

# Electronic Visit Verification

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# What is Electronic Visit Verification (EVV)?

Required by Federal Law:

- **Section 12006(a) of the Cures Act (Cures Act)** implement electronic visit verification (EVV) for all Medicaid personal care services (PCS) and home health services (HHCS) that require an in-home visit by a provider.
  - PCS provided under sections 1905(a)(24), 1915(c), 1915(i), 1915(j), 1915(k), and Section 1115.
  - HHCS provided under 1905(a)(7) of the Social Security Act or a waiver.

For compliance with the Cures Act, EVV systems must capture:

1. Type of service performed
2. Who received the service
3. Who provided the service
4. Date of service
5. Location of service delivery (captured at start and end)
6. When the service begins and ends

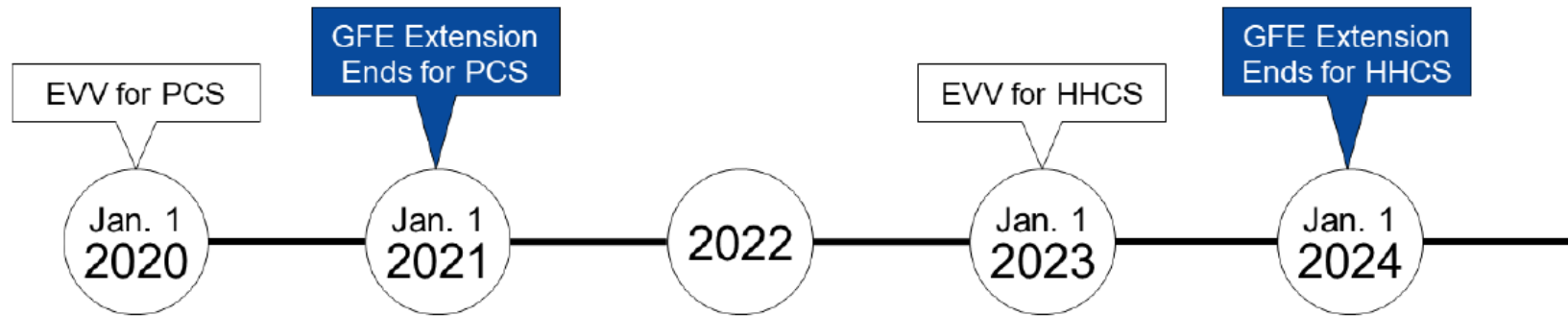
# Consequences of EVV Non-Compliance

States are required to implement EVV for personal care services by January 1, 2020, or otherwise be subject to **Federal Medical Assistance Percentages (FMAP)** reductions as follows:

- 0.25 percentage points for calendar quarters in 2020,
- 0.5 percentage points for calendar quarters in 2021
- 0.75 percentage points for calendar quarters in 2022,
- 1 percentage point for calendar quarters in 2023 and each year thereafter

States that have not implemented EVV by January 1, 2020 will be subject to FMAP reductions unless they have both made a “good faith effort” to comply and have encountered “unavoidable system delays.” **States with good faith effort exemptions will not be subject to FMAP reductions in 2020, however will be subject to incremental FMAP reductions beginning with 0.5 percentage points for calendar quarters in 2021 if they have not implemented an EVV system by January 1, 2021.**

# Timeline for Implementation



- The Cures Act mandated that states implement compliant EVV solutions for PCS by January 1, 2020. To avoid reductions in their federal match for PCS, every state was required by CMS to either:
  - Affirm compliance via an **attestation of compliance** or compliance survey submitted to CMS by December 31, 2019.
  - Request a **Good Faith Effort (GFE) extension** via an application submitted to CMS, which delays any applicable FMAP reductions until January 2021.
- **Forty-nine states** plus Washington DC and Guam received a Good Faith Effort application for part or all of their PCS.
- **Fifty states** plus Washington DC and the US Virgin Islands submitted a compliance survey indicating they deliver applicable PCS.

# DSHS EVV Implementation Strategy for Personal Care Services in February of 2020

- **WA has selected a “provider choice” model for EVV.**
  - DSHS establishes requirements and standards for EVV vendors
  - EVV requirements are incorporated into applicable provider contracts
  - Applicable Providers select their own EVV vendors
  - DSHS established that the state Medicaid payment system, ProviderOne, will aggregate EVV data for all providers.
- **Individual Providers**
  - The CDE will be responsible for implementing EVV for all clients served by Individual Providers
  - Providers who live with those they care for will not be required to do EVV
- **Home Care Agencies**
  - DSHS published a Draft EVV Implementation Guide for Home Care Agencies
  - DSHS is working with AAA partners to incorporate EVV requirements into the Statement of Work for all Home Care Agencies.

# *Revised* DSHS EVV Implementation Plan

- Home Care Agencies
  - EVV broken into two (2) steps.
  - Step 1 implemented through a soft launch on November 1, 2020
  - Step 2 will be implemented at a future date.
- Individual Providers (IPs)
  - Implement EVV for IPs through existing payroll vendor, Public Partnerships Limited (PPL) which currently operates the IPOne Payment System.
  - IPs will transfer to an EVV system operated by the Consumer Directed Employer (CDE) once the program has been implemented.

# EVV for Home Care Agencies

## **STEP 1 - Collection of EVV Data Elements:**

- Required EVV data elements must be electronically verified by an EVV system at the beginning and ending of Medicaid funded in-home Personal Care or applicable respite services. The Cures Act only requires EVV location data to be collected at the time a service shift begins and ends in the client's home, meaning location does NOT need to be tracked during the full duration a client is receiving services or if the shift begins or ends in the community.

# EVV for Home Care Agencies

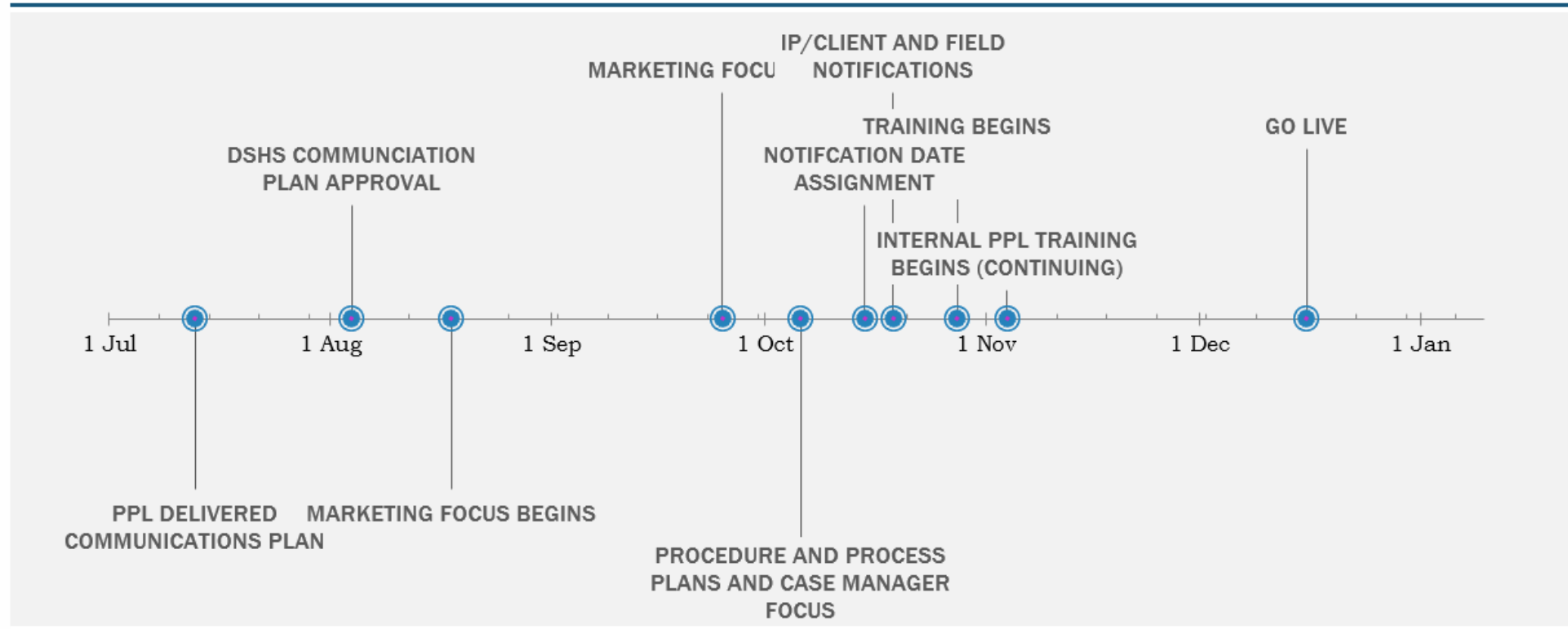
- **STEP 2 - Uploading Collected EVV data to ProviderOne:**

EVV data collected in Step 1 must be uploaded, in a format specified by the Department of Social and Health Services (DSHS), to Washington's MMIS (Medicaid Management Information System, known as ProviderOne) which will act as the State's "data aggregator."



# EVV for IPs went live on 12/16/2020

## EVV Communications Plan Timeline and Deliverables



# Memorandum of Understanding with SEIU 775 on the implementation of EVV

MOU Covers:

- Background
- EVV Requirements
- EVV Exemption for Live-In Providers
- EVV Implementation
- Data
- Privacy and Data Security
- Transition to the Consumer Directed Employer

MOU can be found at: [https://ofm.wa.gov/sites/default/files/public/labor/agreements/19-21/nse\\_homecare.pdf](https://ofm.wa.gov/sites/default/files/public/labor/agreements/19-21/nse_homecare.pdf)

# Memorandum of Understanding with SEIU 775 on the implementation of EVV

- Privacy and Data Security:

“Unless otherwise agreed by the Union and the State, data collected via EVV devices must not be repurposed for or used by third parties, including subsidiaries and commercial partners. However, DSHS may provide data collected via an EVV device with applicable third parties for the purpose of aggregating data within the state MMIS or to facilitate the transition to the Consumer Directed Employer.

Data collected by the IPOne EVV Solution will only be made available to law enforcement in accordance with DSHS policy. Unless required by Federal or State Law, DSHS will not share EVV data to other governmental agencies, except for the Centers for Medicare and Medicaid Services, the State Auditor’s Office, the Washington Health Care Authority and Office of the Attorney General, without anonymization and aggregation.”

# EVV for IPs MB H20-102

- **EVV Exemption for Live-in Providers**

**IPs who qualify for the Live-In Exemption will not use the EVV system.** IPs must select their Live in Exemption (LIE) status in the IOne portal to qualify for the exemption. IPs qualify for the Live-In Exemption when:

- The IP and their client live together in the same home; and
- Neither the IP nor their client have a separate home where either lives.

IPs that have identified themselves as qualifying for the Live-In Exemption in IOne will continue to submit claims for personal care services using existing IOne system.

- **IPs who do not live with their client**

- **IPs that do not live with their client** will use the IOne EVV system to record their hours worked and tasks performed. The IOne EVV system primarily utilizes a smartphone application known as **Time4Care** with an **Interactive Voice Response (IVR)** system as a secondary submission method. There are also non-EVV complaint methods of reporting or correcting time entries including using the IOne portal and contacting the IOne call center and reporting time over the phone.

# EVV for IPs MB H20-102

## **Manual Entry**

If an IP is unable to use the Time4Care application to submit their hours worked, a manual entry can be created at a later time. A manual entry is not EVV-compliant and instances of usage should be minimal. The IP must select a reason why the manual entry is created from a list of reasons codes in the IPOne EVV system.

## **Initial Implementation Period**

January 1, 2021- June 30, 2021 will be considered an EVV initial implementation period. During the EVV initial implementation period, IPs are required to use the IPOne EVV system in accordance with this policy, but DSHS will not terminate an IP's contract or take contract action for EVV noncompliance. Following this initial implementation period, DSHS may take progressive contract action steps with the goal of ensuring compliance with Federal requirements. Progressive contract action steps will include multiple attempts to contact and counsel workers about compliance before terminating a provider's contract.

Although IPs are expected to utilize the EVV system as directed above, there is recognition that there will be instances where IPs manually enter their time or make manual adjustments. To ensure compliance with EVV requirements, DSHS will monitor and conduct ad hoc outreach to during the initial implementation period. The purpose of the initial implementation period is to allow DSHS to assess the performance of the IPOne EVV system and compliance levels that will inform additional utilization policy expectations.

## EVV and LIE Time Submission Methods

Method	EVV IP's	LIE EVV IP's
<b>EVV Mobile App</b>	Time Submission for Providing Services - Time-In/Time-Out Non-EVV Compliant Time Submission/Edits for Providing Services – Time-In/Time-Out Mileage Submission/Edits Training Time Submission/Edits - Time-In/Time-Out Travel Time Submission/Edits - Time-in/Time-Out	Not Available
<b>IPOne Portal</b>	Non-EVV Compliant Time Submission/Edits for Providing Services - Time-In/Time-Out PTO Submission - Hours/Minutes Mileage Submission/Edits Training Time Submission/Edits - Time-In/Time-Out Travel Time Submission/Edits - Time-in/Time-Out Paid Timesheet Adjustments	Time Submission/Edits for Providing Services - Hours/Minutes PTO Submission - Hours/Minutes Mileage Submission/Edits Training Time Submission/Edits - Hours/Minutes Travel Time Submission/Edits - Hours/Minutes Paid Timesheet Adjustments
<b>IVR</b>	Time Submission for Providing Services - Time-In/Time-Out Non-EVV Compliant Time Submission/Edits for Providing Services – Time-In/Time-Out Mileage Submission	Not Available
<b>Paper</b> <i>*will be modifications</i>	Not Available	Time Submission for Providing Services - Hours/Minutes PTO Submission - Hours/Minutes Mileage Submission Training Time Submission - Hours/Minutes Travel Time Submission - Hours/Minutes
<b>Call Center</b>	Non-EVV Compliant Time Submission/Edits for Providing Services – Time-In/Time-Out PTO Submission – Hours/Minutes Mileage Submission/Edits Training Time Submission/Edits – Time-In/Time-Out Travel Time Submission/Edits – Time-In/Time-Out Paid Timesheet Adjustments	Time Submission/Edits for Providing Services – Hours/Minutes PTO Submission – Hours/Minutes Mileage Submission/Edits Training Time Submission/Edits – Hours/Minutes Travel Time Submission/Edits – Hours/Minutes Paid Timesheet Adjustments

# Challenges in Implementing EVV for IPs

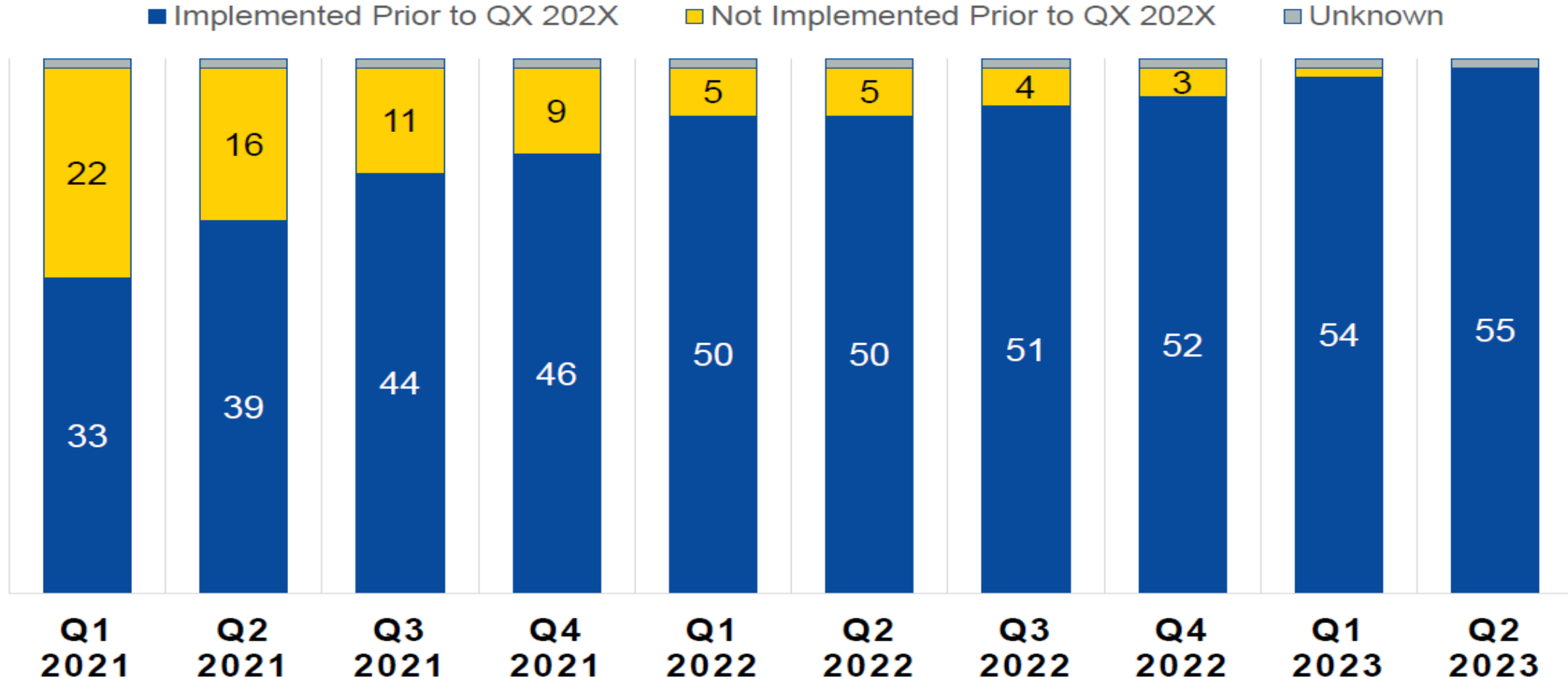
- Disruptions to the delivery of communications materials during Nov. and Dec. 2020.
  - DSHS broadened communications approach to include social media.
- Heavy call volumes at the PPL operated call center in December, January, and February.
  - Call volumes have returned to normal levels.
- Delay in the release of “Adjustment to Paid Timesheets” functionality.
  - This functionality has since been implemented.

# EVV Outcomes and Next Steps

- Washington has been compliant with EVV requirements and has not received a reduction in FMAP.
- DSHS will continue to work with Home Care Agencies to implement EVV step 2.
- DSHS will work collaboratively with IP workforce, SEIU 775, Area Agencies on Aging, interested stakeholders, and Tribal Partners on IP compliance with state EVV policies including:
  - Correct identification of Live-In Exemption Status
  - Use of EVV compliant submission methods
- DSHS will work with the Health Care Authority and the Centers for Medicare and Medicaid Services (CMS) to certify the EVV data aggregator.
- DSHS will work closely with the CDE to transition IPs to the CDE EVV system.



# Reported Implementation of EVV for PCS by States and Territories as of 4/15/2021



Source: EVV Compliance Survey Submissions



# Transforming Lives

## Questions:

Link to HCS MBs:

<https://www.dshs.wa.gov/altsa/home-and-community-services/hcs-management-bulletins>

Information on EVV for IPs:

<https://www.publicpartnerships.com/state-programs/washington/individual-providerone-iphone/evv-training-and-resources/#content>

