

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

January 3, 2023

Melissa Byrd, District Medicaid Director
Department of Health Care Finance
441 4th Street, NW
Washington, DC 20001

Dear Director Byrd:

The Centers for Medicare & Medicaid Services (CMS) is granting the District of Columbia approval of the electronic visit verification (EVV) good faith effort exemption request for Home Health Care Services (HHCS). CMS has determined that the district's request is in accordance with [12006\(a\)\(4\)\(B\)](#) of the 21st Century Cures Act (Cures Act). Specifically, the district has made a good faith effort to comply with EVV requirements by launching an EVV workgroup to gather feedback from providers, convening regular stakeholder meetings on a monthly basis, selecting a hybrid model for EVV, issuing a change request to its current vendor, and being ready to implement EVV for the Fee-For-Service population by January 2023.

In addition, the district has encountered unavoidable delays when implementing its EVV system, including needing additional time to implement changes for Managed Care implementation for HHCS.

Because the district 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.

Sincerely,

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