

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

December 14, 2022

Steven R. Schuh
Medicaid Director
Maryland Department of Health
201 West Preston Street, Rm 525
Baltimore, Maryland 21201

Dear Director Schuh :

The Centers for Medicare & Medicaid Services (CMS) is granting Maryland 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 an environmental scan for EVV, planning continued stakeholder engagement, implementing a pilot for the EVV app in order to gather feedback from users, selecting an In-House State Mandated EVV model and choosing a vendor which will support the development of your EVV system.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including an unanticipated issue in billing HHCS claims which will require the state take additional time to fully build and test the EVV system.

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