

## Quality Payment Program – COVID-19 Response

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The Centers for Medicare & Medicaid Services (CMS) is implementing multiple flexibilities for the Quality Payment Program (QPP) in response to the 2019 Novel Coronavirus (COVID-19) pandemic. Specifically, we've:

- [Extended the 2019 MIPS data submission deadline](#);
- Identified the COVID-19 pandemic as a triggering event for the [MIPS Automatic Extreme and Uncontrollable Circumstances \(E&UC\) policy](#) for the 2019 performance period. This policy only applies to individual MIPS eligible clinicians;
- Re-opened the 2019 [Extreme and Uncontrollable Circumstances \(E&UC\) application](#) to individuals, groups and virtual groups, including those who have already submitted data; and
- Added a new high-weighted improvement activity (IA) to the [2020 Improvement Activities Inventory](#) that promotes participation in COVID-19 clinical trials and reporting COVID-19 related care data to a clinical data repository or clinical data registry.

### COVID-19 Response At-a-Glance

Relief Effort	How Does It Work?	Who Is it Available to?
<b>Extended Submission Window</b>	You (or a third party) can submit data on <a href="http://qpp.cms.gov">qpp.cms.gov</a> until April 30, 2020 at 8pm ET.	<b>Individuals, Groups and Virtual Groups</b>
<b>Automatic E&amp;UC Policy</b>	<p>Clinicians who don't submit data will automatically receive a neutral payment adjustment in 2021.</p> <p>MIPS performance categories are weighted at 0% for the 2019 performance year for individual clinicians.</p> <p>Data submission by individual clinicians voids the 0% performance category weight on a category-by-category basis.</p> <p><a href="#">Appendix A</a> outlines performance category weights and payment adjustment implications based on data submission by individual clinicians.</p>	<p><b>Individual MIPS eligible clinicians</b></p> <p><u>The automatic policy does not apply to groups or virtual groups.</u></p> <ul style="list-style-type: none"> <li>• Groups will be scored in all performance categories once data has been submitted unless they submit an application to void previously submitted data.</li> <li>• Clinicians in a virtual group will receive a final score and payment adjustment regardless of data submission unless the virtual group submits an application.</li> </ul>

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<b>COVID-19 E&amp;UC Application</b>	You (or a third party) can <a href="#">complete an application</a> until April 30, 2020 at 8pm ET.  Approved applications will reweight performance categories to 0% and <u>void any previously submitted data</u> .	<b>Individuals, Groups and Virtual Groups</b>  There is no need to complete an application as an individual if you haven't submitted data or have submitted data for one performance category as an individual.
<b>COVID-19 Clinical Trials Improvement Activity</b>	To receive credit for the new <i>COVID-19 clinical trials</i> improvement activity, clinicians must attest that they participate in a COVID-19 clinical trial utilizing a drug or biological product to treat a patient with a COVID-19 infection and report their findings through a clinical data repository or clinical data registry for the duration of their study.	<b>Individual, Groups and Virtual Groups</b>

## Extension to the 2019 Data Submission Deadline

We have extended the 2019 Merit-based Incentive Payment System (MIPS) data submission deadline by 30 days from March 31 to **April 30, 2020**.

## MIPS Automatic Extreme and Uncontrollable Circumstance Policy

CMS has determined that the MIPS automatic extreme and uncontrollable circumstances policy will apply to all individual MIPS eligible clinicians for the 2019 performance period.

MIPS eligible clinicians reporting as individuals will not be scored on performance categories for which data is not submitted. (See [Appendix A](#))

- MIPS eligible clinicians who are not able to submit 2019 MIPS data by the April 30, 2020 extended deadline will automatically receive a neutral payment adjustment.
- MIPS eligible clinicians reporting as individuals who have submitted 2019 MIPS data for one performance category by the April 30, 2020 extended deadline will automatically receive a neutral payment adjustment.
- MIPS eligible clinicians reporting as individuals who have submitted 2019 MIPS data for two or three performance categories by the April 30, 2020 extended deadline will receive a final score based on the performance categories for which data was submitted and may earn a negative, neutral or positive payment adjustment. (See [Appendix A](#))

An approved COVID-19 [extreme and uncontrollable circumstances application](#) will void previously submitted data.

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All individually eligible clinicians will see the following indicator on the [QPP Participation Status](#) lookup tool

HARDSHIP EXCEPTION	Yes
<b>Extreme and uncontrollable circumstances</b>	

### Medicare Shared Savings Program and Other MIPS Alternative Payment Models

For MIPS eligible clinicians participating in Medicare Shared Savings Program Accountable Care Organizations (ACOs) or in APM entities participating in other MIPS Alternative Payment Models (APMs), the APM quality score reflects any changes made under the terms of each MIPS APM's respective extreme and uncontrollable circumstances policy; the Cost performance category is always weighted at 0% of the MIPS final score for MIPS APM participants; and the Promoting Interoperability performance category is reweighted to 0% of the MIPS final score if no data is submitted. As a result, MIPS APM participants that do not submit quality data would only have a score in one performance category (improvement activities), and thus they would receive a neutral payment adjustment for the 2021 MIPS payment year.

### Can I Still Submit Data for the 2019 Performance Year under the Automatic Policy?

Yes. Many MIPS eligible clinicians who submitted data in previous years received high scores in MIPS. If you are a MIPS eligible clinician who is able to submit data, your data submission will override reweighting of that performance category under the automatic extreme and uncontrollable circumstances policy.

Individual MIPS eligible clinicians who submit data by April 30, 2020 for two (2) or more performance categories will be scored on those categories and receive a 2021 MIPS payment adjustment based on their 2019 MIPS final score.

Under the automatic extreme and uncontrollable circumstances policy, **the Cost performance category will always be weighted at 0%**, even if you submit data for the other performance categories.

See [Appendix A](#) for more information about individual data submission and performance category weights.

## What if Our Practice Already Submitted 2019 Performance Year Data as a Group?

**The automatic extreme and uncontrollable circumstances policy does not apply to group participation.** If you are a MIPS eligible clinician in a practice that has already submitted data as a group, we will score the group in all performance categories according to existing MIPS scoring policies. You will receive a final score and payment adjustment based on the data submitted. Groups that are not able to complete their data submission for the 2019 performance year can submit an [extreme and uncontrollable circumstances application](#).

If your group does not submit any data by April 30, 2020 and you do not submit any data as an individual you will receive a neutral payment adjustment for the 2021 MIPS payment year.

## What if We're Participating in MIPS as a Virtual Group?

The automatic extreme and uncontrollable circumstances policy does not apply to virtual groups. Virtual groups who will be unable to submit data by April 30, 2020 will need to submit an [extreme and uncontrollable circumstances application](#).

## Extreme and Uncontrollable Circumstances Application

We are re-opening the [2019 extreme and uncontrollable circumstances application](#) to allow clinicians, groups and virtual groups to request reweighting of the MIPS performance categories to 0%.

**An extreme and uncontrollable circumstance application submitted between April 3 and April 30, 2020 citing COVID-19, and approved by CMS, will override any previous data submission.<sup>1</sup>** (Please disregard any statements within the application or system notifications about data submission voiding the reweighting approved by the application. That is our general policy for these applications but does not apply in this circumstance.)

The application is available for:

- [Individual clinicians](#) who started, but are unable to complete, their data submission;
- [Small practices](#) that were automatically scored as a group on Medicare Part B claims quality measures;
- [Groups](#) that started, but are unable to complete, their data submission; and
- [Virtual groups](#) that are unable to start or complete their data submission.

Applications can also be submitted by a third party with permission from the clinician or practice.

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<sup>1</sup> Medicare and Medicaid Programs: Policy and Regulatory Revisions in Response to the COVID-19 Public Health Emergency interim final rule with comment.

The application is accessible [here](#). When completing the application:

- Select individual, group or virtual group as appropriate to your level of participation;
- Select 1/1/2020 and 4/30/2020 as your start- and end-dates;
- Indicate that you are unable to complete data submission due to the COVID-19 pandemic; and
- Select all 4 performance categories for reweighting to receive a neutral payment adjustment.

If you have questions about a previously approved application submitted before December 31, 2019, please contact the Quality Payment Program at 1-866-288-8292, Monday through Friday, 8:00 a.m. - 8:00 p.m. Eastern Time or by email at: [QPP@cms.hhs.gov](mailto:QPP@cms.hhs.gov). Customers who are hearing impaired can dial 711 to be connected to a TRS Communications Assistant.

### *Applications for Individual Clinicians*

#### **Our practice is participating in MIPS as individuals. Under what circumstances would we need to complete an application for one of our clinicians?**

The extreme and uncontrollable circumstances application is an option to reweight performance categories to 0% for any MIPS eligible clinician who:

- Has partial data submitted for two (2) or more performance categories; AND
- Will not be able to complete their data submission by April 30, 2020; AND
- Currently has a preliminary score below 30 points.

Individual MIPS eligible clinicians who meet these criteria and don't complete an extreme and uncontrollable circumstances application could be subject to a negative payment adjustment in the 2021 payment year.

**Reminder:** Individual MIPS eligible clinicians who have not submitted 2019 performance year data or have only submitted data for one performance category will earn a final score equal to the performance threshold and a neutral payment adjustment.

#### **Some of the clinicians in our practice are facility-based and eligible for facility-based measurement in 2019. Do we need to complete an application on their behalf to reweight their performance categories to 0%?**

You will not need to complete an application for facility-based MIPS eligible clinicians who have not submitted any data to MIPS or who have submitted data for one performance category. We will not apply facility-based measurement to these clinicians.

We will apply facility-based measurement to facility-based MIPS eligible clinicians who have submitted data to MIPS for two or more performance categories. (Cost will not be scored.) You would need to complete an extreme and uncontrollable circumstances application for their clinicians to reweight all four performance categories to 0%.

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## *Applications for Groups*

### **Our practice was planning to participate in MIPS as a group, but we haven't submitted any data yet. Do we need to complete an extreme and uncontrollable circumstances application for our group?**

No. There is no requirement to participate and submit data as a group. Your individually eligible clinicians are covered by the MIPS automatic extreme and uncontrollable circumstances policy. They will receive a neutral payment adjustment unless they've submitted individual data on two (2) or more performance categories.

### **Our small practice was automatically scored as a group for the Quality performance category because our clinicians reported Medicare Part B claims measures. Can we complete an extreme and uncontrollable circumstances application for our group?**

Yes. Small practices were automatically scored as a group in the Quality performance category when their clinicians reported Part B claims measures. If your small practice has a Quality score and is not able, or did not intend, to submit group data for additional performance categories, you should submit an extreme and uncontrollable circumstances application on behalf of the group to reweight all four performance categories to 0%.

### **Our practice has already submitted some 2019 performance year data as a group. Do we need to complete an extreme and uncontrollable circumstances application?**

The extreme and uncontrollable circumstances application is an option to reweight performance categories for any group that:

- Will not be able to complete their data submission by April 30, 2020; AND
- Currently has a preliminary score below 30 points.

MIPS eligible clinicians in a group that meets these criteria and doesn't complete an extreme and uncontrollable circumstances application will be scored in all performance categories and could be subject to a negative payment adjustment.

If you complete an extreme and uncontrollable circumstance application on behalf of the group, this will not override data submitted by the individual MIPS eligible clinicians in the practice.

**Our practice is facility-based at the group level and eligible for facility-based measurement in 2019. Do we need to complete an extreme and uncontrollable circumstances application on behalf of the group to reweight all four performance categories to 0%?**

To receive facility-based scoring in the MIPS Quality and Cost performance categories, the group must submit Improvement Activities and/or Promoting Interoperability data.

If your practice hasn't submitted any group-level data in either the Improvement Activities and/or the Promoting Interoperability performance categories, you do not need to complete an application. There is no requirement to participate and submit data as a group. Your individually eligible clinicians will receive a neutral payment adjustment unless they've submitted individual data on two (2) or more performance categories.

If your practice has submitted any group-level data in either of the Improvement Activities and/or the Promoting Interoperability performance categories, you would need to complete an application to reweight all four performance categories to 0%.

*Applications for Virtual Groups*

**We are participating in MIPS as a virtual group and will not be able to start/complete our data submission by April 30<sup>th</sup>. Do we need to submit an extreme and uncontrollable circumstances application?**

Yes. The MIPS eligible clinicians in a virtual group will receive a final score and payment adjustment based on the data submitted – or not submitted – by the virtual group. If you are not able to submit data because of the COVID-19 pandemic, you must submit an application to reweight all four performance categories on behalf of the virtual group.


**New COVID-19 Clinical Trials Improvement Activity**

To receive credit for the new *COVID-19 clinical trials* (IA\_ERP\_3) improvement activity, MIPS eligible clinicians must attest to participation in a COVID-19 clinical trial utilizing a drug or biological product to treat a patient with a COVID-19 infection and report their findings through a clinical data repository or clinical data registry.

We've added this high-weighted improvement activity to provide an opportunity for clinicians to receive credit in MIPS for the important work they are doing across the country. Clinicians could also pair the new *COVID-19 clinical trials* activity with the existing *Participation in a 60- day or greater effort to support domestic or international humanitarian needs* (IA\_ERP-2) activity for full credit for the Improvement Activities performance category.

We intend for this improvement activity to be applicable to MIPS eligible clinicians that are reporting their COVID-19 related patient data to a clinical data repository, such as Oracle's [COVID-19 Therapeutic Learning System](#) and clinicians participating in clinical trials such as the [COVID-19 clinical trials](#) being conducted by the National Institutes of Health (NIH). Oracle has

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developed and donated a system to the U.S. government that allows clinicians and patients at no cost to record the effectiveness of promising COVID-19 drug therapies.

The new improvement activity provides flexibility in the type of clinical trial, which could include designs ranging from the traditional double-blinded placebo-controlled trial to an adaptive design, or pragmatic design that flexes to workflow and clinical practice context. The goal is to support innovation and improve the collection of COVID-19 related data that clinicians have available to them and develop best practices that can drive improvements in patient care as clinicians monitor and manage the spread of COVID-19 in their practices. Encouraging clinicians to use an open source data collection tool will bring the results of their research to the forefront of healthcare much faster, leading to improvements in care delivery and most importantly the health of COVID-19 patients.

## Frequently Asked Questions

### **What does the COVID-19 pandemic mean for the 2020 performance period?**

At this time, CMS hasn't issued guidance about the potential impact COVID-19 may have on participation in the Quality Payment Program for the 2020 performance period. We continue to monitor the developing COVID-19 event and will update our guidance accordingly.

### **Should we delete previously submitted 2019 performance year data if we won't be able to complete reporting, to get the neutral payment adjustment?**

No, but you can submit an extreme and uncontrollable circumstances application for COVID-19 relief until April 30<sup>th</sup> if you are unable to complete your data submission. If your application is approved, it will override previously submitted data.

### **How will the neutral payment adjustment assigned to all MIPS eligible clinicians who do not submit data affect the 2021 payment adjustment for those who do submit data?**

The MIPS automatic extreme and uncontrollable policy does not affect the Quality Payment Program's budget neutrality requirement. MIPS payment adjustments are required by law to be budget neutral. Generally stated, this means that the projected negative payment adjustments must be balanced by the projected positive payment adjustments. We understand that a lower than expected positive payment adjustment may be disappointing to those of you who were able to submit your data early, however it's critical that we support every clinician's ability to focus on caring for patients impacted by the COVID-19 pandemic.



**There's a statement in the certification statement of the application that indicates data submission voids reweighting. I thought the application would void the data I've submitted. Which is right?**

COVID-19 applications submitted between April 3 and April 30, 2020 will void previously submitted data. We wanted to make the application available as soon as possible, so we were not able to update verbiage within the application to align with our policy for this circumstance.

**Who should not submit an application for reweighting?**

- MIPS eligible clinicians who have not submitted data or have submitted data for only one performance category
  - Reminder: These clinicians will automatically receive a neutral payment adjustment unless their practice is participating as a virtual group or submits data as a group
- MIPS eligible clinicians who want to be scored on the data they have submitted as individuals in two or more performance categories
  - Reminder: Clinicians will only be scored as individuals on the performance categories for which they submitted data
- Groups that have submitted data and want to be scored in all applicable performance categories
  - Reminder: Groups don't qualify for the automatic policy and will be scored on all applicable performance categories unless they submit an application

**We were approved for performance category reweighting due to extreme and uncontrollable circumstances that occurred during 2019. Can we update our application to cover all MIPS performance categories?**

If you were previously approved to have one or two MIPS performance categories reweighted and are now unable to submit data for any MIPS performance category due to the COVID-19 pandemic, please contact the Quality Payment Program. One of our representatives will be able to assist you with updating your existing application. Please note that our systems will not let you submit another application for the same TIN (group), TIN/NPI (individual), or virtual group ID.

## Where Can I Learn More?

- [Quality Payment Program](#)
- [2019 PFS Final Rule](#)
- [CMS's Current Emergencies](#)

You can subscribe to the [QPP listserv](#) and you can also contact the Quality Payment Program at 1-866-288-8292, Monday through Friday, 8:00 a.m. - 8:00 p.m. Eastern Time or by email at: [QPP@cms.hhs.gov](mailto:QPP@cms.hhs.gov). Customers who are hearing impaired can dial 711 to be connected to a TRS Communications Assistant.

## Version History

Date	Change Description
4/20/2020	<ul style="list-style-type: none"><li>• Added information about the new <i>COVID-19 clinical trials</i> (IA_ERP_3) improvement activity.</li></ul>
4/14/2020	We made a number of revisions based on customer feedback to help clarify our policies, including: <ul style="list-style-type: none"><li>• Added a new “at-a-glance” section</li><li>• Added information about the extreme and uncontrollable indicator on the QPP Participation Status lookup tool</li><li>• Consolidated and reorganized information to remove duplicative questions</li><li>• Removed targeted review question (will be addressed in a future resource)</li></ul>
4/3/2020	<ul style="list-style-type: none"><li>• Added information about extreme and uncontrollable circumstances application reopening as an option</li><li>• Added information about implications for facility-based clinicians</li><li>• Revised the question about Part B claims reporting to indicate that groups should submit an application</li><li>• Revised language to clarify that the automatic extreme and uncontrollable policy does not apply to group participation</li></ul>
3/27/2020	Original posting

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## Appendix A: Automatic Policy

### Performance Category Weights and Payment Adjustment based on Individual Data Submission

The table below illustrates the 2019 performance category reweighting policies that CMS will apply to clinicians under the MIPS automatic extreme and uncontrollable circumstances policy, including those that submit MIPS data as individuals.<sup>2</sup>

Data Submitted	Quality Category Weight	Promoting Interoperability Category Weight	Improvement Activities Category Weight	Cost Category Weight	Payment Adjustment
No data	0%	0%	0%	0%	Neutral
Submit Data for One Performance Category					
Quality Only	100%	0%	0%	0%	Neutral
Promoting Interoperability Only	0%	100%	0%	0%	Neutral
Improvement Activities Only	0%	0%	100%	0%	Neutral
Submit Data for 2 Performance Categories					
Quality <b>and</b> Promoting Interoperability	75%	25%	0%	0%	Positive, Negative, or Neutral
Quality <b>and</b> Improvement Activities	85%	0%	15%	0%	Positive, Negative, or Neutral
Improvement Activities <b>and</b> Promoting Interoperability	0%	50%	50%	0%	Positive, Negative, or Neutral
Submit Data for 3 Performance Categories					
Quality <b>and</b> Improvement Activities <b>and</b> Promoting Interoperability	60%	25%	15%	0%	Positive, Negative, or Neutral

<sup>2</sup> See 42 C.F.R. §414.1380