

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 1, 2022

Jennifer Strohecker
State Medicaid Director
Division of Health Care Financing
P.O. Box 144102
Salt Lake City, UT 84114-4102

Dear Director Strohecker:

The Centers for Medicare & Medicaid Services (CMS) is granting Utah 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 EVV for HHCS, conducting stakeholder outreach, selecting the Provider Choice Model, and implementing a portal that can transmit EVV records in a secure manner.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including a lack of state funding to hire additional staff to implement EVV and issues with technology in rural/frontier areas and with non-English speaking populations.

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