



Date: October 20, 2021
To: Financial Management Services Agencies (FMSAs)
Subject: Information Letter 2021-49
Importance of Following EVV Rules and Policy Guidance for CDS
Employers

The purpose of this letter is to require FMSAs to provide a copy of the attached notice reminding CDS employers of the importance of following all existing Electronic Visit Verification (EVV) requirements. FMSAs must provide a copy of the notice to CDS employers by January 1, 2022.

The attached notice provides information regarding EVV requirements for CDS employers and employees and explains what may happen if EVV rules and policies are not followed.

Sincerely,

[signature on file]

Dana Williamson
Director, Program Policy
Office of Policy
Medicaid and CHIP Services Department

Encl: EVV requirements for CDS employers



- Reminder for CDS Employers - Importance of Compliance with Existing EVV Requirements

This notice reminds Consumer Directed Services (CDS) employers about existing Electronic Visit Verification (EVV) requirements, the importance of following existing requirements, and explains what may happen when CDS employers do not use EVV as required.

EVV Requirements

EVV is an electronic system used to document when certain Medicaid services have been delivered to a person authorized to receive Medicaid services. EVV electronically documents the time that service delivery begins and ends.

As a CDS employer, you must ensure your CDS employees properly clock in and clock out using EVV for the required services.

Technology Resources

The Lifeline Program

The Lifeline program is a federal program offered by the Federal Communications Commission (FCC) to help make communications services more affordable for people with a low monthly income. Lifeline provides subscribers a discount on monthly telephone services, broadband Internet access services, or voice broadband bundled services purchased from

participating providers. You can read more about Lifeline to see whether you qualify on the FCC website: <https://www.fcc.gov/consumers/guides/lifeline-support-affordable-communications>

Emergency Broadband Benefit

The Federal Communications Commission is offering an Emergency Broadband Benefit. This new benefit will:

- Help families and households struggling to afford Internet service during the COVID-19 pandemic.
- Connect eligible households to jobs, critical health care services, virtual classrooms and more.

You can read more about this benefit on the FCC website:
<https://www.fcc.gov/broadbandbenefit>

Helpful Training Resources

- **EVV Training for CDS employers:** <https://www.hhs.texas.gov/doing-business-hhs/provider-portals/long-term-care-providers/resources/electronic-visit-verification/training-materials-resources>
- **EVV webpage:** <https://www.hhs.texas.gov/doing-business-hhs/provider-portals/long-term-care-providers/resources/electronic-visit-verification>

Using EVV as Required

It is imperative your CDS employees properly clock in and clock out using EVV to ensure your employees do not experience a delay in payment because your Financial Management Services Agency (FMSA) cannot process payroll.

If you do not ensure your employees use EVV when required and follow EVV rules and policies, you may be required to complete a corrective action plan (CAP) using [Form 1741](#) as outlined in the Texas Administrative Code,

Chapter 41, subsection 41.407. The CAP is used to identify steps you will take to meet EVV requirements. You or your Designated Representative (DR) are required to complete a CAP when your FMSA, service coordinator or case manager requests it.

Leaving the CDS option is a last resort if you do not meet EVV requirements and do not follow your CAP after receiving training and support from your FMSA and/or the EVV vendor.