

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

February 22, 2023

Robert M. Kerr, State Medicaid Director
Department of Health and Human Services
1801 Main Street
Columbia, SC 29201

Dear Director Kerr:

The Centers for Medicare & Medicaid Services (CMS) is granting South Carolina 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 exploring EVV Home Health Models in response to feedback from providers, conducting stakeholder meetings, issuing a Request for Proposal (RFP) and awarding a contract for a vendor.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including needing to update the proposal from the current vendor to include home health care services, a large turnover of key home health business stakeholders and delays in implementing EVV for PCS that resulted in delayed planning for HHCS.

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