



Disabled and Elderly Health Programs Group

November 21, 2019

Mr. Doug Elwell
Division of Medical Programs
Illinois Department of Healthcare and Family Services
201 South Grand Avenue East, 3rd Floor
Springfield, IL 62763-0001

Dear Mr. Elwell:

I am writing to inform you that CMS is granting approval of Illinois' 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 a survey of state agencies, reviewing contracts that may need to be amended to comply with the EVV system, and preparing to issue a Request for Proposals (RFP) for an EVV vendor. The state will make information about its EVV system available to the public on the state's website and will accept public comments during the rulemaking process related to the implementation of the system. CMS acknowledges that the state has had EVV in place for several of its programs since 2014, however advises the state to follow the promising practices for training, communication, and education outlined in CMS' May 16, 2018 Informational Bulletin for those impacted by the state's new EVV system.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including the need to coordinate drafting the RFP with the roll-out of the state's Medicaid managed care program, a budget impasse which delayed the appropriation of funding and updates to state laws and policies, and the need for negotiations with multiple state agencies to develop a model that is least disruptive to program operations.

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