

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

April 28, 2023

Teresita Gumataotao, Administrator
Guam Medicaid Agency
Department of Public Health & Social Services
Bureau of Health Care Financing Administration
155 Hesler Place
Hagatna, GU 96910

Dear Administrator Gumataotao:

The Centers for Medicare & Medicaid Services (CMS) is granting Guam approval of the electronic visit verification (EVV) good faith effort exemption request for Home Health Care Services (HHCS). CMS has determined that your territory's request is in accordance with [12006\(a\)\(4\)\(B\)](#) of the 21st Century Cures Act (Cures Act). Specifically, your territory has made a good faith effort to comply with EVV requirements by completing its initial environmental scan for providers and planning stakeholder outreach.

In addition, your territory has encountered unavoidable delays when implementing its EVV system, including procurement delays, and budget appropriations for EVV are dependent on CMS' approval of Guam's Implementation Advanced Planning Document (IAPD) submission.

Because Guam 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,

Melissa Harris, Acting Director
Division of Long-Term Services and Supports