



**Disabled and Elderly Health Programs Group**

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December 6, 2019

Ms. Maureen Corcoran  
Ohio Department of Medicaid  
50 West Town Street, 4<sup>th</sup> Floor  
Columbus, OH 43215

Dear Ms. Corcoran:

I am writing to inform you that CMS is granting approval of Ohio'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 21<sup>st</sup> Century Cures Act (Cures Act). Specifically, your state has made a good faith effort to comply with EVV requirements by conducting an environmental scan, selecting an EVV vendor, and implementing two phases of its EVV program. The state has also conducted several stakeholder engagement activities, including establishing an EVV webpage and email inbox and convening multiple stakeholder meetings. The state will also conduct targeted outreach to individuals and providers as it moves into its third phase of implementation.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including the need for a contract amendment, which took longer than anticipated due to the time required to fully accommodate the needs of providers and individuals receiving participant directed services. The state also cited the need for financial management services vendors to develop EVV interfaces, updates to the project scope, and the decision to use a phased approach in order to allow sufficient time for training, outreach, and program improvement.

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. Additionally, because the state indicated that they are not requesting a good faith effort exemption for the 1905(a)(24) state plan personal care benefit, they are advised to complete the EVV compliance tool for this specific authority by December 31, 2019. We note that should the state wish to add 1905(a)(24) to its good faith effort exemption request, you can do so by updating page three of your application to indicate "yes" for that authority. If you have any questions please email [EVV@cms.hhs.gov](mailto:EVV@cms.hhs.gov) or contact your CMS Regional Office.

Sincerely,  
/s/

Ralph F. Lollar, Director  
Division of Long Term Services and Supports