

Financial Incentives for Adoption of Electronic Health Records - Qualified and Certified Electronic Health Records - a Necessary Step

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On January 13, 2010, the United States Department of Health and Human Services (HHS) issued an Interim Final Rule establishing standards and implementation specifications that must be met for an electronic health record (EHR) to be a Certified EHR. These standards and implementation specifications are a critical first step for Eligible Professionals and Hospitals that desire to access incentive payments for implementation of an EHR. In order to obtain incentive payments, an Eligible Professional or a Hospital must be a meaningful user of Certified EHR technology.

In order to be Certified EHR technology, an EHR must first be a Qualified EHR. A Qualified EHR is an electronic record of health-related information on an individual that: (1) includes patient demographic and clinical health information, such as a medical history and problem lists; and (2) has the capacity to: (a) provide clinical decision support; (b) support physician order entry; (c) capture and query information relevant to health care quality; and (d) exchange electronic health information with and integrate such information from other sources.

Certified EHR Technology means a Complete EHR or a combination of EHR Modules, each of which: (1) meets the requirements included in the definition of a Qualified EHR; and (2) has been tested and certified in accordance with the certification program established by the National Coordinator as having met all applicable certification criteria adopted by the Secretary of HHS.

The interim regulation then sets out detailed standards and implementation specifications for Certified EHR Technology. The Interim Regulation becomes effective February 12, 2010.

Practical Considerations

1. You do not have to guess whether the EHR you desire to purchase is certified. HHS plans to publish a separate rule to establish the policies for certification of Health Information Technology (HIT) and

the process a certification body will follow to become an authorized certification body as determined by the National Coordinator.

2. It is important to address certification in an agreement with an EHR vendor. If you intend to obtain incentive payments for implementation of an EHR, your vendor agreements should require that the vendor provide an EHR that will qualify as Certified EHR Technology.
3. Certified EHR technology can consist of a single, complete EHR or it can be made up of EHR Modules that, together, comprise Certified EHR technology.
4. There are certification criteria for an ambulatory setting and certification criteria for an inpatient setting. Make sure you get the right one.

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