

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



Disabled and Elderly Health Programs Group

October 22, 2019

Ms. Marie Matthews
Montana Department of Public Health and Human Services
111 North Sanders, PO Box 4210
Helena, MT 59604

Dear Ms. Matthews:

I am writing to inform you that CMS is granting approval of Montana'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 environmental scanning and evaluating its EVV model based on member and provider feedback. The state has also conducted several stakeholder engagement activities, including conducting multiple listening sessions with providers and members and holding public EVV vendor demonstrations.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including cancelling its initial Request for Proposals (RFP) for an EVV vendor due to feedback from the member advocate community and system interoperability concerns.

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