



CLIENT ALERT

Health Care Reform Legislation Guidance Issued on Incentive Programs for Meaningful Use of Electronic Health Records

August 4, 2010

The Centers for Medicare and Medicaid Services (CMS) has published a final rule (the Rule) regarding the initial, Stage 1 criteria to qualify for incentive payments for the adoption and successful demonstration of meaningful use of certified electronic health record (EHR) technology. The Rule implements the provisions of the American Recovery and Reinvestment Act of 2009 (ARRA), enacted February 17, 2009. ARRA included the Health Information Technology for Economic and Clinical Health Act (HITECH Act), which amended the Social Security Act (the Act) to establish incentive payments for eligible professionals, eligible hospitals, critical access hospitals, and Medicare Advantage Organizations to promote the adoption and meaningful use of health information technology. The Rule is effective September 27, 2010.

The following industry alert highlights the provisions of the Rule that are of particular importance to providers who may be eligible to receive incentive payments. Note that this client alert does not address the EHR incentive program with regards to Medicare Advantage Organizations.

[Click here to read the alert.](#)

Womble Carlyle client alerts are intended to provide general information about significant legal developments and should not be construed as legal advice on any specific facts and circumstances, nor should they be construed as advertisements for legal services.

IRS CIRCULAR 230 NOTICE: *To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice within this client alert is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed in a client alert.*