

Disabled and Elderly Health Programs Group

November 06, 2019

Ms. Melody Anthony
Medicaid Director
Oklahoma Health Care Authority
4345 N. Lincoln Blvd.
Oklahoma City, OK 73105

Dear Ms. Anthony:

I am writing to inform you that CMS is granting approval of Oklahoma's electronic visit verification (EVV) good faith effort exemption request. CMS has determined that your state's request is in accordance with 12006(a)(4)(B) of the 21st Century Cures Act (Cures Act). Specifically, your state has made a good faith effort to comply with EVV requirements by selecting a model and creating a dedicated EVV webpage and mailbox; maintaining an existing EVV system with at least one state agency, performing a SWOT analysis for each agency and initiating additional contract agreements with the current EVV vendor for work with the other agencies. The state has also engaged stakeholders by holding teleconferences, in-person regional meetings, user group meetings, and a weekly Q&A session via telephone during the EVV system implementation and maintenance, as well as forming a workgroup of SMA and agency partner staff.

In addition, your state has encountered unavoidable delays when implementing its EVV system including being required by the Office of Management Enterprise Services (OMES) to restart the contracting process with the existing vendor which caused a delay in Joint Configuration. The state also remains in the process of implementing workarounds for self-directed individuals who do not have access to cell phones and/or computers.

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. 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