

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

November 17, 2022

Lynnette Rhodes, Executive Director
Medical Assistance Plans
Department of Community Health
2 Peachtree Street NW, 36th Floor
Atlanta, GA 30303

Dear Director Rhodes:

The Centers for Medicare & Medicaid Services (CMS) is granting Georgia 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 a market scan for EVV to inform the state's procurement and implementation strategy, conducting stakeholder workgroups to foster stakeholder engagement, implementing an Open Vendor Model, and selecting a vendor for the state's EVV solution.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including issues with interoperability of the EVV system with HHCS due to an alternate service delivery method and vendor issues related to resource and workforce shortages.

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