

**MOA MEMBRS**

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### **CMS FAQ on Medicaid HIT incentives**

Some of you may have seen or heard about an answer (below) CMS recently posted for a frequently asked question about the Medicaid HIT incentive program. The CMS FAQ does not bar optometrists from the Medicaid HIT incentives or change existing law or regulation that allows states to include optometrists in their Medicaid HIT incentive programs, but it does express the unfortunate opinion of agency staff that few if any states will meet their requirements. Contrary to what CMS wrote, the AOA believes there are some states that already meet the regulatory requirements to include ODs, and several more states have been working hard for months to win approval by CMS. AOA will look to address concerns about this FAQ with CMS and will continue to assist states seeking ways to add ODs to their Medicaid HIT incentive plans.

FAQ 10341: [EHR Incentive Program] Are optometrists considered eligible professionals for the Medicaid EHR Incentive Program? – Updated 01/14/2011

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Answer

Under Medicare, doctors of optometry meet the definition of an "eligible professional" in certain circumstances. It is unlikely that optometrists would be eligible for the Medicaid EHR Incentive Program, as the definition of "physician" for the Medicaid program primarily is limited to doctors of medicine and osteopathy (MDs and DOs). In the event that a State has leveraged an option in their Medicaid State plan that allows them, under rare circumstances, to treat optometrist services as physician services, then an optometrist could be eligible. It is important to note that CMS is not aware of any State that has leveraged the authority that would allow optometrist services be considered physician services, as there are broad ramifications across the Medicaid program. If you have further questions about the Medicaid State Plan, please contact your State Medicaid agency or local trade organization for more information.