

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

Dana Hittle, Interim State Medicaid Director
Oregon Health Authority
500 Summer St. NE
Salem, Oregon 97301

Dear Interim Director Hittle:

The Centers for Medicare & Medicaid Services (CMS) is granting Oregon 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 through identifying the universe of agencies in the state who will need to comply with EVV requirements, communicating with stakeholders that will be impacted by the implementation of EVV and by selecting a vendor.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including pandemic related delays with staffing related to COVID-19 response and recovery.

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