



# Consumer Directed Attendant Support Services Electronic Visit Verification Compliance Protocol

Effective February 1, 2022

**Background:** Electronic Visit Verification (EVV) is a technology solution that verifies service provision through mobile application, telephony, or web-based portal. EVV is used to ensure that home or community-based services are delivered to people needing those services by documenting the precise time service begins and ends.

**Purpose:** Section 12006 of the 21st Century Cures Act requires that all state Medicaid agencies implement an EVV solution and the Centers for Medicare & Medicaid Services (CMS) expect compliance with EVV to avoid reductions in federal funding. Due to the unique structure of the CDASS Delivery Option, this compliance protocol was developed collaboratively with employers/members or their authorized representatives (ARs), attendants, Financial Management Services (FMS) Vendors, and Consumer Direct of Colorado's (CDCO) input.

**In order to ensure employer/member compliance with EVV, this protocol has been developed. It will be in place for the duration of an employer/member's participation in CDASS. CDASS employers/members must meet CDASS requirements, including ensuring monthly EVV compliance.**

## Protocol Terms:

- **Electronic Visit Verification (EVV)** - EVV means the use of technology, including mobile device, telephony, or web-based portal, to verify the required data elements related to the delivery of Health First Colorado Services as mandated by the 21st Century Cures Act and CCR 2505-10 Section 8.001.
- **Verified Visit** - A verified visit is an EVV record that does not contain any exceptions, meaning either no exceptions exist, or they have been fixed, making the visit eligible for claim matching.
- **Incomplete Visit** - An EVV visit is considered incomplete if it requires manual intervention before it can be considered closed, completed, or verified.
- **Manual Entry** - A manual EVV entry is when all verification points of data of an EVV record are manually entered through the web-based portal after the time of service.



- **Match Rate** - Monthly rate at which claims are matched to EVV records. This rate will be used to determine compliance.
- **Matched Visit** - A matched visit is an EVV record that has matched to a billed and paid claim. A matched visit requires a verified EVV record and a billed claim that has no other claim errors. Incomplete EVV records will not match. For a claim to match, it must have a verified EVV record logged at least the day before the FMS vendor submits claims.
- **Strike** - A strike is received by an employer/member when their monthly match rate is 79% or lower. Match rates are negatively impacted, and strikes may be produced by either no EVV records being documented or EVV records being incomplete.

### **Protocol Summary**

Each month, 80% or more of a member's CDASS services must have a matching EVV record [based on the respective pay period\(s\)](#). If less than 80% of EVV claims have a matching EVV record the member will receive a strike. The protocol allows a maximum of five (5) strikes, with the option to remove a strike with satisfactory completion of a performance improvement plan. Employer/members will be given the opportunity to complete training to improve their compliance. Strikes reset to zero (0) on February 15th annually to accommodate timely filing. Failure to complete the requirements of a strike within a reasonable amount of time may result in additional strike(s).

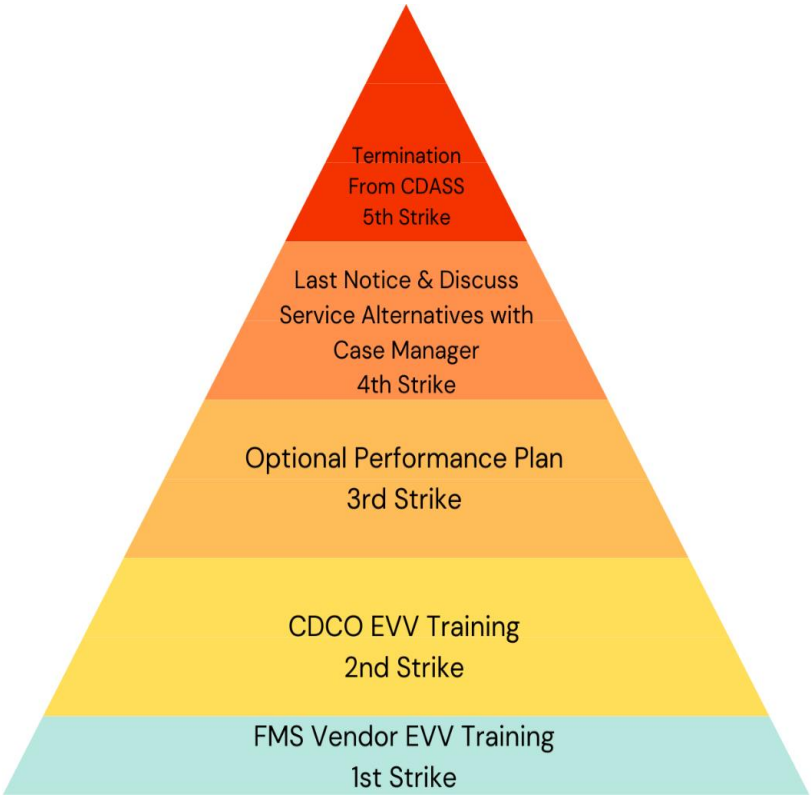
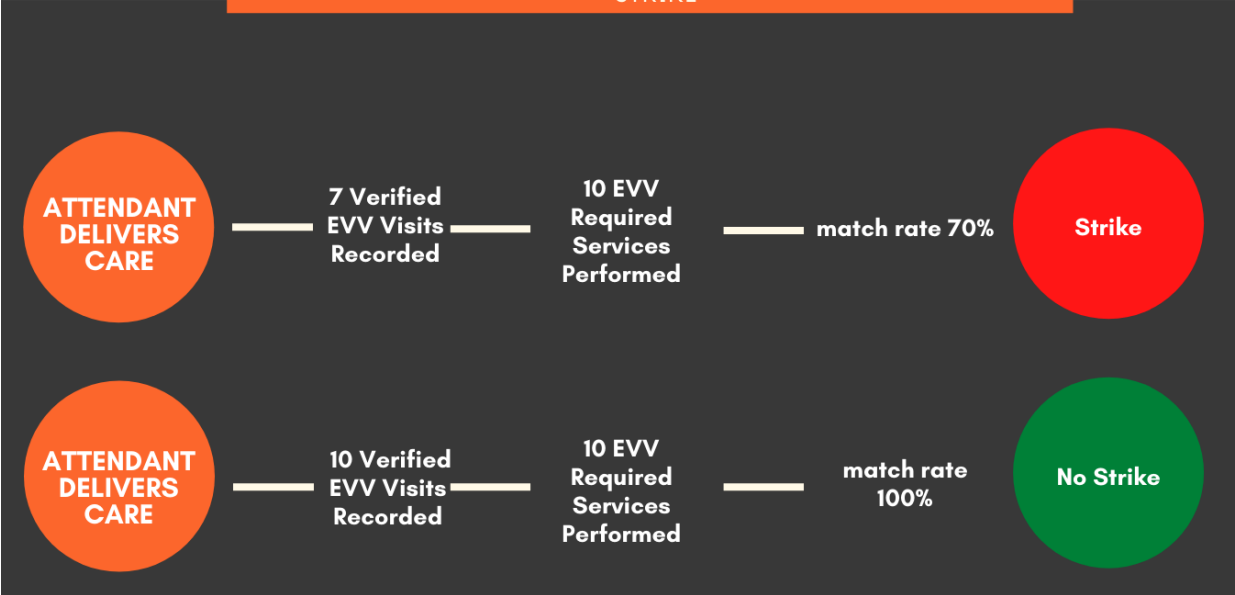
**Notice:** If a system issue occurs that prevents a member from recording EVV, they must report the issue by completing the [Participant Directed Programs Unit Feedback Form](#) and be able to verify through some form of documentation. Those who have limited access to the form may contact the Department's EVV team see contact info below. System issues that are reported and can be verified will not count towards or result in a strike.

Additionally, at this time entering visits through the web portal by manually entering or modifying visits are both acceptable methods for recording EVV and will not result in a strike. While entering visits through the web portal is acceptable, it should only be used in rare circumstances and not as the sole method for recording EVV.

For full details of this protocol, see the [CDASS EVV Compliance Protocol Policy](#).

# Match Rates

HOW MATCH RATES ARE CALCULATED AND HOW NOT TO GET A STRIKE



**Below are the full details and requirements of each strike within the CDASS EVV Compliance Protocol**

**Strike 1:**

- Notify employer/member within 7 business days of 1<sup>st</sup> strike and requirements.
- Employer/member required to complete FMS Vendor EVV Training within 30 days of receipt of strike notification.

**Strike 2:**

- Notify employer/member within 7 business days of 2<sup>nd</sup> strike and requirements.
- Employer/member required to complete CDCO EVV training within 30 days of strike notification

**Strike 3:**

- Notify employer/member within 7 business days of 3<sup>rd</sup> strike.
- [EVV Performance Improvement plan](#) (PIP): employer/member may complete optional EVV PIP, with satisfactory completion of the EVV PIP resulting in a one-time removal of a strike.
  - The EVV PIP is a form that can be completed online or over the phone that requires the employer/member to answer multiple choice questions, identify obstacles they're experiencing, and develop solutions for those obstacles.
  - Submit EVV PIP to Department before 1<sup>st</sup> of the following month by following the link above or contacting EVV Team, see contact info below.

**Strike 4:**

- Notify employer/member within 7 business days of 4<sup>th</sup> Strike and review EVV purpose and requirements.
- Notice to employer/member about possible termination from CDASS if 5<sup>th</sup> strike occurs.
- Discuss service alternatives with case manager

**Strike 5:**

- Notify employer/member within 7 business days of 5<sup>th</sup> strike.
- Employer/member will be terminated from CDASS within 30 days and will not be eligible to re-enroll in CDASS for 365 days.
  - Case manager will send an LTC-803 Notice of Action to the employer/member and will work with the member to find new services.

## CDASS EVV COMPLIANCE PROTOCOL HIGHLIGHTS

	STRIKE 1	STRIKE 2	STRIKE 3	STRIKE 4	STRIKE 5
Notice to FMS & Member	✓	✓	✓	✓	✓
Required FMS Vendor Training	✓				
Required CDCO Re-training		✓			
Performance Improvement Plan			✓		
Discuss Service Alt. with Case Manager				✓	
Termination from CDASS					✓

By signing below, I \_\_\_\_\_, attest that I have read this CDASS EVV Compliance Protocol and understand the policy in its entirety. I further understand and agree that episodes of EVV non-compliance will follow the established protocol and formal action steps may include, but are not limited to, termination of the employer/member from the CDASS delivery option.

Employer/Member or Authorized Representative Signature:

\_\_\_\_\_

Date: \_\_\_\_\_

If you would like to sign up for free Consumer Direct of Colorado (CDCO) training, call 844-381-4433.

If you have questions about how to properly record EVV or how to use your EVV Solution, please contact your FMS Vendor directly.

If you have questions about EVV requirements, contact the Department at [evv@state.co.us](mailto:evv@state.co.us) or 720-273-6967 to reach Jillian Estes, EVV Policy Advisor.

Additional information can be found on the [Participant Directed Programs Page](#).