hardship exception?

- For the 2019 performance period, we have identified the following situations as extreme and uncontrollable circumstances: A natural disaster resulting in damage to or destruction of your CEHRT
- Practice or hospital closure
- Severe financial distress resulting in bankruptcy or debt restructuring
- Vendor issues (such as a change in vendors during the performance period or errors with your CEHRT that your vendor is unable to address)

Note: Simply lacking 2015 Edition CEHRT does not qualify as an extreme and uncontrollable circumstance.

What if my electronic health record (EHR) product is decertified during the 2019 Performance Year?

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 and select decertified EHR technology.

Are there Promoting Interoperability performance category hardship exceptions for clinicians in a small practice?

Yes. 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 by selecting small practice 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.

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

No. MIPS eligible clinicians who are scored under the APM Scoring Standard and have an approved hardship exception do not need to submit Promoting Interoperability data, but they will receive a Promoting Interoperability performance category score. These clinicians will receive the APM entity score for Promoting Interoperability as determined by the APM Scoring Standard unless the performance category is reweighted for the entire entity.

Please note, however, that the MIPS Promoting Interoperability performance category hardship exception does not exempt you from reporting on any CEHRT activities required for participation in your APM.



Extreme and Uncontrollable Circumstances: Automatic Policy

What does the 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.

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.

If I qualify for the automatic extreme and uncontrollable circumstances policy, does that mean that I cannot report for Performance Year 2019?

No. You may still report data, and if you report data for two or more categories, you will receive a final score based on the data submitted and according to the performance category weighting finalized in Table 54 of the 2019 Final Rule. Because there is no data submitted for the Cost performance category, you will not be scored on the Cost performance category under the automatic extreme and uncontrollable circumstances policy.

If you only report data from one performance category, you will receive a final score equal to the performance threshold.

TABLE 54: Performance Category Redistribution Policies Proposed for the 2021 MIPS Payment Year

Reweighting Scenario	Quality	Cost	Improvement Activities	Promoting Interoperability
No Reweighting Needed				
- Scores for all four performance categories	45%	15%	15%	25%
Reweight One Performance Category				
-No Cost	60%	0%	15%	25%
-No Promoting Interoperability	70%	15%	15%	0%
-No Quality	0%	15%	40%	45%
-No Improvement Activities	60%	15%	0%	25%
Reweight Two Performance Categories				
-No Cost and no Promoting Interoperability	85%	0%	15%	0%
-No Cost and no Quality	0%	0%	50%	50%
-No Cost and no Improvement Activities	75%	0%	0%	25%
-No Promoting Interoperability and no Quality	0%	15%	85%	0%
-No Promoting Interoperability and no Improvement Activities	85%	15%	0%	0%
-No Quality and no Improvement Activities	0%	15%	0%	85%

Does the automatic extreme and uncontrollable circumstance policy extend to Shared Savings Program ACOs?

Yes. For the 2018 Performance Year and future years, the automatic extreme and uncontrollable exception policy has been extended to ACOs (APM Entities) who have been given an extreme and uncontrollable designation by the Medicare Shared Savings Program.

How will MIPS Eligible clinicians be scored under the APM Scoring Standard if the automatic extreme and uncontrollable circumstance policy is applied to the ACO?

If an ACO has been given an extreme and uncontrollable circumstances designation and did not or could not report data at the ACO (APM Entity) level for the MIPS Quality performance category, the performance category will be reweighted to zero, regardless of whether or not any of the ACOs participant TINs reported quality data outside the ACO.

General APM Scoring Standard Reweighting:

- If the Promoting Interoperability performance category is reweighted, the Quality performance category becomes 80 and Improvement Activities performance category becomes 20.
- If the Quality performance category is reweighted, the Promoting Interoperability performance category becomes 75 and the Improvement Activities performance category becomes 25.

- If, for any reason, the Promoting Interoperability performance category also is reweighted to 0, the ACO would receive a MIPS score equivalent to the performance threshold

Note: If the ACO is able to completely and accurately report all quality measures (Web Interface and CAHPS), we will use the ACO's data to score them under the MIPS Quality performance category.

If any of the ACO's participant TINs report data for the Promoting Interoperability performance category the TIN or TINs' Promoting Interoperability performance category scores will be used to score the ACO under the APM Scoring Standard and the Promoting Interoperability performance category will not be reweighted.

Extreme and Uncontrollable Circumstances: Exception Application

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

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 2019 MIPS performance period. The application for extreme and uncontrollable circumstances will be open from June - December 31, 2019 for the 2019 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 2019 performance year.

If I submit an extreme and uncontrollable circumstances exception application, does that mean that I cannot report on the performance categories included in my request for Performance Year 2019?

No. You may still report data, and if you report data for two or more categories, you will receive a final score based on the data submitted. Because there is no data submitted for the Cost performance category, you will not be scored on Cost if the performance category was included in your application.



Let's look at an example: You submit an application for all four performance categories, but later determine you are able to collect and submit data for the Improvement Activities and Promoting Interoperability performance categories.

- You will receive a final score based on the data submitted; the Improvement Activities and Promoting Interoperability performance categories will each be weighted at 50% of your final score.
- You will not be scored on Quality (the performance category will retain a 0% weight) because you didn't submit Quality data
- You will not be scored on Cost (the performance category will retain a 0% weight) because there are no data submission requirements associated with the Cost performance category

Will CMS require the submission of supporting documentation along with the extreme and uncontrollable circumstances exception application?

No. There is no requirement to submit documentation with the exception application. CMS will review the application to record the categories 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.

Will you consider the length of time I was impacted by an extreme and uncontrollable circumstance with the 2019 MIPS performance period?

Yes. 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, 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.

If my extreme and uncontrollable circumstances exception application is approved, will I be scored on measures calculated from administrative claims?

Maybe. It depends on the performance categories included in your request, and whether you submit other data.

- MIPS eligible clinicians will not be scored on cost measures calculated from administrative claims data if the clinician's extreme and uncontrollable circumstances request is approved for the Cost performance category.

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- MIPS eligible clinicians will not be scored on the All-Cause Hospital Readmission measure if the clinician's extreme and uncontrollable circumstances request is approved for the Quality performance category and no Quality data is submitted.

As a reminder, a clinician must be scored on at least two performance categories to earn a final score greater than the performance threshold.

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 2019 MIPS performance period would be equal to the performance threshold and you would receive a neutral payment adjustment in 2021.