

The 2021 Merit-based Incentive Payment System (MIPS) Automatic Extreme and Uncontrollable Circumstances Policy

UPDATED: 11/10/2021

We established an automatic extreme and uncontrollable circumstances (EUC) policy beginning with the 2017 performance year for clinicians affected by natural disasters. Clinicians affected by these extreme and uncontrollable circumstances may have their performance categories reweighted or receive a neutral payment adjustment. This resource addresses the automatic EUC policy as it applies to individual MIPS eligible clinicians for the 2021 performance year.

The automatic EUC policy (and this fact sheet) only applies to MIPS eligible clinicians participating as individuals.

The automatic EUC policy doesn't apply to group, virtual group, or APM Entity participation. You can find information about the 2021 EUC application for individuals, groups, virtual groups, and APM Entities in the [2021 MIPS Extreme and Uncontrollable Circumstances Exception Application Guide](#).

UPDATED: Who Does the Automatic EUC Policy Apply To?

The 2019 Coronavirus (COVID-19) pandemic public health emergency (PHE) has affected all clinicians across the United States and territories. Due to the continuing effects of the COVID-19 pandemic PHE, we're applying the automatic extreme and uncontrollable circumstances (EUC) policy to **all individual MIPS eligible clinicians** for the 2021 MIPS performance year.

The automatic EUC policy doesn't apply to group, virtual group, or APM Entity participation.

- Groups that submit data will be scored according to existing MIPS scoring policies. The MIPS eligible clinicians in the group will receive the group's final score and associated payment adjustment unless they have a higher score from individual or APM Entity participation.

IMPORTANT: Clinicians who are **only** eligible to participate in MIPS as part of a group aren't eligible for an individual final score or the automatic EUC policy.

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- **Example:** A practice decides to participate in MIPS and report data as a group. No data is submitted for individual clinicians.
 - The individually eligible clinicians (those who exceeded the low-volume threshold as individuals) will receive the group's final score and associated payment adjustment unless their individual final score (equal to the performance threshold because of the automatic EUC policy) is higher than the group's final score.
 - The clinicians who are only eligible to participate as a group (those who fell below the low-volume threshold as individuals) will receive the group's final score and associated payment adjustment, even if the group's score is below the performance threshold which would in a negative payment adjustment. Because they're not individually eligible, they're not eligible to have a final score from individual participation.
- Virtual groups (regardless of data submission) will be scored according to existing MIPS scoring policies. The MIPS eligible clinicians in the virtual group will receive the virtual group's final score and associated payment adjustment.
- APM Entities that submit MIPS data will be scored according to existing MIPS scoring policies. The MIPS eligible clinician in the APM Entity will receive the Entity's final score and associated payment adjustment unless they have a higher score from individual or group participation.

How Does the Automatic EUC Policy Work?

Individually eligible clinicians will automatically have all performance categories reweighted to 0% and receive a final score equal to the performance threshold, which will result in a neutral payment adjustment (neither a positive nor a negative adjustment) for the 2023 MIPS payment year **unless**:

- The clinician submits data as an individual for 2 or more MIPS performance categories (quality, improvement activities, and/or Promoting Interoperability);
 - Data submission by individual clinicians voids the 0% performance category weight on a category-by-category basis.
- The clinician is part of a group or APM Entity that submits data on behalf of its clinicians, resulting in a higher final score; or
- The clinician is part of a virtual group.

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Under the automatic EUC policy, **the cost performance category will always be weighted at 0%**, even if you submit data as an individual for the other performance categories.

As a reminder, the automatic EUC policy doesn't apply to group, virtual group, or APM Entity participation.

For a more detailed explanation of how your performance categories will be reweighted under the automatic policy based on data submission, please see [Appendix A](#).

Note: The automatic EUC policy will supersede any reweighting approved through an EUC Exception Application submitted for an individual clinician.

Frequently Asked Questions

What should I do if I am eligible for the automatic EUC policy, but my performance feedback does not reflect the correct reweighting?

If you believe that you qualified for the automatic EUC policy, but you do not see it reflected in your performance feedback, you should submit a targeted review. Targeted reviews can be requested for 60 days following the release of the 2023 payment adjustment in your 2021 performance feedback.

What happens if I am a MIPS eligible clinician covered by the automatic EUC policy but still submit data?

It depends on how many performance categories you submit data for **as an individual**.

- If you submit data for one performance category (or no data at all), you will receive a final score equal to the performance threshold and receive a neutral payment adjustment.
- If you submit data for 2 or 3 performance categories (quality, improvement activities, and/or Promoting Interoperability), you will be scored on the performance categories for which you submitted data. Your payment adjustment will be determined by your final score.
- You **won't** be scored in any performance category for which data isn't submitted.
- You **won't** be scored on the cost performance category under the automatic EUC policy even if data are submitted in other performance categories. (Reminder: the automatic EUC policy **doesn't** apply to group, virtual group, or APM Entity participation.)

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What happens if I submitted an EUC application while also qualifying for the automatic EUC policy?

If a MIPS eligible clinician who qualifies for the automatic EUC policy submits an EUC application, the automatic EUC policy will supersede any performance category reweighting approved through the EUC application. For example, a MIPS eligible clinician who qualifies for the automatic EUC policy will have all 4 performance categories reweighted to 0% even if they were only approved for reweighting in 1 or 2 categories through an EUC application. Note that we'll score any performance category for which data are submitted for the individual clinician.

What happens if I've submitted Medicare Part B claims prior to a triggering event for the automatic EUC policy?

If a MIPS eligible clinician in a small practice reports Medicare Part B claims measures for the quality performance category, their Medicare Part B claims data would only contribute to their individual final score if they also submit data for either the Promoting Interoperability or the improvement activities performance categories as individuals. (See [Appendix A](#) for more details.)

REMINDER: When clinicians report Medicare Part B Claims measures, we automatically calculate a score for the quality performance category at the individual and group level. Clinicians in these small practices who are only eligible to participate in MIPS as a group will receive the group's final score unless the group has an approved PY 2021 EUC Exception Application to reweight the remaining 3 performance categories.

Where Can I Learn More?

- [Quality Payment Program website](#)
- [CY 2021 Physician Fee Schedule \(PFS\) Final Rule](#)
- [Federal Emergency Management Agency \(FEMA\) Designated Disaster Areas webpage](#)
- [CMS's Emergency Preparedness and Response webpage](#)

To receive QPP information and updates, you can subscribe to the [QPP listserv](#). You can also contact the QPP at 1-866-288-8292, Monday through Friday, 8 a.m. – 8 p.m. Eastern Time or by email at: QPP@cms.hhs.gov. Customers who are hearing impaired can dial 711 to be connected to a TRS Communications Assistant.

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Version History Table

If we need to update this document, changes will be identified here.

Date	Change Description
11/10/2021	Updated to indicate that the automatic EUC policy will apply to all individual MIPS eligible clinicians as a result of the ongoing COVID-19 PHE. Removed information about previous disasters (Texas Severe Winter Storm and Hurricane Ida) since we're applying the automatic EUC policy to all individual MIPS eligible clinicians.
09/09/2021	Updated to reflect that the automatic EUC policy applies to Louisiana and certain counties in Mississippi, New York, New Jersey, and Missouri following Hurricane Ida.
08/27/2021	Updated to clarify that the automatic EUC policy supersedes any performance category reweighting approved through the EUC application.
05/28/2021	Updated to clarify that the automatic EUC policy applies to the entire state of Texas for the Texas Severe Winter Storm (DR-4586-TX).
05/05/2021	Original posting

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Appendix A

The table below illustrates the 2021 MIPS performance category reweighting policies that CMS will apply under the MIPS automatic EUC policy to clinicians that submit MIPS data as individuals.¹

Data Submitted	Quality Category Weight	Promoting Interoperability Category Weight	Improvement Activities Category Weight	Cost Category Weight	Payment Adjustment
No data	0%	0%	0%	0%	Neutral
Submit Data for One Performance Category					
Quality Only	100%	0%	0%	0%	Neutral
Promoting Interoperability Only	0%	100%	0%	0%	Neutral
Improvement Activities Only	0%	0%	100%	0%	Neutral
Submit Data for 2 Performance Categories					
Quality and Promoting Interoperability	70%	30%	0%	0%	Positive, Negative, or Neutral
Quality and Improvement Activities	85%	0%	15%	0%	Positive, Negative, or Neutral
Improvement Activities and Promoting Interoperability	0%	85%	15%	0%	Positive, Negative, or Neutral
Submit Data for 3 Performance Categories					
Quality and Improvement Activities and Promoting Interoperability	55%	30%	15%	0%	Positive, Negative, or Neutral

¹ See §414.1380.

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