



## EHR Incentive Programs

*A program of the Centers for Medicare & Medicaid Services*

### **Audit Preparedness FAQs for the Medicaid EHR Incentive Program**

1. Where can additional information be found regarding the Security Risk Analysis (SRA)?
  - a. Information regarding the SRA content and requirements are located on the CMS website at [https://www.cms.gov/Regulations-and-Guidance/Legislation/EHRIncentivePrograms/Downloads/2015EP\\_1ProtectPatientHealthInfoObjective.pdf](https://www.cms.gov/Regulations-and-Guidance/Legislation/EHRIncentivePrograms/Downloads/2015EP_1ProtectPatientHealthInfoObjective.pdf).
  - b. A recorded SRA webinar is available on the Health IT [website](#) that provide detailed SRA requirements. Click [here](#) for the webinar.
  
2. Are covered entities allowed to audit HIV records without permission from the patient even if the doctor is getting paid by Medicare?
  - a. Yes, we are only interested in the encounter.
  - b. According to the [HIPAA Privacy Rule](#), "Covered entities may disclose protected health information to health oversight agencies (as defined in the Rule) for purposes of legally authorized health oversight activities, such as audits and investigations necessary for oversight of the health care system and government benefit programs."
  
3. What if the patient only has Medicaid to pay for their Medicare premium?
  - a. It is still considered a Medicaid encounter.
  
4. Can the provider count those patients who have converted to Medicaid?
  - a. Yes
  
5. Will the Health IT SRA presentation be available for download and how can providers obtain the presentation?
  - a. Yes, the presentation is located in the "handout" section of the panel. Also all providers on the webinar will receive an email copy of the presentation within 72 business hours.
  
6. Are nurse practitioners eligible for Meaningful Use reimbursement?
  - a. Yes
  
7. Physicians that see patients in a nursing home environment are often paid by Medicare while the patient has been transferred to a Medicaid facility for a portion of the stay.

Does the 30% portion for long-term and skilled nursing home facility determine how the physician gets paid or is it based on the patient's status within the facility? Does this also apply if the physician is getting paid by Medicare?

- a. Yes, we are only interested in the encounter.
  - i. According to the [HIPAA Privacy Rule](#), "Covered entities may disclose protected health information to health oversight agencies (as defined in the Rule) for purposes of legally authorized health oversight activities, such as audits and investigations necessary for oversight of the health care system and government benefit programs."
- b. Any encounter that Medicaid is being billed for is considered a Medicaid encounter even if it's secondary or tertiary.