

Disabled and Elderly Health Programs Group

December 23, 2019

Mr. Tom Moss
Health Care Administration
Minnesota Department of Human Services
540 Cedar Street, PO Box 64983
St. Paul, MN 55167-0983

Dear Mr. Moss:

I am writing to inform you that CMS is granting approval of Minnesota'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, selecting an EVV model, and preparing to issue a request for proposals for an EVV vendor. The state has also conducted several stakeholder engagement activities, including conducting fourteen public stakeholder meetings and creating an EVV dedicated webpage.

In addition, your state has encountered unavoidable delays when implementing its EVV system, including delays to the development of the request for proposals due to the complexity and resource needs associated with establishing business requirements, lack of sufficient state funding, and the need to ensure the state's system adequately reflects stakeholder preferences. The state also cited the need for additional time to assess how EVV will be implemented for individuals who self-direct their services.

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,



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