A Possible Delay for Stage 2

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By Kevin Heubusch

This spring, as the first providers began attesting to their performance in stage 1 of the meaningful use program, the rest of the industry seemed too absorbed with the program's next phase to take much notice.

Through the spring a subgroup of the Health IT Policy Committee was preparing its recommendations on the stage 2 requirements, and that discussion nearly overshadowed any recognition that stage 1 was showing its first results.

No one expected the road to stage 2 would be straight and smooth, and it has not been. In fact, through the twists and turns the road has taken there have been calls to slow down and even pull over.

As this month began and the policy committee prepared to submit its formal recommendations to the Office of the National Coordinator (ONC), it was unclear if stage 2 would even begin in 2013 as planned.

Disagreement over the Timing

Much of the debate over stage 2 has centered on the timing. Many organizations are concerned that the industry will not be ready to progress from stage 1 in 2013.

The concept of stages was not a requirement of ARRA, and no mandate dictates it. ARRA established only the start and end dates of the program. The Centers for Medicare and Medicaid Services, which published the meaningful use rule enacting the legislation, introduced the phased approach in an attempt to ease providers into the program by ramping up the requirements gradually over time.

In general, vendors and providers are urging a delay in stage 2. They say they need more time to develop and implement software to meet new measures. Additionally, delaying stage 2 would allow the industry to glean more lessons from experiences with the program's first stage.

Commenters have also raised concerns that stage 2 is competing with other major initiatives such as the implementation of ICD-10-CM/PCS (due October 2013) and the launch of accountable care organizations (beginning 2012). They urge the government not to push meaningful use too fast.

Consumer and health IT advocates, however, are among those urging ONC to press ahead according to plan. Stage 2 will offer real benefits to patient care that should not be delayed, they say, and it is risky to slow the program's momentum now that it has gotten rolling.

Others point to reform initiatives such as accountable care organizations as motivation to move stage 2 forward. These new organizations will have to meet quality-reporting and data-sharing requirements, and the meaningful use program will help create the means and methods to facilitate it. Delaying stage 2 could delay other reform efforts, they say.

Delay, Scale Back, Push On?

The policy committee has considered a variety of options for addressing concerns on timing, which it will include in its recommendations to ONC.

Moving ahead as planned is one option. Delaying stage 2 by a year is another.

Further options are more nuanced. One suggestion has been to maintain the existing timeline but reduce the reporting period to 90 days rather than a full year. This would allow organizations more time to prepare.

Another possibility is implementing stage 2 across two years, raising the thresholds on the data measures and adding new quality measures in 2013, then adding new EHR functionality in 2014.

Not all providers would benefit from a delay. Those who were capable of meeting the stage 2 requirements in 2013 would lose incentive payments if the stage were pushed back a year.

An Early Look at the Requirements

The Health IT Policy Committee released a preliminary draft of stage 2 meaningful use criteria for public comment in January. The draft, created by the committee's meaningful use workgroup, was intended to alert the industry to potential new EHR functionalities, start the public comment process, and gather responses to 10 specific questions.

The recommendations came in the form of a matrix that plotted stage 1 criteria, proposed stage 2 criteria, and in many cases, proposed stage 3 criteria. The committee included the stage 3 criteria for context, because it conceives of stage 2 as a stepping stone to stage 3. However, it was interested primarily in comments on stage 2 at the time.

The objectives addressed four of the five health outcome priorities established in stage 1. The draft did not cover the privacy and security domain, which the committee's privacy and security subgroup is addressing in recommendations to be released separately. In addition, the draft did not address quality measures, which are moving forward in a different workgroup.

For the most part, the recommended stage 2 objectives heightened the measures of stage 1, although some objectives and their measures were unchanged. Objectives from the menu set in stage 1 were upgraded to requirements in stage 2. The draft included eight new objectives in the four domains that have no precedent in stage 1.

No PCAST in the Forecast

Whatever the final stage 2 requirements will be, they are unlikely to incorporate recommendations made by the President's Council of Advisors on Science and Technology in its December 2010 report.

The council's recommendations to create a "universal exchange language" are not feasible by 2013, according to a joint workgroup of the policy and standards committees that studied the report. The workgroup found that there is not enough time to write and test the criteria. It also noted that the council's recommendations lacked real-world examples that would speed their incorporation into the meaningful use program.

Next Up: Waiting

The full Health IT Policy Committee is expected to review the workgroup's formal recommendations at its June 8 meeting. From there the committee expected to forward its final recommendations to ONC for consideration in the forthcoming proposed regulation on stage 2.

At that point the ball is in ONC's court. Much of the talking will be done, and the waiting will begin. ONC, working with the Centers for Medicare and Medicaid Services, will draft a proposed regulation establishing the stage 2 criteria, which it expects to publish at the end of this year. A final rule is expected by the middle of 2012. Unless the timeline is changed, stage 2 would begin in 2013.

Over the summer and fall ONC will also be at work updating the IT certification and standards requirements related to the stage 2 criteria. Those guidelines direct vendors in preparing their systems to qualify for use in stage 2 of the program.

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