

**FREQUENTLY ASKED QUESTIONS ON PROPOSED REGULATIONS**  
**AMENDMENTS ADDING THE USE OF ELECTRONIC VISIT VERIFICATION**  
**(EVV) SYSTEMS FOR HOME HEALTH SERVICES AND SPECIALIZED PRIVATE**  
**DUTY NURSING (SPDN) WAIVER SERVICE**

**1) What do these regulations do?**

The proposed regulations will require providers of specialized private duty nursing waiver services and state plan home health services to use an electronic visit verification (EVV) system that

- A) shares with the department information about the name of the agency, the rendering provider, the identity of the recipient, the location of the service, the date of the service, the start and stop times of the services, and the type of service provided; and
- B) requires these providers support claims submitted for payment with EVV data; affirm the accuracy of each EVV submission; repay the department any overpayment within 90 days; and coordinate and upload all EVV data into the department's EVV system on a daily basis or at another frequency specified by the department, if the provider is not using the department's EVV system.

**2) Who is primarily affected by these regulations?**

Medicaid recipients who receive specialized private duty nursing waiver services or home health services; agencies providing specialized private duty nursing waiver services and state plan home health services.

**3) Why are these regulations proposed now?**

Electronic visit verification (EVV) of personal care services was mandated by the federal 21<sup>st</sup> Century Cures Act in 2016, to reduce Medicaid fraud waste and abuse. The State implemented EVV for personal care services in compliance with the Act requirements in 2021.

The 21<sup>st</sup> Century Cures Act also requires the State to implement EVV systems to monitor in-home service delivery, including Specialized Private Duty Nursing, a home health service provided as a home and community-based waiver service.

EVV requirements for home health services must be implemented no later than January 1, 2023, or face federal funding penalties.