



May 21, 2019

Subject: Formal Recommendation for Electronic Visit Verification

The Department of Health Care Policy & Financing (the Department) received the formal recommendation submitted by the Participant Directed Programs Policy Collaborative (PDPPC) on April 25, 2019.

The formal recommendation from PCPPC has requested the following regarding Financial Management Service (FMS) vendors and Electronic Visit Verification (EVV):

1. The Department should allow CDASS employers to choose either the vendor of their chosen FMS or the state Sandata EVV system. Changes to this choice can occur quarterly during open enrollment. This is the same choice offered to other employers providing the same service.
2. The Department should require each FMS to disclose all details about their EVV system once it is approved. These details should include but may not be limited to a "Sandbox" where an employer and their employees can test the software, information on how they provide training including policies about individualized training for employees with disabilities, clarity about if they capture location information other than home or community, clarity about if they identify services other than "CDASS", how they address services (such as homemaker) that may be provided while the client and attendant are not at the same place, how they allow for edits, if they have any schedule requirements, and how they account for services such as overnight care where labor laws have specific requirements based on how many hours the worker is allowed uninterrupted sleep.
3. The Department should specifically prohibit FMS agencies to use geo-fencing (only allowing employee log-in at specific pre-determined locations), geo-tracking (keeping track of where a client and attendant go during the course of a day (when care is and is not being provided) or use of biometrics. We understand that Sandata is using geo-tracking but is not using geo-fencing or biometrics and if CDASS employers choose Sandata they will be choosing that system. FMS agencies that have these features in their chosen system should be allowed to simply turn off those functionalities for Colorado, not design a whole new

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system. All EVV systems used by FMS agencies must have reasonable alternatives to GPS including a telephony landline option and a web-portal sign in option. These options cannot have limits and must be allowed to be used for some or all employee reporting.

4. The Department shall require all FMS to maintain the transfer spreadsheet and enable any client/employer to switch without having to do all new employee packets until a quarter after the information is available (likely September as the information will not be available for the department to approve the systems until June)

The Department has reviewed the request from PDPPC and is providing a response to each item below.

1. The Department has reviewed the request and identified that using the Department's Sandata EVV system instead of the FMS vendor EVV system is unable to be approved. The Department's system requires an enrolled Medicaid provider identification to access the system and a CDASS employer does not meet this requirement. Medicaid providers throughout Colorado must select to use the Sandata EVV system or their own EVV system and cannot use both systems simultaneously. The Department supports member choice and encourages CDASS employers to review FMS vendor EVV systems when they are completed. The Department will work with the FMS vendors to offer system demonstration sessions to members as FMS systems are completed. Please note, each CDASS employer can select and change their FMS vendor during the scheduled quarterly open enrollment period.
2. Following the Departments approval of each EVV system, the FMS vendors will provide comprehensive information and demonstration sessions to CDASS employers on their EVV systems. The Department has begun discussions with the FMS vendors on methods to present their EVV systems to interested CDASS employers.
3. The Department requires FMS vendor EVV systems to follow all EVV rules promulgated by the Department. At this time the EVV rule has been drafted and released for public comment. The current draft rule indicates that the Department will not accept pictures, video, or voice recordings to substantiate an EVV visit or accept biometric data for client identification. Geo-fencing and predetermined location information will not be accepted by the Department for EVV. Geo-tracking is not prohibited by rule, however the Department will only accept location data from beginning and end of a visit. The Department has informed FMS vendors that these items are not system requirements.

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The Department will be working with each FMS vendor to review their EVV systems including the alternative options for those who do not have the ability to utilize a mobile application that utilizes GPS. Currently the Department is reviewing these options and any limits associated to their use.

4. The Department implemented a spreadsheet for the transfer of CDASS employer and attendant information during the transition of FMS vendors operating in Colorado. This process was developed to support a large transition of information during a short time span. Coordination of data transfers between vendors requires complex security oversight by the FMS vendors and the Department.

Each FMS vendor has their own enrollment paperwork requirements that must be followed when enrolling members outside of this initial operations transition. Member transitions that occur during the regular quarterly open enrollment periods will require the normal paperwork process.

The Department will continue to work on implementation options for EVV with the goal of minimizing the impact to the user.

If you have any questions, please contact Katie McGuire at Katherine.mcguire@state.co.us or 303-866-6313.

Thank you,

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