Flow Chart to Help Eligible Professionals (EP) Determine Eligibility for the Medicare and Medicaid Electronic Health Record (EHR) Incentive Programs

How to Use this Flow Chart: A Medicaid eligible professional may also be eligible for the Medicare incentive and should follow the path of answering no to the question of Medicaid patient volume to determine Medicare eligibility. An eligible professional who qualifies for both programs may only participate in one program. Eligible Professionals eligible to receive EHR incentive payments under Medicare or Medicaid will maximize their payments by choosing the Medicaid EHR Incentive Program.

START HERE

Did you perform 90% of your services in an inpatient hospital or emergency room hospital setting?

- **YES**
  - You are NOT currently eligible to receive an EHR incentive payment under the Medicare and Medicaid EHR Incentive Program

- **NO**
  - Were at least 30% of your services furnished to Medicaid patients in an outpatient setting (20% requirement for pediatricians)?
    - **NO**
      - You are NOT currently eligible to receive an EHR incentive payment under the Medicare and Medicaid EHR Incentive Program
    - **YES**
      - Are you one of the following?
        - Physician
        - Dentist
        - Certified nurse-midwife
        - Nurse practitioner
        - Physician assistant practicing in a FQHC or RHC led by a physician assistant
      - If you adopt, implement or upgrade to or successfully demonstrate meaningful use of certified EHR technology, you may be eligible to receive an incentive under the Medicaid EHR incentive program

- **NO**
  - Did you practice predominantly in an FQHC or RHC with a 30% needy individual* patient volume threshold?
    - **NO**
      - You are NOT currently eligible to receive an EHR incentive payment under the Medicare and Medicaid EHR Incentive Program
    - **YES**
      - Are you one of the following?
        - Doctor of medicine or osteopathy
        - Doctor of oral surgery or dental medicine
        - Doctor of podiatric medicine
        - Doctor of optometry
        - Chiropractor
      - If you successfully demonstrate meaningful use, you may be eligible to receive an incentive under the Medicare EHR incentive program

- **YES**
  - Do you bill the Medicare Physician Fee Schedule for patient services?
    - **YES**
      - Are you one of the following?
        - Doctor of medicine or osteopathy
        - Doctor of oral surgery or dental medicine
        - Doctor of podiatric medicine
        - Doctor of optometry
        - Chiropractor
      - If you successfully demonstrate meaningful use, you may be eligible to receive an incentive under the Medicare EHR incentive program
    - **NO**
      - You are NOT currently eligible to receive an EHR incentive payment under the Medicare and Medicaid EHR Incentive Program

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*Section 1903(t)(3)(F) of the Act defines needy individuals as individuals meeting any of the following three criteria: (1) They are receiving medical assistance from Medicaid or the Children’s Health Insurance Program (CHIP); (2) they are furnished uncompensated care by the provider; or (3) they are furnished services at either no cost or reduced cost based on a sliding scale.

Acronyms List:
- **FQHC**: Federally Qualified Health Center
- **RHC**: Rural Health Center
Maximum EHR Incentive Payments by Program Based on the First Calendar Year (CY) for Which the Eligible Professional Receives Payment

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NOTE: Medicare Eligible Professionals may not receive EHR incentive payments under both Medicare and Medicaid.

NOTE: The amount of the annual EHR incentive payment limit for each payment year will be increased by 10 percent for EPs who predominantly furnish services in an area that is designated as a Health Professional Shortage Area.

ICN# 905343 (September 2010)