

# CMS to Apply MIPS Automatic Extreme and Uncontrollable Circumstances Policy for the 2021 Performance Year in Response to COVID-19 Public Health Emergency

The Centers for Medicare & Medicaid Services (CMS) continues to provide relief where possible to clinicians responding to the 2019 Coronavirus (COVID-19) public health emergency (PHE). We're applying the [Merit-based Incentive Payment System \(MIPS\) automatic extreme and uncontrollable circumstances \(EUC\) policy](#) to ALL individually eligible MIPS eligible clinicians for the 2021 performance year (PY). Please note that this announcement is for PY2021 only.

The automatic EUC policy only applies to MIPS eligible clinicians who are eligible to participate in MIPS as individuals. The automatic EUC policy **doesn't** apply to groups, virtual groups, or Alternative Payment Model (APM) Entities.

**Learn what this means for you below.**

## **MIPS eligible clinicians who are eligible to participate in MIPS as individuals**

You don't need to take any action to have the automatic EUC policy applied to you. You'll be automatically identified and will have all 4 MIPS performance categories reweighted to 0% and receive a neutral payment adjustment for the 2023 MIPS payment year unless you 1) submit data in 2 or more performance categories, or 2) have a higher final score from group or APM Entity participation.

## **Small practices reporting Medicare Part B claims measures**

Under current policies, we automatically calculate a quality score from Medicare Part B claims measures at the individual and group level.

- Clinicians in small practices that report Medicare Part B claims measures who are only eligible to participate in MIPS as part of a group **aren't** covered by the automatic EUC policy and will receive the group's final score. (To identify these clinicians, [sign in to qpp.cms.gov](#), navigate to the "Eligibility & Reporting" page and click "View Clinician Eligibility". Clinicians who are only eligible to participate as part of a group will have a green check mark next to "Group"; there **won't** be a green check mark next to "Individual".)
- Some small practices may not be aware of the implications of their PY 2021 claims reporting due to some of the policies we introduced at the onset of the COVID-19 PHE.
- As a result, these small practices may wish to request performance category reweighting on behalf of the group through the PY2021 EUC Exception Application, citing COVID-19 as the triggering event.
- PY2021 EUC Exception Applications can be submitted by signing in to [qpp.cms.gov](#) and clicking Exception Applications on the left-hand navigation.

## **Groups**

The automatic EUC policy doesn't apply to groups. You don't need to take any further action if you're not able to submit data for the 2021 performance year. Group participation is optional (specific guidance for small practices noted above), and your individually eligible MIPS eligible clinicians qualify for the automatic EUC policy if you don't report at the group-level on their behalf. (If you

submit data at the group level on behalf of your MIPS eligible clinicians, the group will receive a MIPS final score based on the data submitted.) Your MIPS eligible clinicians will have all 4 performance categories reweighted to 0% and receive a neutral payment adjustment for the 2023 MIPS payment year unless 1) they submit data in 2 or more performance categories, or 2) they have a higher final score from group or APM Entity participation.

### **Virtual Groups**

MIPS eligible clinicians in a virtual group will receive a payment adjustment based on the virtual group's final score, even if no data is submitted. (When no data is submitted for the virtual group, the MIPS eligible clinicians in the virtual group could receive the maximum negative payment adjustment of -9% in the 2023 payment year.)

- If you're unable to submit data for the 2021 performance year as a result of the ongoing COVID-19 PHE, you can submit a PY2021 EUC Exception Application on behalf of the virtual group, citing COVID-19, to request reweighting for all 4 performance categories.
- PY2021 EUC Exception Applications can be submitted by signing in to [qpp.cms.gov](http://qpp.cms.gov) and clicking Exception Applications on the left-hand navigation through December 31, 2021.

### **APM Entities**

The automatic EUC policy doesn't apply to APM Entities. You don't need to take any action if you're not able to submit data for the 2021 performance year. APM Entity participation is optional (specific guidance for small practices noted above), and your individually eligible MIPS eligible clinicians will have the automatic EUC policy applied to them if you don't report at the APM-Entity level on their behalf. (If you submit data at the APM-Entity level on behalf of your MIPS eligible clinicians, the APM Entity will receive a MIPS final score based on data submitted.) Your MIPS eligible clinicians will have all 4 performance categories reweighted to 0% and receive a neutral payment adjustment for the 2023 MIPS payment year unless 1) they submit data in 2 or more performance categories, or 2) they have a higher final score from group or APM Entity participation.

If your APM Entity would like to request performance category reweighting for the 2021 performance year, you must submit an EUC application.

- PY2021 EUC Exception Applications can be submitted by signing in to [qpp.cms.gov](http://qpp.cms.gov) and clicking Exception Applications on the left-hand navigation through December 31, 2021.

### **Medicare Shared Savings Program ACOs**

The MIPS Automatic EUC policy doesn't apply to Shared Savings Program Accountable Care Organizations (ACOs). ACOs can submit a PY2021 EUC Exception Application on behalf of its MIPS eligible clinicians if they are unable to report via the Alternative Payment Model (APM) Performance Pathway (APP). To submit a PY2021 EUC Exception Application, ACOs must demonstrate that greater than 75% of its MIPS eligible clinicians would be eligible for reweighting the Promoting Interoperability performance category. ACOs can submit PY2021 EUC Exception Applications by signing in to [qpp.cms.gov](http://qpp.cms.gov) and clicking Exception Applications on the left-hand navigation through December 31, 2021.

**Note:** [The Shared Savings Program Quality EUC policy](#) for determining shared savings and losses applies to all Shared Savings Program ACOs for performance year 2021. CMS considers all ACOs to be affected by the COVID-19 PHE and the Shared Savings Program EUC policy applies for PY2021. ACOs that are able to report quality data via the APP and meet MIPS

data completeness and case minimum requirements will receive the higher of their ACO quality score or the 30th percentile MIPS quality performance category score. ACOs that are unable to report quality data via the APP and meet the MIPS quality data completeness and case minimum requirements, will have their quality score set equal to the 30th percentile MIPS quality performance category score.

#### **Additional Resources**

- [2021 MIPS Extreme and Uncontrollable Circumstances Application Guide](#)
- [Quality Payment Program COVID-19 Response Fact Sheet](#)

For more information, please see the [Quality Payment Program COVID-19 Response webpage](#) on the QPP website. You can contact the Quality Payment program at 1-866-288-8292 (TRS: 711), Monday through Friday, 8AM-8PM ET or by e-mail at: [QPP@cms.hhs.gov](mailto:QPP@cms.hhs.gov).