



Physicians, Dentists, and Other Eligible Providers on Hook to Repay Mistaken EHR Incentive Payments

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In a report published on June 12, 2017, the HHS Office of Inspector General (OIG) recommended that the Centers for Medicare and Medicaid Services (CMS) attempt to recover an estimated \$729 million in electronic health record (EHR) incentive payments paid to eligible healthcare professionals (EPs) who were not compliant with Federal requirements. EPs include doctors, dentists, podiatrists, optometrists and chiropractors.

CMS paid over \$6 billion in incentive payments to EPs who attested to “meaningful use” of EHR technology. OIG conducted its review to determine if CMS exercised effective oversight over the program.

Based on a review of a random sample of 100 EPs, OIG determined that 14 EPs received payments totaling \$291,222 despite failing to meet meaningful use requirements. OIG extrapolated that amount to estimate overpayments to EPs at \$729 million. In addition, \$2.3 million in overpayments are the result of EPs receiving both Medicare and Medicaid EHR incentives in the same year in violation of program rules.

Key takeaways:

1. CMS will work with its EHR incentive program audit contractor to recover the identified overpayments from the sampled EPs who did not meet meaningful use requirements.
2. CMS will pursue additional overpayments from EPs based on risk-based audits.
3. CMS will recover \$2.3 million from identified EPs who received both Medicare and Medicaid EHR incentive payments in the same year.
4. EPs should ensure that they meet all applicable requirements for EHR incentive payments, and return any identified overpayments within 60 days as required by law.

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