

Electronic Visit Verification (EVV)



Electronic Visit Verification (EVV) is a requirement under both state and federal law for certain services paid through the Medicaid program. The federal 21st Century CURES Act of 2016 requires states to implement EVV by January 1, 2019; subsequent legislation delayed the deadline for states to comply with the EVV requirement for personal care services to January 1, 2020. Failure to meet this deadline will result in loss of federal funding. Additionally, the 2019 Virginia Appropriations Act, Item 303. LLL added respite care and companion services to the EVV reporting requirement and requires compliance for all three services by October 1, 2019.

In order to meet EVV compliance, the CURES Act requires the collection of the following data elements for EVV:

1. The type of service(s) performed;
2. The individual receiving the service(s);
3. The date of the service;
4. The location of the service delivery (can either be in an individual's home or community setting) at the beginning and the end of the service (location is not tracked during the shift);
5. The individual providing the service; and
6. The time the service begins and ends.

Location is only captured when the aide, attendant, or companion clocks in or clocks out of a shift, not during shifts. For consumer-directed services, EVV data will be collected at the point of service delivery using either a smartphone/tablet application or by landline telephone using an Interactive Voice Response system provided by the fiscal/employer agent responsible for payroll for consumer-directed services. All EVV systems are HIPAA compliant and meet privacy requirements to protect an individual's personal information.

The Department of Medical Assistance Services (DMAS) is providing an EVV transition period to allow providers additional time to come into compliance with EVV requirements. This follows an Informational Bulletin published by the Centers for Medicare and Medicaid Services (CMS) on August 8, 2019 and feedback from providers and beneficiaries regarding the implementation of EVV. During this transition period from October 1, 2019 to December 31, 2019, providers and attendants will continue to be reimbursed for services that do not meet EVV compliance standards. Both DMAS and the 6 Medicaid Managed Care Organizations (MCO) will provide technical assistance to providers to let them know which EVV fields are missing. Consumer-directed attendants will be reminded to adopt EVV systems prior to January 1, 2020. For services provided on or after January 1, 2020, EVV will be required and reimbursement will be denied for services not compliant with EVV requirements.

CMS reiterated that each state has oversight over their programs to implement EVV and listed possible options not previously shared with states. CMS wrote that states “may select the approach that best aligns with their systems and program integrity goals”, referencing that states may choose to exempt live-in caregivers from EVV requirements as well as not require EVV when services are provided outside of the home.

Virginia and other states have experienced heightened CMS scrutiny and an increase in reporting requirements in recent months, a clear signal that federal officials expect Medicaid agencies to strengthen monitoring and accountability of these services. While the CMS guidance offers some flexibility to states, CMS reminded states to be mindful of program integrity goals. Based on that recognition, DMAS will not adopt these exemptions, but will instead apply broad and consistent rules that establish clear expectations for all providers. However, EVV is not required for services in Department of Behavioral Health and Developmental Services (DBHDS) licensed facilities, such as a group home, sponsored residential home, supervised living, supported living or similar licensed facility, the REACH Program, or in a school setting.

DMAS has and will continue to work with stakeholders to ensure success with EVV. Additional information on EVV is available on the DMAS website. Click the link under “New Initiatives” to find the link for Electronic Visit Verification. For additional questions about Virginia Medicaid's implementation, please email: EVV@dmass.virginia.gov.