

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



Disabled & Elderly Health Programs Group

September 18, 2019

Ms. Donna Steward
Alaska Department of Health and Social Services
4501 Business Park Boulevard, Building L
Anchorage, AK 99503-7167

Dear Ms. Steward:

I am writing to inform you that CMS is granting approval of Alaska'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 21st Century Cures Act (Cures Act). Specifically, your state has made a good faith effort to comply with EVV requirements by surveying personal care service providers, scanning other states' EVV systems, and securing budgetary funding needed to develop a Request for Proposals (RFP). The state has also conducted several stakeholder engagement activities, including conducting community forums throughout the state, holding monthly provider network meetings, and maintaining a dedicated EVV website.

In addition, your state has encountered unavoidable delays when implementing its EVV system, primarily that the budget including funding to develop the RFP was not passed during the scheduled legislative session, which has led to delays in selecting an EVV vendor and updating state regulations.

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. If you have any questions please email EVV@cms.hhs.gov or contact your CMS Regional Office.

Sincerely,

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