



Global Commitment Register

November 25, 2019

GCR 19-083
PROPOSED

Personal Care Electronic Visit Verification (EVV) Survey

Policy Summary:

The 21st Century CURES Act requires states to implement an EVV system for all Medicaid personal care services by January 1, 2020. Vermont Medicaid received approval of a one-year extension. **This means that EVV for personal care services will be required by January 1, 2021.** The EVV requirement will apply to home health services by January 1, 2023.

The Agency of Human Services is seeking comments from the public on the EVV requirement for Medicaid personal care services.

All interested stakeholders are encouraged to complete the EVV Feedback Survey available at <https://www.surveymonkey.com/r/VermontEVV>

The State will continue to engage stakeholders throughout the year including presentations at stakeholder meetings, mailings to consumers and employers, and EVV trainings.

More information about Vermont's EVV system design, communications, and training plans can be found on the [Department of Vermont Health Access EVV webpage](#).

Required Personal Care Services:

The EVV requirement applies to all Medicaid State Plan and Global Commitment 1115 Waiver authorized services that provide in-home assistance with activities of daily living and instrumental activities of daily living. This includes personal care, and personal assistance, as defined in 42 CFR §440.167¹.

For Vermont, the requirement applies to the personal care services provided in the following programs:

- Children's Personal Care
- Choices for Care – Including Flexible Choices and Moderate Needs Group.
- Attendant Services Program
- Traumatic Brain Injury Program

EVV System Requirements:

EVV systems must verify:

- Type of service performed
- Date of service
- Time the service starts and ends
- Location of service delivery (typically using caller-ID or Global Positioning System (GPS))
- Individual providing the service
- Individual receiving the service

Effective Date: January 1, 2021

Authority/Legal Basis:

[CURES Act Section 12006\(a\)\(1\)\(A\)](#)

Population Affected:

All Medicaid

Public Comment Period:

November 25, 2019 – December 27, 2019

Please visit the [EVV website](#) and complete the [EVV Feedback Survey](#) by December 27, 2019.

Comments can also be submitted via e-mail to ahs.dvhaevv@vermont.gov.

Or send comments to:

AHS Medicaid Policy Unit
280 State Drive, Center Building
Waterbury, VT 05671-1000

There is no public meeting scheduled at this time. If one should be scheduled, that information can be found at: <http://dvha.vermont.gov/> either through the calendar or listed under upcoming events.

A public comment period was held February 1, 2018- March 2, 2018. A copy of the [comments received](#) can be found here.

A second comment period was held April 16, 2018 – June 16, 2018 to receive additional comments from the public. A copy of the [comments received](#) can be found here.

Additional Information:

Information about EVV was previously posted under GCR 18-007:

- [GCR Clarification 18-007](#): Personal Care Electronic Visit Verification (8/7/2018)

- [Proposed GCR 18-007](#): Personal Care Electronic Visit Verification (4/16/2018)
- [Proposed GCR 18-007](#): Personal Care Electronic Visit Verification (1/31/2018)

ⁱ §440.167 Personal care services.

Unless defined differently by a State agency for purposes of a waiver granted under part 441, subpart G of this chapter—

- (a) *Personal care services* means services furnished to an individual who is not an inpatient or resident of a hospital, nursing facility, intermediate care facility for individuals with intellectual disabilities, or institution for mental disease that are—
- (1) Authorized for the individual by a physician in accordance with a plan of treatment or (at the option of the State) otherwise authorized for the individual in accordance with a service plan approved by the State;
 - (2) Provided by an individual who is qualified to provide such services and who is not a member of the individual's family; and
 - (3) Furnished in a home, and at the State's option, in another location.
- (b) For purposes of this section, *family member* means a legally responsible relative.