The donated EHR items and services must be used predominately to create, maintain, transmit, or receive EHR.

The EHR software must be interoperable at the time it is provided to the physician. The software is considered interoperable if a certifying body recognized by the Secretary of the Department of Health and Human Services has certified the software no more than 12 months before the date it is provided to the recipient.

The donor does not take any action to limit or restrict the use, compatibility, or interoperability of the items or services with other prescribing or EHR systems.

Before receipt of the items and services, the receiving hospital or physician pays at least 15% of the donor’s cost for the items and services. The donor hospital cannot finance the contribution or loan funds to be used for the items or services.

A written agreement between the parties sets forth the costs of the items and services and other terms of the arrangement.

The determination is based on the level of uncompensated care provided by the physician.

Member of the donor’s formal Medical Staff or any other verifiable reason that does not take into account the value or volume of referrals or business generated.

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LEVEL OF UNCOMPENSATED CARE

Compensated

Uncompensated

Other

MEMBER OF STAFF