

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard, Mail Stop S2-14-26  
Baltimore, Maryland 21244-1850



Disabled & Elderly Health Programs Group

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December 1, 2022

Dawn Stehle  
Deputy Director for Health and Medicaid Director  
Arkansas Department of Human Services  
P.O. Box 1437, Slot S201  
Little Rock, Arkansas 72203-1437

Dear Director Stehle:

The Centers for Medicare & Medicaid Services (CMS) is granting Arkansas approval of the electronic visit verification (EVV) good faith effort exemption request for Home Health Care Services (HHCS). CMS has determined that your state's request is in accordance with [12006\(a\)\(4\)\(B\)](#) of the 21<sup>st</sup> Century Cures Act (Cures Act). Specifically, your state has made a good faith effort to comply with EVV requirements by conducting an environmental scan for HHCS providers, conducting stakeholder outreach, selecting the Open Vendor Model, and including HHCS as a part of its EVV contract with its vendor.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including issues with the vendor related to provider payment and data integrity that led to provider hesitancy in adopting the EVV system. The state has also experienced delays in aggregator integration issues with third-party EVV vendors.

Because your state has sufficiently demonstrated it has made a good faith effort to comply with EVV requirements and has encountered unavoidable delays, CMS will not apply federal medical assistance percentage (FMAP) reductions in calendar year 2023. Please be advised that the Cures Act provision on good faith effort exemptions does not provide CMS with authority to delay the FMAP reductions for more than one year. If you have any questions please email [EVV@cms.hhs.gov](mailto:EVV@cms.hhs.gov).

Sincerely,

Ryan Shannahan, Deputy Director  
Division of Long-Term Services and Supports