

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

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October 28, 2022

Adaline Strumolo  
Acting Medicaid Director  
Department of Vermont Health Access  
280 State Drive  
Waterbury, Vermont 05671-1010

Dear Director Strumolo:

The Centers for Medicare & Medicaid Services (CMS) is granting Vermont 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 21<sup>st</sup> Century Cures Act (Cures Act). Specifically, your state has made a good faith effort to comply with EVV requirements by conducting environmental scanning for HHCS, continuing to conduct stakeholder meetings, amending the contract with your current EVV vendor to include EVV solutions for HHCS, and beginning to develop work plans for the state aggregator and development work.

In addition, your state has encountered unavoidable delays when implementing its EVV system including identifying that the impact of the EVV system is greater than anticipated and therefore needing to request additional funding through their Advanced Planning Document (APD). The state has also experienced issues with staffing changes at home health agencies (HHAs) including one HHA that will need to change vendors in order to fully integrate EVV for HHCS.

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](mailto:EVV@cms.hhs.gov).

Sincerely,

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