

May 22, 2023

90-DAY NOTICE OF EVV COMPLIANCE FOR CURES ACT PERSONAL CARE SERVICES PROVIDERS

Effective Jan. 1, 2022, the payers, HHSC and managed care organizations, will begin Electronic Visit Verification compliance reviews to ensure Cures Act Personal Care Services providers are in compliance with EVV requirements and policies. Cures Act Personal Care Services were required to use EVV by Jan. 1, 2021 due to federal requirements and are listed on pages 2 and 3 of [Personal Care Services Required to Use EVV \(PDF\)](#).

Payers conduct EVV compliance reviews on a regular basis and may initiate contract or enforcement action for dates of service on or after Jan. 1, 2022 for program providers, Financial Management Service Agencies and Consumer Directed Services employers who do not meet any of the following EVV compliance requirements:

- EVV Landline Phone Verification: ensures valid phone type is used
- EVV-Required Free Text: ensures required free text is documented
- EVV Usage: ensures the minimum EVV Usage Score has been met
 - Note: The CDS employer EVV Usage review grace period has been extended to Aug. 31, 2022. A notice will be provided prior to the end date of the grace period.

Payers will not start reviews until the EVV visit maintenance time frame is expired.

Before EVV compliance reviews begin, program providers, FMSAs and CDS employers should:

- Continue using the EVV system and
- Review compliance reports as a tool to monitor compliance.
 - For instructions on how to access and review reports in the EVV Portal, review [TMHP's EVV Job Aids](#) found on their [EVV Training webpage](#).
 - The EVV vendors, DataLogic and First Data, have instructions on how to access and review the EVV Landline Phone Verification report in their systems. The contact guides in the [Resources section on the HHSC EVV webpage](#) includes the vendors' contact information.

Note: The CDS Employer Usage Report is being developed and is not available at this time. HHSC will publish a notice when the report is available for CDS employers to review.

EVV Compliance Reports

The following EVV compliance reports can be found in the EVV Portal:

- EVV Usage Report
- EVV Reason Code and Required Free Text Reports

The EVV Landline Phone Verification Report is available in the EVV system.

Grace Period

Cures Act Personal Care Services received a grace period from Jan. 1, 2021 through Dec. 31, 2021. Email questions to EVVProvider@CommunityHealthChoice.org.