

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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October 28, 2022

Allison Taylor  
Medicaid Director  
Indiana Family and Social Services Administration  
402 W. Washington Street  
Indianapolis, IN 46204

Dear Director Taylor:

The Centers for Medicare & Medicaid Services (CMS) is granting Indiana 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 actively engaging feedback from stakeholders, pursuing its EVV solution in partnership with its contractor, beginning implementation for the home health care project, and completing design implementation.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including needing time to perform additional outreach to home health agencies who have not yet fully engaged the EVV requirement to ensure all providers are fully aware of the requirements and can take action to be compliant. The state is also requesting additional time to test managed care partners to ensure claims systems are updated to edit for EVV home health records.

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,

Ralph F. Lollar, Director  
Division of Long-Term Services and Supports