

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard, Mail Stop S2-26-12  
Baltimore, Maryland 21244-1850



**Disabled & Elderly Health Programs Group**

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August 19, 2019

Mr. James Jones  
State of Wisconsin, Department of Health Services  
1 West Wilson Street, Room 350 PO Box 309  
Madison, WI 53701-0309

Dear Mr. Jones:

I am writing to inform you that CMS is granting Wisconsin approval of its 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 industry and environmental scanning, selecting an EVV model based on a comprehensive review of existing vendor relationships, and modifying an existing contract to include EVV requirements. The state has also conducted several stakeholder engagement activities, including monthly provider agency stakeholder meetings, provider surveys, maintaining an EVV mailbox and website, and regularly convening provider, member, participant, and advocate forums.

In addition, your state has encountered unavoidable delays when implementing its EVV system. These delays included changes in project scope based on stakeholder feedback, existing MMIS modernization projects affecting EVV system interoperability and project timelines, and changes in scope due to CMS and industry feedback.

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](mailto: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