

## PROPOSED NEW REGULATIONS FOR MEANINGFUL USE STAGE 3 AND 2015 EDITIONS BASE EHR DEFINITION

Two proposed regulations under the Medicare & Medicaid EHR Incentive Program ("MU Program") were submitted to the Office of Management and Budget ("OMB") on December 31, 2014. The two related proposed regulations relate to Stage 3 and the submission to OMB represents the first step toward the proposed regulations being published and available for review by the public. Given the filing and typical processes, it is anticipated that the regulations will be published sometime in February.

The first of the two proposed regulations were submitted by the Centers for Medicare & Medicaid Services and represent the criteria for Stage 3 of the MU Program. The OMB website provides the following statement with respect to the proposed regulations, "Stage 3 will also propose changes to the reporting period, timelines, and structure of the program, including providing a single definition of meaningful use. These changes will provide a flexible, yet, clearer framework to ensure future sustainability of the EHR program and reduce confusion stemming from multiple stage requirements." The statement of changes to reporting periods and providing a single definition of meaningful use are interesting and could mean many things, but changes that simplify the process would certainly be welcomed by hospitals and providers.

The second of the two proposed regulations were submitted by the Office of the National Coordinator for Health IT ("ONC") and propose a new 2015 Edition Base Electronic Health Record definition ("2015 EHR") and changes to the ONC certification program. While details are still forthcoming, the changes will focus on making "it more broadly applicable to other types of health IT health care settings and programs."

The 2015 Edition also establishes the technical capabilities and detail the related standards and implementation specifications that Certified Electronic Health Record Technology would need to include to support the achievement of meaningful use by eligible professionals, eligible hospitals and critical access hospitals under the MU Program.

Typically, no further information about the proposed regulations will be made available until they are released by OMB and published in the Federal Register.

If you have questions regarding meaningful use, please contact:

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