



Disabled and Elderly Health Programs Group

November 25, 2019

Ms. Allison Taylor
Indiana Family and Social Services Administration
402 West Washington Street, Room W461, MS 25
Indianapolis, IN 46204

Dear Ms. Taylor:

I am writing to inform you that CMS is granting approval of Indiana'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 modifying an existing contract with its fiscal agent to include EVV, selecting an EVV vendor, implementing work plans, and piloting the EVV system. The state has also conducted several stakeholder engagement activities, including convening multiple stakeholder meetings, developing a member EVV website, establishing an EVV mailbox and hotline, and publishing a member letter.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including the need for further outreach to providers to ensure they are aware of and compliant with EVV requirements and the need for additional time to determine appropriate system changes in response to the CMS guidance issued in August, 2019.

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