



CMS and ONC proposed rule provides 2014 CEHRT flexibility for meaningful users

May 23, 2014

On May 23, 2014, the Centers for Medicare & Medicaid Services (CMS) and the Office of the National Coordinator for Health Information Technology (ONC) published a [proposed rule](#) in the *Federal Register* that would provide eligible professionals (EPs), eligible hospitals (EHs) and critical access hospitals (CAHs) more flexibility in how they use certified electronic health record technology (CEHRT) to meet meaningful use.

The proposed rule would allow EPs, EHs and CAHs to use 2011 Edition CEHRT, 2014 edition CEHRT or a combination of 2011 and 2014 CEHRT to meet meaningful use during the 2014 reporting period. Beginning in 2015, all EPs, EHs and CAHs would still be required to report using 2014 CEHRT.

These proposed changes address specific concerns raised by stakeholders experiencing difficulties fully implementing 2014 Edition CEHRT to attest this year due to delays in availability of the 2014 version. Providers would need to attest that they are unable to implement the 2014 Edition CEHRT due to availability delays. In a press release accompanying the proposed rule, CMS Administrator Marilyn Tavenner stated that by extending Stage 2, CMS is "being receptive to stakeholder feedback to ensure providers can continue to meet meaningful use and keep momentum moving forward."

The proposed rule also includes a provision that would formalize CMS and ONC's recommended timeline to extend Stage 2 through 2016 and begin Stage 3 in 2017. Additionally, the proposed rule contains revised timelines to assist EPs, EHs and CAHs in navigating the stages of meaningful use by payment year.

CMS is accepting comments on the proposed rule through July 22.

Please contact Bricker & Eckler for more information on meaningful use services.

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