

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard, Mail Stop S2-26-12  
Baltimore, Maryland 21244-1850



**Disabled and Elderly Health Programs Group**

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March 13, 2020

Mr. Joshua Baker  
South Carolina Department of Health & Human Services  
1801 Main Street, PO Box 8206  
Columbia, SC 29201-8206

Dear Mr. Baker:

I am writing to inform you that CMS is granting approval of South Carolina's electronic visit verification (EVV) good faith effort exemption request. CMS has determined that your state's request is in accordance with section 1903(1)(4)(B) of the Social Security Act, as added by section 12006(a) of the 21<sup>st</sup> Century Cures Act (Cures Act). Specifically, your state has made a good faith effort to comply with EVV requirements by issuing a Request for Proposals (RFP) for an EVV system that will have the ability add waiver programs that are not currently using the state's EVV vendor.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including the need for the production and approval of a new RFP following the cancellation of its initial RFP due to unsatisfactory responses.

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 2020. 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. Therefore, if the state is not fully compliant by January 1, 2021, FMAP reductions will be applied beginning in the first quarter of 2021 and every quarter thereafter until the state achieves compliance. Additionally, because the state indicated it is not requesting a good faith effort exemption for the 1905(a)(24) state plan personal care benefit, South Carolina is advised to complete the EVV compliance tool for this specific authority by March 31, 2020. We note that should the state wish to add 1905(a)(24) to its good faith effort exemption request, you can do so by updating page three of your application to indicate "yes" for that authority. If you have any questions please email [EVV@cms.hhs.gov](mailto:EVV@cms.hhs.gov) or contact your CMS Field Office.

Sincerely,

/s/

Ralph F. Lollar, Director  
Division of Long Term Services and Supports