

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 24, 2023

Suzanne Bierman, Administrator
Division of Health Care Financing and Policy
1210 South Valley View Blvd.
Las Vegas, NV 89102

Dear Administrator Bierman:

The Centers for Medicare & Medicaid Services (CMS) is granting Nevada 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 21st Century Cures Act (Cures Act). Specifically, your state has made a good faith effort to comply with EVV requirements by issuing a request for public engagement on EVV system procurement, engaging the HHCS stakeholder community in quarterly meetings including its managed care organizations (MCOs), deciding to use the Open Model for HHCS and issuing a Request for Proposal (RFP) for a vendor.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including the inability to renew contracts beyond a one-year extension and needing to undergo a new procurement for its EVV system.

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.

Sincerely,

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