

Disabled and Elderly Health Programs Group

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December 23, 2019

Ms. Kate Massey  
Medical Services Administration  
Michigan Department of Health and Human Services  
400 South Pine Street  
Lansing, MI 48913

Dear Ms. Massey:

I am writing to inform you that CMS is granting approval of Michigan'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, issuing a request for information, and preparing to issue a request for proposals for an EVV vendor. The state has also conducted several stakeholder engagement activities, including conducting 30 meetings targeted to various stakeholder groups and disseminating educational materials such as presentations and frequently asked questions.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including a general fund budget shortfall for IT projects in the state, which delayed the state's timeline for issuing a request for proposals for an EVV vendor.

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](mailto: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