

<b>ISSUE DATE</b>  June 11, 2020	<b>EFFECTIVE DATE</b>  June 11, 2020	<b>NUMBER</b>  05-20-02, 07-20-02
<b>SUBJECT</b>  Implementation of Electronic Visit Verification in the FFS and Physical Health Managed Care Delivery Systems		<b>BY</b>   Sally A. Kozak, Deputy Secretary Office of Medical Assistance Programs

**IMPORTANT REMINDER:** All providers must revalidate the Medical Assistance (MA) enrollment of each service location every 5 years. Providers should log into PROMISE to check the revalidation dates of each service location and submit revalidation applications at least 60 days prior to the revalidation dates. Enrollment (revalidation) applications may be found at: <https://www.dhs.pa.gov/providers/Providers/Pages/PROMISE-Enrollment.aspx>.

## **PURPOSE:**

The purpose of this bulletin is to advise providers of the implementation of electronic visit verification (EVV) for personal care services (PCS) for individuals under 21 years of age, effective with dates of service on and after September 1, 2020.

## **SCOPE:**

This bulletin applies to Medical Assistance (MA) enrolled providers who render PCS to beneficiaries under 21 years of age, in the MA Fee-for-Service (FFS) and HealthChoices (HC) Physical Health (PH)-managed care delivery systems. Providers in the HC PH-managed care delivery system are to address any provider EVV related interface, billing and payment questions with the applicable HC PH-Managed Care Organization (MCO).

## **BACKGROUND:**

Section 12006(a) of the 21<sup>st</sup> Century Cures Act (Cures Act), signed into law on December 13, 2016, added section 1903(l) to the Social Security Act, 42 U.S.C. §1396(b)(l), which mandates that states require EVV use for Medicaid-funded PCS for in-home and community visits by a provider. Pennsylvania must implement EVV for PCS by January 1, 2021.

EVV is a technology solution which electronically verifies the delivery dates and times of PCS using multiple technologies such as telephonic, mobile application and web portal

**COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:**

The appropriate toll-free number for your provider type.

Visit the Office of Medical Assistance Programs website at:

<https://www.dhs.pa.gov/providers/Providers/Pages/Health%20Care%20for%20Providers/Contact-Information-for-Providers.aspx>.

verification inputs to help electronically validate PCS and prevent fraudulent PCS claims. The Cures Act requires that EVV systems must collect and verify the following six items:

- PCS performed;
- Name of MA beneficiary who receives the PCS;
- Date of the PCS;
- Location of the PCS;
- The individual who provides the PCS; and
- Time the PCS begins and ends.

In both the Department of Human Services' (Department) MA FFS and HC PH-managed care delivery systems, PCS are provided to MA beneficiaries under 21 years of age in the beneficiary's home and community settings, prescribed as part of a written plan of treatment and provided by a nurse aide (certified nurse aide (NA)) or home health aide (HHA) under the supervision of a registered nurse. PCS consist of services that support activities of daily living (ADL) such as ambulation, bathing, toileting, beneficiary transfers (e.g. transfer from bed to chair/chair to bed), and personal hygiene.

The Cures Act provided that EVV for PCS was to be implemented by January 1, 2019; however, the Department received an extension from the Centers for Medicare & Medicaid Services (CMS) until January 1, 2020. The Department subsequently applied for and received a Good Faith Effort Exemption from CMS to further extend implementation until January 1, 2021.

During the review of Pennsylvania's Good Faith Effort Exemption, CMS advised the Department that PCS (services provided by a NA or HHA, claimed under the personal care benefit even though provided by a home health agency, are subject to the EVV requirements. In other words, if home health agencies are the provider of PCS the services are personal care services, not home health services.

## **DISCUSSION:**

The Department anticipates full implementation of EVV for PCS, effective with dates of service on and after September 1, 2020, in the FFS delivery system, and with dates of service on and after November 1, 2020, in the HC PH-managed care delivery system.

Pennsylvania established an "Open Choice Model". This means that providers who render PCS to MA beneficiaries in the MA FFS delivery system may choose to use the Department's (Sandata) EVV system at no cost to the provider, or, use their own EVV vendor/system (Alternate EVV) to capture the six data elements required under the Cures Act as well as meet the technical specifications to interface with the Department's Aggregator that normalizes submitted EVV data. The Department's Aggregator allows providers to continue to use an Alternate EVV for visit verification. CMS' six data requirements are transmitted from the Alternate EVV systems to the Department's Aggregator using the Department's (Sandata) data technical specifications that are found on the Department's website as follows:

- Alternate EVV system technical specifications are found at the following website link: [https://www.dhs.pa.gov/providers/Documents/EVV/c\\_290489.pdf](https://www.dhs.pa.gov/providers/Documents/EVV/c_290489.pdf).

MCOs who render PCS in the HC PH-managed care delivery system must use their own EVV vendor/system (Alternate EVV) to capture the six data elements required under the Act as well as meet the technical specification to interface with the Department's Aggregator.

- Technical specifications for the HC PH-MCOs (Alternate EVV MCO Only Addendum) are found at the following website link: [https://www.dhs.pa.gov/providers/Documents/Billing%20Information/Addendum\\_PA-DHS\\_Alt\\_EVV\\_MCO\\_v1.13.pdf](https://www.dhs.pa.gov/providers/Documents/Billing%20Information/Addendum_PA-DHS_Alt_EVV_MCO_v1.13.pdf).

MCO network providers who render services in the HC PH-managed care delivery system must use their own EVV vendor/system (Alternate EVV that interfaces with the HC PH-MCO's Alternate EVV system) to submit the six data elements requires under the Act to the HC PH-MCO.

FFS providers who elect to use the Department's (Sandata) EVV system, must attend the required training so that they understand how to capture visits and use the overall functionality of the Department's (Sandata) EVV solution. Training will be available. The Department will issue further information at a later date to provide instructions regarding registration for the trainings.

The Department will issue a separate EVV bulletin to providers in the FFS delivery system and to providers and MCOs in the HC PH-managed care delivery system that provide further guidance.

### **PROCEDURE:**

Effective with dates of service on and after September 1, 2020, the Department will implement the EVV system for PCS in the FFS delivery system. For dates of service between September 1, 2020, and November 19, 2020, EVV Error Service Status Codes will set without impacting claim payment. PCS claims for dates of service on and after November 20, 2020, that are not verified through EVV will be denied.

At this time, providers who render PCS to MA beneficiaries in the FFS delivery system need to immediately determine whether the home health agency will use the Department's EVV system (Sandata) or its own EVV vendor/system (Alternate EVV).

Providers in the FFS delivery system who choose to utilize the Department's (Sandata) EVV solution will need to complete training and receive certification. Webinar and self-paced on-line training will be available. Providers in the FFS delivery system who choose to use an Alternate EVV system must receive training from the vendor.

Effective with dates of service and after November 1, 2020, the Department will implement EVV for PCS in the HC PH-managed care delivery system. PCS encounters in the

managed care delivery system for dates of service on and after January 1, 2021, that are not verified through EVV will be denied.

Providers and MCOs who render PCS to MA beneficiaries in the managed care delivery system need to determine what Alternate EVV system they will use and receive training from the vendor.

HC PH-MCOs should review the mandatory data fields to be included in the EVV transaction that is sent to the Department's EVV Aggregator. Providers and MCOs may view the Alternate EVV technical specifications and addendums found on the right-hand side of the Department's EVV webpage, under "Related Topics":

<https://www.dhs.pa.gov/providers/Billing-Info/Pages/Alternate-EVV.aspx>.

For further information, providers and MCOs should refer to the Department's EVV website at: <https://www.dhs.pa.gov/providers/Billing-Info/Pages/EVV.aspx>.

The Department will issue further guidance regarding the implementation of EVV in the Summer of 2020.