

CMS Releases its Electronic Prescribing Incentive Program Final Rule

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CMS announced today (8/31/11) a final [rule](#) implementing changes to the **Medicare Electronic Prescribing (eRx) Incentive Program**. The **eRx Incentive Program encourages the adoption and use of eRx technology by offering financial incentives to eligible professionals**. Eligible professionals who are not successful electronic prescribers are also subject to a payment adjustment to the Medicare Physician Fee Schedule beginning in January 2012.

The final rule establishes requirements for successful reporting of the electronic prescribing measure for the 2011 eRx incentive. CMS announced that public comments to **the proposed rule raised concerns that the eRx Incentive Program did not align with the Medicare and Medicaid EHR incentive program and needed additional significant hardship categories**. In response, the final rule modifies the existing 2011 electronic prescribing measure to address uncertainties regarding the technological requirements of the Program. For example, the final rule provides that a qualified electronic prescribing system includes certified EHR technology. The final rule also provides additional significant hardship exemption categories and extends the deadline for requesting the exemptions to November 1, 2011.

The final rule also establishes program requirements that eligible professionals and group practices must satisfy to avoid the 2012 payment adjustment and established the following two significant hardship exemptions for purposes of the 2012 payment adjustment:

1. The eligible professional practices in a rural area without sufficient high speed internet access.
2. The eligible professional practices in an area without sufficient available pharmacies for electronic prescribing.

In order to request consideration for a payment adjustment exemption under one of the two hardship exemptions, the eligible professional must report the corresponding g-code on at least one claim.

Requests for significant hardship exemptions for the 2012 eRx payment adjustment must be submitted via a web-based tool and via a mailed letter for group practices. CMS will make instructions on how to request a hardship exemption using the web-based tool available at the following [link](#).

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