

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S2-26-12
Baltimore, Maryland 21244-1850



Disabled and Elderly Health Programs Group

January 13, 2021

Janet Cruz
Interim Program Coordinator
Bureau of Health Care Financing Administration-Medicaid Program
Guam Department of Public Health and Social Services
123 Chalan Kareta
Mangilao, GU 96913-6304

Dear Ms. Cruz:

I am writing to inform you that the Centers for Medicare & Medicaid Services (CMS) has reviewed your territory's Electronic Visit Verification (EVV) Compliance Survey, submitted to determine whether the requirements specified in section 1903(l) of the Social Security Act (the Act), as added by Section 12006(a) of the 21st Century Cures Act, for personal care services rendered under the Section 1905(a)(24) personal care benefit were applicable for Guam.

Guam has indicated that it does not render personal care services under the 1905(a)(24) authority. Guam has also indicated that medically necessary personal care needs for individuals under the age of 21 are provided through the mandatory home health benefit. Therefore, there are no services for which to require the utilization of an EVV system, and no service claims against which to apply statutorily-mandated reductions in the federal medical assistance percentage (FMAP) for EVV non-compliance. Please be aware that the Cures Act requires EVV for home health services as of January 1, 2023, unless a good faith effort request has been submitted and approved by CMS, offering an additional twelve months to implement legislative requirements.

Please also be aware that should Guam add personal care services under any of the authorities specified in the Cures Act, the territory will need to comply with EVV requirements upon implementation of such authority, or be subject to the mandated FMAP reductions. I have included the territory's current EVV Compliance Survey submission with this correspondence. If you have any questions about this correspondence or need technical assistance as you work toward compliance for January 1, 2023 timeline for home health care services, please feel free to contact the CMS EVV mailbox at evv@cms.hhs.gov.

Sincerely,

Alissa Mooney DeBoy, Director