

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

December 14, 2022

Kristin Pono Sousa
Medicaid Program Director
Executive Office, Health and Human Services
3 West Road, Virks Building
Cranston, RI 02920

Dear Director Sousa:

The Centers for Medicare & Medicaid Services (CMS) is granting Rhode Island 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 conducting an environmental scan for HHCS, planning and engaging stakeholders through recurring meetings, selecting a hybrid model for HHCS implementation, updating the existing contract with the vendor, and updating the existing EVV system specifications to include the addition of HHCS codes.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including needing additional time to have all provider systems and training completed. The state has also experienced various issues with system interoperability as a result of changes to two consumer directed services programs and non-compliance from various managed care organizations.

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