



**Electronic Visit Verification  
Compliance Job Aid for  
Consumer Directed  
Services Employers**

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**AS REQUIRED BY  
TEXAS HEALTH AND  
HUMAN SERVICES  
COMMISSION**

**HHSC EVV OPERATIONS**

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**TEXAS**  
Health and Human  
Services

## PURPOSE

This Job Aid is for Consumer Directed Services (CDS) employers and provides guidance on how to stay in compliance with Electronic Visit Verification (EVV).

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## OVERVIEW OF EVV COMPLIANCE JOB AID

There are three reviews payers will complete to ensure CDS employers stay in compliance with EVV. This Job Aid will review the three areas of compliance for CDS employers in three sections with a fourth section on EVV non-compliance enforcement actions.

Section	EVV Compliance Review
1	EVV Usage Compliance Reviews
2	EVV Required Free Text Compliance Reviews
3	EVV Landline Phone Verification Reviews
4	Non-Compliance Enforcement Actions

Each compliance section covers:

- Compliance standard
- Grace periods (if applicable)
- Review period schedules
- How to check for compliance
- Accessing the EVV compliance report
- Reviewing the EVV compliance report
- What to do if failing to meet compliance
- Tips for staying in compliance

This Job Aid is for all CDS employers who have chosen either: Option 1, 2, or 3 on [Form 1722 Employer's Selection for Electronic Visit Verification Responsibilities](#):

<b>Option 1</b>	The CDS employer agrees to complete all visit maintenance and approve their employee's time worked in the EVV system.
<b>Option 2</b>	The CDS employer elects to have their Financial Management Services Agency (FMSA) complete all visit maintenance on their behalf; however, the CDS employer will approve their employee's time worked in the EVV system.
<b>Option 3</b>	The CDS employer elects to have their FMSA complete all visit maintenance on their behalf and confirm the employee's time worked in the EVV system based on approval documentation from the CDS employer.

**Note:** CDS employers are monitored at the member level. (Member: Person who is receiving the Medicaid service)

## SECTION 1: CONSUMER DIRECTED SERVICES – EVV USAGE COMPLIANCE REVIEWS

### COMPLIANCE STANDARD, GRACE PERIOD AND REVIEW SCHEDULES

<b>EVV Usage Compliance Standard</b>	<p>EVV Usage Score of 80% rounded to the nearest whole percentage, each state fiscal year quarter. EVV Usage Score = Manual EVV Visit Transactions Score</p> <p><b>Compliance reviews for EVV Usage begins August 31, 2022.</b></p> <ul style="list-style-type: none"> <li>• Access the EVV CDS Employer Usage Report in the EVV system to monitor their EVV Usage Score. The report will be available in 2022.</li> </ul>
<b>What Causes Non-Compliance</b>	<p>The EVV Usage Score is based on the number of manual visits entered into the EVV system. Any time the CDS employee does not use the EVV system to clock in when services begin and clock out when services end, the visit must be manually entered into the EVV system.</p>
<b>Grace Period</b>	<p><b>Grace Period - 01/01/2021 – 8/31/2022:</b> Implementation Group – Cures Act Consumer Directed Services (CDS) implemented January 1, 2021.</p>
<b>Review Period Schedule</b>	<p>Review period schedule shows what dates of service will be monitored and follows state fiscal year quarters.</p> <p>For all quarters, the EVV usage reviews can take place any time after the visit maintenance timeframe has passed from the last date of the quarter.</p> <ul style="list-style-type: none"> <li>• <b>Quarter 1</b> Review Period: September, October, November</li> <li>• <b>Quarter 2</b> Review Period: December, January, February</li> <li>• <b>Quarter 3</b> Review Period: March, April, May</li> <li>• <b>Quarter 4</b> Review Period: June, July, August</li> </ul>
<b>How to Check for Compliance</b>	<p>CDS employers will use the EVV Usage Report for CDS Employers to check their EVV usage score. The report is currently available to FMSAs in the EVV Portal and will be to CDS employers in the EVV system by August 2022.</p> <p><b>Note:</b> Compliance for CDS employers on EVV usage is based on the number of manual visits entered into the EVV system. It is very important to work with the FMSA on providing information when it is requested.</p>
<b>Accessing the EVV Usage Report for CDS Employers</b>	<p>The CDS employer will need to work with their EVV vendor or their FMSAs proprietary system operator (PSO) on instructions for how to access the EVV Usage Report for CDS Employers in the EVV system when the report becomes available.</p>

**Reviewing the EVV Usage Report for CDS Employers**

This is just an example of an EVV CDS Employer Usage Report. Each EVV system will have its own version of the report.

EVVCDSEMPUSG2022v1.0

### EVV CDS Employer Usage Report

Filters :: [Fiscal Year: 2021] :: [Quarterly Range: Mar - May] :: [NPI/API: 123456789 ] :: [Service Delivery Option: CDS] :: [EVV Implementation Group: Cures Act Personal Care Services (2021)]

Payer: MCO

The goal is to keep this number at zero by making sure the employee clock in and out.

EVV Usage Details				Total Accepted Visit Transactions	Total Manual Visit Transactions	Total Electronic Visit Transactions	EVV Usage Score
CDS Employer Name	CONSUMER DIRECTED SERVICES	NPI/API	1234567890	3	1	2	67%
FMSA Name	NAMEFMSA	Medicaid ID	987654321				
EVV System Name	EVVSystem						
EVV Usage Score: 67%							

In this report the CDS employer is below the compliance standard of 80%.


**Tips for Staying in Compliance**

Make sure the CDS employee uses one of the three HHSC approved clock in and clock out methods when service begin and when services end.

- Mobile method
- Home phone landline
- Alternative device



## SECTION 2: CDS EVV REQUIRED FREE TEXT COMPLIANCE REVIEWS

<p><b>Free Text Compliance Standard</b></p> 	<p><b>CDS Employers:</b> Must ensure free text is entered for:</p> <ul style="list-style-type: none"> <li>• A missing clock in, clock out time, or both</li> <li>• Reason Code Numbers:             <ul style="list-style-type: none"> <li>○ 131-Emergency: Describe the nature of the emergency</li> <li>○ 600-Other: Describe what "other" means</li> <li>○ 900-Non-preferred: Enter the time EVV services began and ended</li> </ul> </li> </ul> <p>If missing free text:</p> <p><b>Option 1 CDS Employers:</b> Must complete visit maintenance and enter missing free text.</p> <p><b>Option 2 or 3 CDS Employers:</b> Must provide required documentation to the FMSA to complete visit maintenance and enter free text for missing a clock in, a clock out time, or both.</p> <p><b>Note:</b> The CDS employer must work with their FMSA and provide information to the FMSA when it's requested.</p>
<p><b>What Causes Non-Compliance</b></p>	<p>Required free text <b>not</b> being entered when completing visit maintenance.</p> <ul style="list-style-type: none"> <li>• It's very important to enter required free text when completing visit maintenance.</li> </ul>
<p><b>Grace Period</b></p>	<p><b>Grace Period 01/01/2021 – 12/31/2021:</b> Cures Act Personal Care Services (CDS EVV implemented 01/01/2021)</p>
<p><b>Review Period Schedule</b></p>	<p>Is at the HHSC's or MCO's (payer's) discretion and occurs any time after the visit maintenance timeframe has expired.</p>
<p><b>How to Check Compliance</b></p>	<p>CDS employers may access the EVV Reason Code and Free Text report from their EVV System.</p> <ul style="list-style-type: none"> <li>• <b>Option 1:</b> May access the report through the EVV system. Contact the EVV vendor or your FMSA for instructions on how to run the report.</li> <li>• <b>Option 2 or 3:</b> Will have read only access – Contact the EVV vendor or your FMSA for instructions on how to run the report.</li> </ul>

**Accessing the EVV Reason Code Usage and Free Text Report**

You will need to know what quarter and specific month you would like the data to reflect. Refer to [EVV Policy Handbook \(HB\) Section 10010 EVV Usage Reviews](#), for the months within a quarter.

Fiscal year refers to the state fiscal year which runs from Sept. 1 to Aug. 31.

- See the examples below on pulling reports for Fiscal years.
  - Fiscal year 2020 dates are: September 1, 2019 – August 31, 2020
  - Fiscal year 2021 dates are: September 1, 2020 – August 31, 2021

**Reviewing the EVV Reason Code Usage and Free Text Report**

The report will show a summary of reason codes (RC) to get an idea of which reason codes are used most often. In this example, we see RC 600 is used more than others. The report can be run in excel format and filtered for:

- Missing a clock in, a clock out time, or both
- Reason Code Numbers:
  - 131-Emergency
  - 600-Other
  - 900-Non-preferred

Reason Code Number	Reason Code	Reason Code Description	Count
600	Other	Other	29
900	Non-Preferred	A - Failure to call in	11
900	Non-Preferred	B - Failure to call out	11
900	Non-Preferred	C - Failure to call in and out	19

**Reviewing  
EVV  
Reason  
Code and  
Free Text  
Report  
(Cont'd)**

## EVV Reason Code Usage and Free Text Report

Filters :: [Year: 2021] :: [Month: June] :: [NPI/API: 9999999999] :: [Service Delivery Option: CDS]

Medicaid ID	Individual Last Name	Individual First Name
333333333	SMITH	JANE

EVV System Name	Reason Code Number	Reason Code	Reason Code Description	Total Count	Days Reason Code Used in Month
DataLogic	900	Non-Preferred	C - Failure to call in and out	25	25

Visit Date	Visit ID	Service Group	Service Code	HCPCS	Modifiers	EVV Attendant ID
06/06/2021	5555555501			S5125	U3:UC:U7:	9999JONES
		900	Non-Preferred		C - Failure to call in and out	8 a.m. & 5 p.m.
06/07/2021	5555555502			S5125	U3:UC:U7:	9999JONES
		900	Non-Preferred		C - Failure to call in and out	8 a.m. & 5 p.m.
06/08/2021	5555555503			S5125	U3:UC:U7:	9999JONES
		900	Non-Preferred		C - Failure to call in and out	8 a.m. & 5 p.m.
06/09/2021	5555555504			S5125	U3:UC:U7:	9999JONES
		900	Non-Preferred		C - Failure to call in and out	8 a.m. & 5 p.m.

Here is where a clock in and clock out should be.

In this example, required free text is entered.



<p><b>Tips for Staying in Compliance</b></p>	<ul style="list-style-type: none"> <li>• Monitor EVV Reason Code and Free Text report to ensure required free text is entered</li> <li>• Filter EVV Reason Code Usage and Free Text report or the EVV Visit Log Report by Reason Code Numbers to ensure free text is entered. <ul style="list-style-type: none"> <li>○ 131-Emergency – Nature of emergency</li> <li>○ 600-Other – Explanation for using RC 600</li> <li>○ 900-Non-preferred – Missing clock in and clock out times (i.e., Actual clock in 9 a.m. and actual clock out 4 p.m., or 9 a.m. – 4 p.m.)</li> </ul> </li> </ul>
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**SECTION 3: CDS EVV LANDLINE PHONE VERIFICATION COMPLIANCE REVIEWS**

<p><b>EVV Landline Phone Verification Compliance Standard</b></p>	<p>Must be a landline phone number if a landline phone is chosen as the clock in and clock out method.</p> <p>Unallowable phone types include cellular phones, cellular enabled devices such as tablets and smart watches.</p>
<p><b>What Causes Non-Compliance</b></p>	<p>When the CDS employer has chosen the home phone landline as the primary clock in and clock out method, but the CDS employee calls in using an unallowable phone type, such as a mobile phone.</p>
<p><b>Grace Period</b></p>	<p><b>Grace Period 01/01/2020 – 12/31/2021:</b> Cures Act Personal Care Services (CDS EVV implemented 01/01/2021)</p>
<p><b>Review Period Schedule</b></p>	<p>At the payer’s discretion any time after the date of the visit.</p>
<p><b>How to Check for Compliance</b></p>	<p>The CDS employer will use the EVV Landline Phone Verification Report located in the EVV system to check if the home phone landline chosen as the primary clock in and clock out method, is an allowable phone type and to ensure the phone number is updated.</p>
<p><b>Accessing the EVV Landline Phone Verification Report</b></p>	<p>The CDS employer will contact their EVV vendor or the FMSAs proprietary system operator (PSO) if the FMSA has purchased or developed their own EVV system.</p>

**Reviewing the EVV Landline Phone Verification Report**

This is just an example of an EVV Landline Phone Verification Report. Each EVV system will have its own version of the report. In this report there is an unallowable phone type of "mobile".

CDS employers and FMSAs work together ensuring allowable phone types are documented in the EVV system.

- When the FMSA notifies the CDS employer of an unallowable phone type, it's important for the CDS employer works with the FMSA on verifying or updating the phone number.
- When the CDS employer fails to meet required actions within 10 business day of notification by the FMSA, the FMSA can remove the unallowable landline phone type from the EVV system as the member's home phone landline.

**Refer to EVV Policy HB Section 10020 Landline Phone Verification Reviews for more information.**

Look at the:

- Phone number to ensure it's the most updated number.
- Phone type to ensure it's an allowable phone type.

Member Id	Member First Name	Member Last Name	Phone Number	Listed Phone Type	Listed Carrier	Month	NPI/API	Provider Name	Payer
000000000	Sally	SMITH	(444) 444-4444	Landline	Windstream Communications	Jan-21	9999999999	PROVIDER NAME, INC.	HHSC
000000000	Sally	SMITH	(999) 999-9999	Mobile	Verizon Wireless	Apr-21	9999999999	PROVIDER NAME, INC.	HHSC



<p><b>Tips for Staying in Compliance</b></p>	<ul style="list-style-type: none"> <li>• Review the EVV Landline Phone Verification Report on a regular basis. <ul style="list-style-type: none"> <li>○ Option 1 or 2 CDS Employers: Run and review the EVV Landline Phone Verification Report on a regular basis. (Must run the report at least monthly)</li> <li>○ Option 3 CDS Employers: Run and review the report on a regular basis. (Must run at least monthly)</li> </ul> </li> <li>• Keep phone numbers updated in the EVV system and keep FMSA updated</li> <li>• Ensure CDS employees use the home phone landline if it's the clock in and clock out method chosen. If the landline is not available for use, document the reason it was unavailable.</li> </ul>
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**SECTION 4 EVV NON-COMPLIANCE ENFORCEMENT ACTIONS**

<p><b>EVV Non-Compliance Enforcement Actions</b></p>	<ul style="list-style-type: none"> <li>• Refer to <a href="#">TAC 40, Part 1, Chapter 41, Subchapter B, Rule Section 41.221</a> relating to the FMSA placing the CDS employer on a Corrective Action Plan (CAP).  A written CAP must include: <ul style="list-style-type: none"> <li>○ the reason the corrective action plan is required</li> <li>○ the action to be taken</li> <li>○ the person responsible for each action</li> <li>○ the date the action must be completed</li> <li>○ An employer or DR may request assistance in the development or implementation of a corrective action plan from the FMSA or others if the plan is related to employer responsibilities.</li> </ul> </li> <li>• Also refer to <a href="#">Guidance for FMSAs When CDS Employers Do Not Perform EVV Responsibilities</a> notice posted on Jan. 14, 2022 in reference to CDS employers not performing EVV responsibilities.</li> </ul>
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## QUESTIONS AND LINKS TO EVV POLICIES

Please refer to the [CDS Employer EVV Contact Information Guide \(PDF\)](#) for any additional questions.

### Links to EVV Policies

**Home Phone Landline** - [EVV Policy HB Section 7030](#) (FMSA and CDS Employer Required Actions)

- <https://www.hhs.texas.gov/handbooks/electronic-visit-verification-policy-handbook/7000-clock-clock-out-methods>

**EVV Reason Code Free Text Requirements** - [EVV Policy HB Section 9010](#):

- <https://www.hhs.texas.gov/laws-regulations/handbooks/evvpvh/section-9000-eva-reason-code#9010>

**EVV Compliance Reviews** - [EVV Policy HB Section 10000](#):

- <https://www.hhs.texas.gov/handbooks/electronic-visit-verification-policy-handbook/10000-eva-compliance-reviews>

**EVV Usage Score** - [EVV Policy HB Section 11010](#):

- <https://www.hhs.texas.gov/handbooks/electronic-visit-verification-policy-handbook/10000-eva-compliance-reviews>

**EVV Usage Reviews** - [EVV Policy HB Section 10010](#):

- <https://www.hhs.texas.gov/handbooks/electronic-visit-verification-policy-handbook/10000-eva-compliance-reviews>

**EVV Landline Phone Verification Reviews** - [EVV Policy HB Section 10020](#):

- <https://www.hhs.texas.gov/handbooks/electronic-visit-verification-policy-handbook/10000-eva-compliance-reviews>

**EVV-Required Free Text Reviews** - [EVV Policy HB Section 10030](#):

- <https://www.hhs.texas.gov/handbooks/electronic-visit-verification-policy-handbook/10000-eva-compliance-reviews>

**EVV Reason Codes Table** - [EVV webpage](#):

- <https://www.hhs.texas.gov/providers/long-term-care-providers/resources/electronic-visit-verification>

**Notice - CDS Employer EVV Usage Compliance Review Grace Period Extended** -

- <https://www.hhs.texas.gov/about-hhs/communications-events/news/2021/10/cds-employer-eva-usage-compliance-review-grace-period-extended>

**Notice - Guidance for FMSAs When CDS Employers Do Not Perform EVV Responsibilities**

- <https://www.hhs.texas.gov/sites/default/files/documents/guidance-fmsas-when-cds-employers-do-not-perform-eva-responsibilities.pdf>