



Disabled and Elderly Health Programs Group

December 23, 2019

Ms. Leesa M. Allen
Pennsylvania Department of Public Welfare
Office of the Secretary
331 Health & Welfare Building
Harrisburg, PA 17120

Dear Ms. Allen:

I am writing to inform you that CMS is granting approval of Pennsylvania'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 an environmental scan and modifying an existing contract to include EVV. The state has also conducted several stakeholder engagement activities, including conducting bimonthly public EVV meetings, quarterly meetings with a participant-directed advisory group, and monthly webinars.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including the need for additional time to integrate providers using their own EVV system with the state's data aggregation system and the need for an amendment to the state's contract with its financial management services vendor to include a requirement for EVV. The state also indicated that additional time is needed for its EVV vendor to finalize technical specifications related to claiming.

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