

Extraordinary Circumstance Exceptions (ECE) Quick Reference Guide

Background

The Centers for Medicare & Medicaid Services (CMS) offers a process for facilities to request an exception from certain quality reporting and value-based purchasing program requirements due to extraordinary circumstances beyond a facility's control by submitting an Extraordinary Circumstance Exception (ECE) request. Such circumstances may include, but are not limited to, natural disasters (such as a hurricane, tornado, earthquake, or flood), man-made disasters (such as terrorist attack or bombing), or problems that directly affect a facility's ability to submit data.

The [ECE request form](#) can be found under the "Participation" tab on both the [Hospital Inpatient Quality Reporting \(IQR\) Program](#) and [Ambulatory Surgical Center Quality Reporting \(ASCQR\) Program](#) pages on [QualityNet](#).

CMS strives to provide a response within 90 days of receipt of your request. CMS will send a decision letter to the contact listed on your ECE request form.

Extraordinary Circumstances Exception (ECE) Submission Deadlines

ECE Request Submission Deadline:

For most programs,* ECE requests must be submitted within **60 calendar days** of the date the extraordinary circumstance occurred. This timeframe applies to requests for all measures in the following programs except for eCQM measures:

- Hospital Value-Based Purchasing (VBP) Program
- Hospital-Acquired Condition (HAC) Reduction Program
- Hospital Readmissions Reduction Program (HRRP)
- Hospital Outpatient Quality Reporting (OQR) Program
- Ambulatory Surgical Center Quality Reporting (ASCQR) Program
- Rural Emergency Hospital Quality Reporting (REHQR) Program
- Hospital Inpatient Quality Reporting (IQR) Program
- PPS-Exempt Cancer Hospital Quality Reporting (PCHQR) Program
- Inpatient Psychiatric Facility Quality Reporting (IPFQR) Program
- End-Stage Renal Disease (ESRD) Quality Incentive Program exception*: For the End-Stage Renal Disease (ESRD) Quality Incentive Program, non-data collection system issues must be submitted **within 90 calendar days** from when the facility determined the extraordinary event occurred.

eCQM-Related Deadlines:

For eCQM-related requests for any of the above-listed programs, the following ECE submission deadlines apply:

- For the Hospital Inpatient Quality Reporting (IQR) Program: Submit by April 1 following the end of the reporting period.
- For the Outpatient Quality Reporting (OQR) Program, Rural Emergency Hospital Quality Reporting (REHQR) Program: Submit by June 15 following the end of the reporting period.

NOTE: The Medicare Promoting Interoperability Program does not grant ECEs, however, for providers and facilities which would like to request exceptions for Promoting Interoperability Program requirements may submit a [Hardship Exception Application](#), as long as the requesting eligible hospital or critical access hospital has not met the 5 hardship maximum (as set forth in Social Security Act section 1886(b)(3)(B)(ix)(II)).

Types of Payment/Penalty Relief Provided by an Approved ECE

If CMS approves a request for an ECE, the following types of relief may be available:

1. Exception or Extension from Program Requirements [No Impact to Annual Payment Update (APU)]

For the following programs, an approved ECE excepts the facility from or grants an extension for specific reporting requirements. If all other non-excepted requirements are met, the facility may still receive its full Annual Payment Update (APU):

- Hospital Inpatient Quality Reporting (IQR) Program
- PPS-Exempt Cancer Hospital Quality Reporting (PCHQR) Program
- Inpatient Psychiatric Facility Quality Reporting (IPFQR) Program
- Hospital Outpatient Quality Reporting (OQR) Program

- Ambulatory Surgical Center Quality Reporting (ASCQR) Program
- Rural Emergency Hospital Quality Reporting (REHQR) Program

2. Data Excluded from Calculations (Payment Adjustments Still Apply)

For the following programs, approved ECEs result in excluding applicable data from program calculations for the selected quarter(s). However, facilities are not excepted from the program and may still be subject to payment adjustments:

- Hospital-Acquired Condition (HAC) Reduction Program
- Hospital Readmissions Reduction Program (HRRP)
- End-Stage Renal Disease (ESRD) Quality Incentive Program

3. Ineligibility for Payment Adjustments (Hospital VBP Only)

For the Hospital VBP Program, special rules apply:

- An approved ECE makes the hospital ineligible for payment adjustments for the applicable fiscal year.
- The hospital does not incur the 2% withhold.
- The hospital is not eligible to receive incentive payments or penalties.

Types of Public Reporting Relief Provided by an Approved ECE

Depending on the circumstances of the ECE request, the following types of public reporting relief may be provided on CMS public reporting platforms such as the [Compare Tool](#) on Medicare.gov and the [Provider Data Catalog](#):

- **Maintain** public reporting without modification. In some cases, an approved ECE may affect payment determinations but may not alter how data are publicly reported.
- **Footnote** publicly displayed data. A notation may be added to indicate that an approved ECE affected the data for the specified measure(s) or reporting period.
- **Suppress** affected measure results from public display. The impacted measure(s) may not be displayed on CMS public reporting platforms for the applicable reporting period.
- **Exclude** affected data from publicly reported measure calculations. The impacted quarter(s) or reporting period(s) may be removed from the calculation of publicly displayed measure rates, scores, or ratings, such as Star Ratings.

Submission of ECE Form

The ECE form can be submitted by the following methods:

- *Hospital Quality Reporting Secure Portal*, Managed File Transfer <https://harp.cms.gov/login/login?ADO=MFT>
 - Open the “Mail” dropdown, then select “Compose.”
 - Enter the email address QRFormsSubmission@hsag.com in the “To” field.
 - Attach your document(s) and uncheck the “Require Registered Users” box.
 - Select “Send.”
- Email QRFormsSubmission@hsag.com
- Secure Fax (877) 789-4443

You will receive an email acknowledgement noting your request has been received generally within 24 business hours. If you do not receive an email, you should send a follow-up email to QRFormsSubmission@hsag.com or call (844) 472-4477 to ensure your request was received. You may also receive communications requesting additional information.