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## NEWS BRIEF | 08.04.10

### Final Rule on health data breaches suspended

HHS has decided to suspend the final rule proposed for the notification of health data breaches which applies to hospitals, physicians, and health plans. The organization believes the rule requires further review. This will not affect the interim final rule on breach notifications that has been in effect since September 2009.

[View the HHS notice on their website »](#)

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### May 2011: MU incentive payments begin

All eligible hospitals and physicians can begin receiving their incentive payments from CMS mid May 2011. To receive payments, both hospitals and physicians must have a national provider identifier and be enrolled in the CMS PECOS (Provider Enrollment, Chain and Ownership System). Most providers will also need to register with the NPPES (National Provider Enumeration System). CMS will open registration for the program to physicians and hospitals in January 2011.

With regards to certification, the ONC is in the process of choosing certification bodies. For the time being, providers are permitted to use the EHR of their choosing without notifying CMS. Going forward, providers must let CMS know which EHR they chose when submitting the application proving their adherence to meaningful use requirements.

CMS will partner with the ONC to answer any and all questions regarding the incentive program. States that administer Medicaid can expect to receive a letter from CMS in the fall outlining steps to follow for initiation of their programs.

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## **CMS issues a Final Inpatient Rule for a prospective hospital payment system: Rule lacks hospital support**

CMS released a final rule regarding the reimbursement payments that will affect 3,500 acute-care hospitals and 420 long-term care hospitals. The final rule applies to any discharges on or after October 1, 2010. The final rule includes:

To keep down the costs, the FCC will assume half of the recurring costs each month for rural providers. This effort will bring broadband connectivity to approximately 2,000 rural facilities, bumping up the previous connection total to 12,000.

The FCC will release an NPRM for the rural broadband program in the Federal Register next month, which will then be available for public comment.

- 2.9% reduction in the amount hospitals receive in reimbursement payments due to coding
- Market basket update of 2.35% for hospitals submitting quality measure data
- Market basket update of .35% for hospitals not submitting data on quality measures
- Addition of 12 measures to the Reporting Hospital Quality Data for Annual payment update (RHQDAPU), only ten of which will be considered in determining the hospital's update for FY 2012
- Overall decrease in hospital reimbursement payments by 0.4% starting in FY 2011

Hospitals are outraged as they stand to lose billions of dollars. CMS maintains that the rule is meant to improve quality of care, while ensuring that hospitals are paid accurately for inpatient stays.

[Read the full story »](#)

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