

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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November 17, 2022

Dr. Charissa Fotinos  
Medicaid and Behavioral Health Director  
Washington State Health Care Authority  
626 8th Avenue SE  
Olympia, WA 98501

Dear Dr. Fotinos:

The Centers for Medicare & Medicaid Services (CMS) is granting Washington 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 assessing the landscape of EVV systems, developing a stakeholder engagement strategy, selecting a Provider Choice Model and for selecting its current Medicaid Managed Information System (MMIS) vendor to serve as the state EVV data aggregator.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including delays with stakeholder engagement as a result of the public health emergency and vendor related delays in implementing EVV 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](mailto:EVV@cms.hhs.gov).

Sincerely,

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