



Disabled and Elderly Health Programs Group

December 12, 2019

Ms. Judy Mohr Peterson
Hawaii Department of Human Services
601 Kamokila Blvd, Room 518, PO Box 700190
Kapolei, HI 96709-0190

Dear Ms. Mohr Peterson:

I am writing to inform you that CMS is granting approval of Hawaii'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 conducting an environmental scan, selecting an EVV vendor via a request for proposals (RFP) process, and initiating work plans. The state has also conducted several stakeholder engagement activities, including launching an EVV webpage, conducting informational sessions with stakeholders, and establishing weekly meetings with providers, health plans, and sister agencies.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including the length of time required for the procurement process and additional time needed to adequately engage stakeholders, which delayed the business rules process. The state also cited the need for custom configuration to their off-the-shelf system and a simultaneous project for a provider management system update as factors contributing to delays.

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,
/s\

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