



Disabled and Elderly Health Programs Group

December 5, 2019

Ms. Lori Coyner
Oregon Health Authority
500 Summer Street, NE E49
Salem, OR 97301

Dear Ms. Coyner:

I am writing to inform you that CMS is granting approval of Oregon'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 completing an environmental scan, identifying an EVV model, and preparing for Request for Proposal (RFP) issuance. The state has also conducted several stakeholder engagement activities, including establishing an EVV webpage and conducting stakeholder engagement and training task force sessions. The state also plans to conduct regional EVV focus group sessions.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including the need to procure a new EVV vendor due to leadership challenges with the initial vendor, changes in scope from the vendor, and conflicting schedules with another project that impacted resource availability.

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,

\s\

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