

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

January 24, 2023

Stephanie McGee Azar
Commissioner
Alabama Medicaid Agency
508 Dexter Avenue
Montgomery, AL 36104-5624

Dear Commissioner Azar:

The Centers for Medicare & Medicaid Services (CMS) is granting Alabama 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 collecting the necessary data to add HHCS to its current EVV system, conducting meetings with HHCS stakeholders including providers and recipients, selecting an Open Vendor model, issuing a Request for Proposal (RFP) and by selecting a vendor.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including information technology (IT) issues that will require the state to continue resolving current issues with Personal Care Services (PCS) implementation for EVV prior to the state beginning HHCS implementation.

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