



Disabled and Elderly Health Programs Group

December 5, 2019

Ms. Suzanne Bierman
Division of Health Care Financing and Policy
1100 East William Street, Suite 101
Carson City, NV 89710

Dear Ms. Bierman:

I am writing to inform you that CMS is granting approval of Nevada'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 issuing a Request for Information, selecting an EVV vendor, and completing its initial rollout of its EVV system. The state has also conducted several stakeholder engagement activities, including maintaining an EVV webpage and email listserv, presenting about EVV to advisory boards, tribal authorities, provider groups, and managed care organizations, holding town halls, and disseminating letters to recipients.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including unanticipated implementation issues with data aggregation and billing functionality due to insufficient vendor staffing, the inability to test the system with live user data, and the need for extensive one-on-one work with each provider to appropriately configure data uploads.

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