OVERVIEW

Why implement EVV?
DHS is implementing EVV to comply with the federal 21st Century Cures Act. This is mandatory for Medicaid programs in all states. The Centers for Medicare and Medicaid Services (CMS) will fine the state programs if they do not implement EVV.

What is the federal 21st Century Cures Act?
Section 12006(a) of the 21st Century Cures Act (link is external) mandates that states implement EVV for all Medicaid personal care services and home health services that require an in-home visit by a provider. This applies to personal care services provided under sections 1905(a)(24), 1915(c), 1915(i), 1915(j), 1915(k), and Section 1115 and home health services provided under Section 1905(a)(7) of the Social Security Act or a waiver.

What programs and services does the EVV affect?
The definition of “personal care services” is not uniform across all the authorities under which it can be covered as a Medicaid benefit, but in general, it consists of services supporting Activities of Daily Living (ADL), such as movement, bathing, dressing, toileting and personal hygiene. Personal care services can also offer support for Instrumental Activities of Daily Living (IADL), such as meal preparation, money management, shopping and telephone use. This will affect home and community-based services being administered by the following divisions:

- Aging Services
- Developmental Disabilities
- Medical Services – Autism waiver, Children’s Medically Fragile and Children’s Hospice waiver,
- 1915(i) Medicaid State Plan Amendment

Providers who must use EVV:
- Agency Qualified Service Providers (QSPs)
- Individual QSPs
- Licensed Developmental Disabilities (DD) Providers
- Children’s Medically Fragile, Autism Spectrum, Children’s Hospice (Respite Care Providers)
- 1915(i) In-Home Respite Providers

When will EVV be implemented?
- Medicaid-covered personal care and related services effective January 1, 2021
- Medicaid-covered home health services effective January 1, 2023

What information will EVV verify?
Section 1903(l)(5)(A) provides that the system must be able to electronically verify, with respect to visits conducted as part of personal care services or home health care services, the following:
1) type of service performed,
2) individual receiving the service,
3) date of the service,
4) location of service delivery,
5) individual providing the service; and
6) time the service begins and ends.
MEMBER AND PARTICIPANT QUESTIONS

Can North Dakota choose not to implement EVV?
No. Section 12006(a) of the 21st Century Cures Act mandates that states implement EVV for all Medicaid personal care services and home health services that require an in-home visit by a provider. States that do not implement EVV will experience financial penalties from CMS.

Is the Electronic Visit Verification System (EVVS) tracking my movements?
No. The EVVS is not a tracking device and does not track an individual's movements. Rather, the system records certain data elements that are required by the 21st Century Cures Act, including the location and when the provider starts and ends a visit.

PROVIDER QUESTIONS

Who is the EVV vendor in North Dakota?
North Dakota has contracted with Therap LLC as its EVV vendor.

Will providers be required to use Therap’s EVV technology?
No. The North Dakota Department of Human Services has adopted an open EVV model. Providers may choose to use their own EVV system and will be required to submit data to a data aggregator.

Who is the Aggregator vendor in North Dakota?
The Department of Human Services is working toward finalizing a contract with the chosen vendor.

Is there a cost to me for using the EVV system?
No. There is no charge to any provider or individual to use the Therap EVV system. However, there may be a cost to agency providers who choose to use their own alternate EVV system or for the technology or other devices required to collect data during a visit.

I am an agency provider. If I am already using an EVV technology, do I have to switch to the North Dakota EVV system?
- No. You may continue to use your current EVV system, but you must submit information to the data aggregator as required.
- Providers will be responsible for working with aggregator vendor to ensure it meets all requirements and for any interface costs (if any) charged by their vendors if they choose to use their own system.

QUESTIONS?
For questions on North Dakota’s EVV, contact the North Dakota Department of Human Services at dhshcbs@nd.gov, toll-free 855-462-5465, 711 (TTY).