



October 31, 2017

The Centers for Medicare & Medicaid Services (CMS) would like to provide clarification about its Extraordinary Circumstances Exception (ECE) policy for the End-Stage Renal Disease Quality Incentive Program (ESRD QIP), along with information for those facilities affected by the recent 2017 hurricanes. In response to stakeholder questions, the ESRD QIP has developed a program [Frequently Asked Questions \(FAQ\) document](#), as well as a [FAQ document](#) to specifically address the 2017 hurricanes, on QualityNet.org. Additionally, the ESRD QIP recently presented additional information at the [CROWNWeb October Town Hall](#) meeting.

### **ESRD QIP ECE Policy**

In 2014, CMS finalized its ESRD QIP ECE policy in the [Calendar Year \(CY\) 2015 ESRD Prospective Payment System Final Rule](#). In the event of extraordinary circumstances outside the control of the facility (such as a natural disaster), the ECE process enables a facility to request an exception from all ESRD QIP data submission requirements during the period in which the facility was closed. To do so, the facility must submit a [CMS Disaster Extension/Exception Request Form](#) within 90 calendar days of the date of the disaster or other extraordinary circumstance. If CMS determines that the facility was in fact closed for a period of time due to an extraordinary circumstance, then the facility will be exempt from being scored on ESRD QIP measures for any month(s) that the facility was closed. In turn, a facility with an approved ECE will be scored on its performance during the months it was opened and treating patients. Additional information about the process to submit an ECE request can be found on the [ECE page on the ESRD QIP section](#) of Qualitynet.org.

### **Blanket Exception for 2017 Hurricanes**

In addition to this established ECE process, the Secretary has the authority to grant blanket exceptions to facilities in the event that an extraordinary circumstance affects an entire region or locale. In September 2017, CMS released memoranda addressing facilities affected by [Hurricane Harvey](#), [Hurricane Irma and Hurricane Maria](#). For each event, the Federal Emergency Management Agency (FEMA) designated certain affected areas as major disaster counties, parishes, and municipios. For those facilities that were closed in the FEMA designated areas, CMS granted exceptions from all reporting requirements of the ESRD QIP clinical and reporting measures from June 2017- December 2017 for Hurricane Harvey, and July 2017- December 2017 for Hurricanes Irma and Maria. Facilities that were closed in the FEMA designated areas will not be required to submit an ECE request as CMS will work with the ESRD Networks and other CMS groups to determine which facilities were closed. However, CMS reserves the right to

request any supporting information to verify that a facility was closed. Facilities that desire an exception beyond December 2017 may submit an ECE request via the established process detailed earlier.

In addition, facilities in designated areas that were not closed may still submit an ECE request for consideration, or submit a formal inquiry detailing the circumstances during next summer's Payment Year (PY) 2019 preview period. Affected facilities outside of the FEMA-designated counties/parishes also have the same avenues for recourse.

Additional information regarding the blanket exceptions can be found on the [CMS Hurricane Page](#). If you have any questions, please email the ESRD QIP Mailbox at [ESRDQIP@cms.hhs.gov](mailto:ESRDQIP@cms.hhs.gov).

Please share this information with the facilities within your network. We appreciate your support.

Sincerely,  
**THE ESRD QIP TEAM**

*Improving quality. Reducing cost. Driving value.*