

## Requirements for Electronic Health Record (EHR) Vendors to Participate in the 2009 PQRI EHR Testing Program

### Background

The Physician Quality Reporting Initiative (PQRI) was initially authorized by section 101 of the Tax Relief and Health Care Act of 2006 (TRHCA), which was enacted December 2006. For the 2007 PQRI reporting period (that is July 1, 2007 through December 31, 2007), quality data codes were accepted only through claims submission. In the 2008 Medicare Physician Fee Schedule (PFS) proposed rule and final rule with comment period, we described CMS' plans to test mechanisms for submission of quality measures results and/or data through registries and electronic health records during 2008. CMS proposed to test the submission of clinical quality data submitted from EHR vendors for five 2008 PQRI measures. In the 2009 PFS proposed rule, CMS proposed to begin accepting submission of clinical quality data submitted from EHR systems on January 1, 2009, or as soon thereafter as was technically feasible, based upon our completion of the 2008 EHR data submission testing process. However, as described in the 2009 PFS final rule with comment period (73 FR 69828 through 69830), we ultimately determined that accepting data from EHR vendors on quality measures for the 2009 PQRI was not practical. Rather, we will continue to test the submission of clinical quality data submitted from EHR vendors in 2009. Dependent upon the completion of satisfactory testing and qualification of EHR vendors during 2009, we will determine if it is feasible to allow EHR vendors to submit clinical quality data directly from their EHR products to the CMS quality data warehouse for the 2010 PQRI reporting year.

**Please note:** Participation in the testing of EHR data submission for the 2009 PQRI by vendors and eligible professionals is voluntary and **NO** incentive payment for the 2009 PQRI reporting year will be provided to participants. This should be emphasized to all eligible professionals who submit data through their EHR as part of the 2009 PQRI EHR testing program. In addition, qualification of vendors for EHR data submission by CMS does not guarantee that CMS will accept EHR data submission as an option for satisfactorily reporting data on quality measures for the 2010 PQRI.

### EHR Vendor Qualification Requirements for the 2009 PQRI EHR Testing Program

For an EHR vendor and their product to qualify to submit test information on 2009 PQRI measures, the EHR system must be updated according to the Draft 2009 EHR Specifications which will be posted on the QualityNet website (<http://www.qualitynet.org>) in the spring of 2009.

In addition, 2009 PQRI EHR test-vendors must meet the following requirements:

- Be able to collect and transmit all required data elements according to the 2009 EHR Specifications.
- Be able to separate out and report on Medicare Fee For Service (FFS) (Part B) patients only.
- Be able to include NPI/TIN information submitted with an eligible professional's quality data.
- Be able to transmit this data in the CMS-approved format.
- Comply with a secure method for data submission.
- Enter into and maintain with its participating professionals an appropriate legal arrangement that provides for the EHR vendor to receive patient-specific data from the eligible professional, as well as the EHR vendor's disclosure of protected health information on behalf of eligible professionals who wish to participate in the 2009 PQRI EHR test program.
- Obtain and keep on file signed documentation that each NPI whose data is submitted to the EHR vendor has authorized the EHR vendor to submit patient data to CMS for the purpose

of PQRI testing. This documentation must meet the standards of applicable law, regulations, and contractual or business associate agreements.

### **EHR Vendor Qualification Process**

EHR vendors who wish to qualify to participate in the 2009 PQRI EHR test program should submit a self-nomination letter requesting inclusion in 2009. The letter should be sent to:

**PQRI EHR Nomination  
Centers for Medicare & Medicaid Services  
Office of Clinical Standards and Quality  
Quality Measurement and Health Assessment Group  
7500 Security Boulevard  
Mail Stop S3-02-01  
Baltimore, MD 21244-1850**

The letter must be received no later than **5 p.m. on February 13, 2009**. Failure to meet this milestone will preclude the EHR vendor from qualifying to participate in the 2009 PQRI EHR testing program.

The process for qualifying EHR vendors to submit clinical quality data on behalf of eligible professionals for the 2009 PQRI EHR testing program is expected to follow the process listed below:

1. Vendors will self-nominate their EHR product as described above.
2. Nominees will go through a vetting process.
3. Those passing step 2 will be asked to submit test data (that is, mock-up data) or to submit live test data from some of their clients (users) with their permission.
4. Vendors who pass step 3 will need to be able to adapt their system to any changes in the measure specifications that may arise due to Healthcare Information Technology Standards Panel (HITSP) or Certification Commission for Healthcare Information Technology (CCHIT) adoption of quality measure data reporting criteria.
5. Those EHR products that meet all of these requirements will be listed on the PQRI website at <http://www.cms.hhs.gov/pqri> as a “qualified” EHR product. This means that the product’s users may submit quality data to CMS (either directly from their system or through the vendor—which is yet to be determined) in future PQRI years, if and when, EHR submission is included in the PQRI as an option for satisfactorily reporting data on quality measures.

Again, **EHR qualification is no guarantee CMS will accept EHR data for payment of PQRI incentives in the future**. If CMS includes EHR data submission as an option for satisfactorily reporting data on quality measures in a future PQRI year, only eligible professionals using a “qualified” EHR product will be permitted to submit data via their EHR for possible incentive payment.

CMS will post on the PQRI website at <http://www.cms.hhs.gov/pqri> the names of those EHR vendors and their products that are participating in the 2009 PQRI EHR testing program. CMS will also post the names of those EHR vendors and products that qualify, based on meeting all testing requirements, for possible PQRI EHR data submission for future PQRI reporting years.