

Pre-Rulemaking: Section 3014 of the Affordable Care Act of 2010 (ACA) (P.L. 111-148) requires that the U.S. Department of Health and Human Services (HHS) establish a federal pre-rulemaking process for the selection of quality and efficiency measures for use by HHS. This process occurs annually and results in the publication of the Measures Under Consideration (MUC) List, which is a list of measures that can be proposed into various Medicare payment and performance programs.

Pre-Rulemaking: The Measure Submission Period and the Measures Under Consideration (MUC) List - 2026 Frequently Asked Questions

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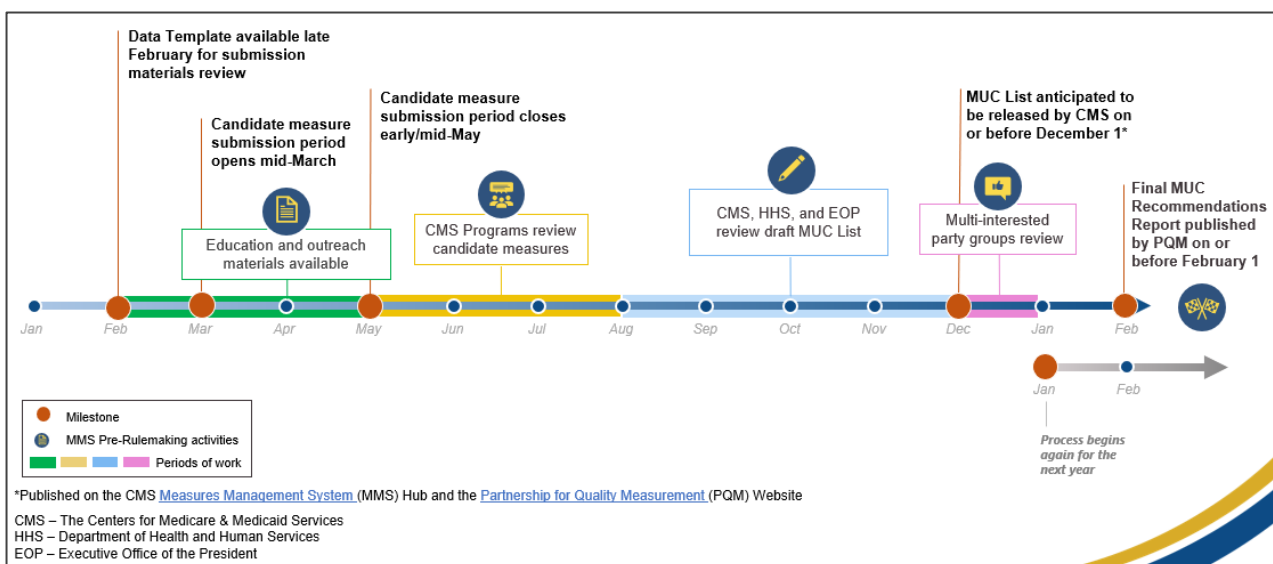
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Overview

This Frequently Asked Questions (FAQ) document addresses the pre-rulemaking process, as established by the Affordable Care Act of 2010. This process allows the Centers for Medicare & Medicaid Services (CMS) to transparently share and gather public input on potential measures for payment and performance programs. This initiative aims to enhance healthcare quality and efficiency, support informed decision-making, and promote the use of health information technology to improve patient care. CMS considers this document to be a “living” source of pre-rulemaking information. For additional information and resources go to the [Pre-Rulemaking Webpage on the CMS Measures Management System \(MMS\) Hub](#).

Historically, the pre-rulemaking process has followed a consistent annual schedule, with the candidate measure submission period opening in late January or early February and closing in early to mid-May. Feedback from a recent process-improvement focus group indicated that most submitters do not begin entering information into the online submission tool until closer to the deadline. Participants noted that having the required submission fields early in the cycle is far more important than having early access to the tool itself. With this in mind, and to allow CMS additional time to make enhancements that benefit both users and reviewers, CMS will pilot a staggered launch for the 2026 cycle:

- **Late February:** Release of the CMS MUC Entry/Review Information Tool (MERIT) Data Template, a Word document outlining all submission fields for the 2026 cycle.
- **Mid-March:** Opening of the CMS MERIT candidate measure submission tool.
- **Early to mid-May:** Closing of the submission window.
- **December 1:** Publication of the 2026 MUC List; all other 2026 pre-rulemaking milestones remain unchanged.



Pre-Rulemaking Events

Will CMS host a public pre-rulemaking webinar during the 2026 measure submission period, and how will it be announced? What topics will it cover?

For the 2026 pre-rulemaking cycle, CMS will hold a public pre-rulemaking webinar during the measure submission period. This webinar will be announced widely via email and on the [MMS Hub](#). The webinar's intended audience is federal HHS agencies, organizations contracted with these federal agencies, measure developers, health care advocacy groups, and anyone interested in CMS quality measures. The topic of the webinar will include the statute, pre-rulemaking federal program-specific needs and priorities, as well as the current cycle's milestone dates. A recording of the webinar will be posted to the [Pre-Rulemaking Resources](#) page on the [MMS Hub](#), within a few weeks after the event.

How can I access guidance on navigating CMS MERIT for 2026?

For 2026, CMS will provide a CMS MERIT Tips & Tricks on-demand session—a pre-recorded demo rather than a live webinar—focused on tips and best practices for navigating CMS MERIT and submitting measures via the online portal. The recording will be posted shortly after the pre-rulemaking webinar on the [Pre-Rulemaking Resources](#) page on the [MMS Hub](#) and shared with all webinar attendees and anyone subscribed to pre-rulemaking announcements.

What should I do if I want to be invited to meetings about pre-rulemaking and receive pre-rulemaking announcements?

Contact MMSsupport@battelle.org to be added to the CMS pre-rulemaking mailing list for e-mail announcements and invitations. This is also the support address for general measures management inquiries.

How do I get more involved with the multi-interested party group that provides recommendations to CMS (known as Pre-Rulemaking Measure Review (PRMR) committees) once the MUC List has been published (i.e., after December 1)?

The consensus-based entity convenes multi-interested party groups to provide recommendations to CMS no later than February 1 annually on the quality and efficiency measures under consideration. CMS considers the multi-interested party groups' input in adopting candidate quality and efficiency measures for use in a Medicare program. For more information on this process, please visit the [Partnership for Quality Measurement \(PQM\) Pre-Rulemaking Measure Review \(PRMR\) Website](#).

Submitting Measures via CMS MERIT

How and when can I submit candidate measures for the 2026 Pre-Rulemaking cycle?

The CMS Measures Under Consideration Entry/Review Information Tool ([CMS MERIT](#)) is CMS's web-based portal for submitting candidate quality measures. The CMS MERIT Data Template—a Word document outlining the required submission fields—will be available in mid-February to help submitters review requirements and gather materials in advance. CMS MERIT will open for submissions in mid-March.

What is the deadline to submit candidate measures through CMS MERIT?

All measures must be completed and submitted by 8:00PM ET on Thursday, May 7, 2026. This includes submission of testing information and, if applicable, required Merit-based Incentive Payment System (MIPS) documentation.

What are some general submission guidelines for deciding the kinds of measures to submit?

To be meaningfully evaluated and considered for proposed inclusion in a CMS quality program, CMS prefers fully developed measures to be submitted via MERIT.

- If CMS chooses not to adopt a measure from the MUC List for the current rulemaking cycle, the measure remains under consideration by the Secretary and may be proposed and adopted in subsequent rulemaking cycles.
- Existing measures that are eligible for expansion into different CMS programs should be submitted on subsequent MUC Lists.
- Measures may be mandatory or optional for the quality program to which they are being submitted.
- Measures appearing on the MUC List may or may not be adopted by CMS and implemented in the field. All measures included on the MUC List are subject to CMS's rulemaking process.
- A measure can be submitted via [CMS MERIT](#) if it was previously submitted to be on a prior year's MUC List but was not accepted by any CMS program(s); it is assumed that the measure will have undergone further development or modification/refinement since the previous submission.

- Measure specifications may change over time. If a measure has substantively changed, it may be submitted for a subsequent MUC List.
- Measures should address program needs and priorities (see the Needs and Priorities Report on the [Pre-Rulemaking Resources](#) page on the [MMS Hub](#) for details).

Can I submit the same measure for more than one CMS program?

Yes, candidate measures can be submitted to more than one program. If the programs use different levels of analysis (ex. clinician, facility, health plan), the submitter will need to make multiple submissions. Due to the specificity of the information gathered during the submission process, each level of analysis requires individual submission. However, if multiple programs use the same level of analysis only one submission is necessary. If your measure is tested at multiple levels, please reach out to MMSSupport@battelle.org for guidance and support. There is functionality within CMS MERIT to decrease the data entry process for multiple submissions of the same measure.

Should the CMS program name be included in the measure title field?

The CMS program name should not ordinarily be part of the measure title, because each measure record already has a required field that specifies the CMS program. An exception would be if there are several measures with otherwise identical titles that apply to different programs. In this case, including or embedding the program identifier at the end of each title (to prevent there being any duplicate titles) is helpful.

If my measure is not ready for submission by the deadline above, when is the next opportunity to submit a measure to CMS?

The pre-rulemaking process is annual, and candidate measures will next be accepted starting early the following year. Measure submitters should stay tuned for announcements about when CMS MERIT will open for the next season. Typically, CMS MERIT opens in the first quarter of the year (February or March).

If a measure is submitted without complete testing results, what is the process for providing testing updates to the MUC submission?

Measure submitters should submit their most up to date and complete measure testing results prior to the closing of CMS MERIT by 8:00PM ET on Thursday, May 7, 2026. There is no option for

submitters to submit late measure testing information in CMS MERIT once the submission period has closed. Measure developers/stewards should ensure that updated testing data for select measures is submitted to CMS by the fall in preparation for multi-interested party review. For more information on the multi-interested party review, please visit the Partnership for Quality Measurement (PQM) [Pre-Rulemaking Measure Review \(PRMR\) Website](#).

Will the candidate measure submissions from the current year be implemented and used in the field for the following year?

CMS is currently accepting candidate measure submissions for CMS review to develop the annual MUC List, though not all submitted measures will be accepted. Once the MUC List publishes by the anticipated date of December 1, this list will be reviewed by a multi-interested party group convened by the CMS contracted consensus-based entity, which will provide recommendations to CMS. The final recommendations report will be published by February 1. Following review of the recommendations, CMS may decide to propose the measure for a program. The program will include the measure in their proposed rule, seek public comment, and potentially finalize the measure in the program.

What should I do if I need to modify or remove a candidate measure after the original submission has already been made?

See the CMS MERIT Quick Start Guide for Submitters on the homepage of [CMS MERIT](#) for instructions. Modifications after the submission deadline may not be approved.

Who approves changes made to a measure after submission?

CMS reviews and decides on all candidate measure modification requests after the submission deadline.

Where do I find the prior year's Measures Under Consideration (MUC) List?

You can find this information on the [Pre-Rulemaking webpage on the CMS MMS Hub](#).

Does CMS have a measures inventory?

Yes, CMS has a public inventory of measures that includes measures used across CMS quality reporting programs. [CMS's Measures Inventory Tool \(CMIT\)](#) has been enhanced over time and is a resource that may be used to help avoid duplication or overlap.

CMS has emphasized moving toward more Outcome measures and fewer Process measures. How can I tell which Measure Type applies to my candidate measure?

Refer to the [CMS MMS Hub](#) for further information on how to select the best [measure type](#) for your measure.

If measures are preferred to be fully tested, how are some measures eligible for review by CMS as in the stages of “Measure Conceptualization”, “Measure Specification”, or “Measure Testing”?

Measures with a status of “Measure Conceptualization”, “Measure Specification”, or “Measure Testing” tend to be exceptions. For example, a measure may have a status of “Measure Specification” or “Measure Testing” if Congress requests a measure for inclusion in the MUC List and ultimately to be implemented in a program. These measures still undergo appropriate testing as part of the measure development process. Ideally, measures published in the MUC List are fully tested.

When describing Completed Stages of Development details, what information is requested?

There are five stages in the [Measure Lifecycle](#): conceptualization; specification; testing; implementation; and use, continuing evaluation, and maintenance. Measure conceptualization is the first stage; however, the stages are not necessarily sequential. Instead, the stages are iterative and can occur concurrently. For candidate measure submissions, select all stages of development that have been completed. This information is helpful to CMS in understanding where the measure is in the development cycle and will weigh heavily in determining whether the measure will be published on the MUC List.

In the “Stage of Development Details” data field guidance, what do the terms “alpha” and “beta” mean?

The point of the question is to ascertain the level of readiness of the measure for implementation. Alpha testing is formative testing, and beta testing is field testing. Further information is available on the [CMS MMS Hub](#).

What additional materials are required if I submit an eCQM and/or a FHIR-based dQM?

CMS is advancing the digital transition to Fast Healthcare Interoperability Resources, or FHIR. We began to allow submission of FHIR-based specifications last year. For 2026, measure stewards are still allowed to submit QDM-based specifications, but FHIR-based specifications are highly preferred. In future years, we expect to gradually move toward allowing only FHIR-based specifications.

	FHIR Specifications	QDM Specifications
2026 MUC Submissions*	Highly Preferred (if finalized for use in a CMS program, FHIR would be required)	Allowed
2027 – 2028 MUC Submissions*	Required	Allowed
2029 and Future MUC Submissions	Required	Not Allowed
*Measure Stewards may submit both QDM and FHIR Specifications		

For FHIR-based digital quality measures (dQMs), you need to attach the following supporting information to your submission in CMS MERIT:

- Measure Authoring Development Integrated Environment (MADiE) human readable file output based on FHIR resources
- MADiE exports of the FHIR-based dQM measure package specified in Quality Improvement Core (QI-Core) 4.1.1 at a minimum (QI-Core 6.0 preferred) **and** accompanying test cases with 100% coverage and 100% passing scores
- Attestation that value sets are published in the Value Set Authority Center (VSAC)
- CMS Consensus-based entity feasibility scorecard

If you submit a QDM-based eCQM specification, you need to attach the following supporting information to your submission in CMS MERIT:

- Measure Authoring Development Integrated Environment (MADiE) human readable file output based on the Health Quality Measure Format (HQMF)
- MADiE exports of the eCQM package specified in the QDM and accompanying test cases with 100% coverage and 100% passing scores in both Quality Reporting Document Architecture (QRDA) and Excel format
- Attestation that value sets are published in the Value Set Authority Center (VSAC)
- CMS Consensus-based entity feasibility scorecard

Would measures without complete MADiE/HQMF specification, but in development, be worth submitting?

Measures that are in development with preliminary supporting materials from MADiE, as outlined above, may be submitted. Please submit measures via [CMS MERIT](#) and follow the guidance in the 2026 MERIT Data Template in Word that is available on the [Pre-Rulemaking Webpage](#) on the MMS Hub and in [CMS MERIT](#).

Can MADiE be used to author any measure, or is MADiE only for authoring electronic clinical quality measures (eCQMs)?

MADiE is a software tool that allows measure developers to author eCQMs and dQMs using QI-Core, QDM, and FHIR, and to test and verify measure behavior. Developers can use MADiE to author a FHIR-based dQM and/or QDM-based eCQM. A candidate dQM (eCQM version optional) must have a CMS dQM ID (CMS eCQM ID optional) found in MADiE.

Is the Measure Information and Justification Form (MIJF) required?

No. It is encouraged but not required. If a MIJF is not available, comprehensive measure methodology documents are encouraged. A MIJF template can be downloaded from the [MMS Hub](#).

Is the Peer Reviewed Journal Article Requirement Template required?

The Peer Reviewed Journal Article Requirement Template applies to all candidate MIPS (Merit-based Incentive Payment System) measures (both Quality and Cost) only. The legislation calls for the Secretary of HHS to be responsible for submitting candidate MIPS measures to a peer reviewed journal. The 2026 MIPS Peer-Reviewed Journal Article Template and examples (for eCQMs and non-eCQMs) will be available for download in the Resources section of the [Pre-Rulemaking Resources Webpage](#) on the MMS Hub once CMS MERIT is open for submissions.

Can one measure have two or more Meaningful Measures 2.0 priorities?

Each measure should identify at least one priority but may recognize other priorities as well. For more information, please visit the [Meaningful Measures 2.0](#) page.

If the measure is reported to CMS via QualityNet, what is the appropriate reporting option to select in CMS MERIT?

If the measure is reported to CMS via QualityNet, in the field: “How is the measure expected to be reported to the program?” choose “Other (enter here):” and enter “QualityNet” in the space.

For More Information

- [Pre-Rulemaking Webpage on MMS Hub](#)
- [Pre-Rulemaking Resources on MMS Hub](#) (including the CMS Program Measure Needs and Priorities Report—latest versions are posted on the day of the Pre-Rulemaking Webinar)
- [CMS MERIT](#)
- Visit the Partnership for Quality Measurement (PQM) [Pre-Rulemaking Measure Review \(PRMR\) Website](#) to learn about interested-party review occurring after publication of the MUC List
- Email MMSsupport@battelle.org for additional information