

**Bureau of Managed Care
Managed Care Organizations
Policy / Procedures**

General Contract Monitoring

Electronic Visit Verification (EVV): Noncompliance Guidance

In accordance with the SMART Act of 2012, EVV is mandatory for all Individual Providers (IPs) providing services to customers in the Home Services Program (HSP).

HSP staff use the MCO's dedicated LTSS email address for correspondence regarding non-compliance of IPs to use EVV. All Enrollees and IPs are required to comply with the program and paperwork requirements of HSP, including the following:

- Use of the EVV system,
- Proper completion of the HSP timesheet, and
- Management of the IP's hours within the Enrollee's approved service plan.

IPs who do not use the EVV may have a paycheck delay and/or replacement with a different IP or Homemaker Agency.

MCOs must educate and remind Enrollees in this program that the Enrollee is responsible for managing the IP's time and addressing noncompliance. EVV of exact hours worked is mandatory.

When the IP fails to comply with EVV, HSP will notify the MCO. The IP will be given three (3) chances within a six (6)-month period to comply. HSP will notify the MCO each time a non-compliance warning is given, along with an explanation of how it was communicated to the Enrollee. This will be documented in WebCM as well as directly communicated to the MCO.

When a third notice of noncompliance is given, HSP will replace the IP with an agency provider. HSP will notify the MCO through the MCO's LTSS email address. The MCO is responsible for facilitating a change to Homemaker Services when needed.

Additional guidance to meet the requirements:

- **Inheriting a Case with Strikes** – A case may come to an MCO from another MCO or from FFS in which an IP is in the midst of receiving noncompliance warnings for EVV. Existing noncompliance warnings follow the IP. Warnings are not erased because of a change in the Enrollee's health plan. The strikes follow the IP.
- **Terminating the IP after Three (3) Strikes** – There have been instances where MCOs allow for more than three (3) strikes and allow Enrollees to retain the IP. HFS requires the MCOs to comply with the three (3)-strike requirement.

- **Termination Process** – The MCO is responsible for informing an Enrollee that an IP failed to comply with EVV and must be terminated. It is up to the MCO to determine how that information is given to the IP – whether it is the Enrollee who relays this information or the Enrollee and Care Coordinator together. Regardless, the MCO must take action and terminate the IP. The DHS Division of Rehabilitation Services (DRS) tracks EVV, but they are not responsible for informing the IP of termination.
- **Authorizing Homemaker Services** – The MCO has up to fifteen (15) days to notify the Enrollee of the third strike and put a homemaker in place. This change in IP services must be communicated to DRS within that fifteen (15)-day timeframe through either the push file or WebCM. DRS must see zero (0) IP hours on the case.

Policy History
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Date	Action	Policy Originator
April 2018	Contract Clarification	Lauren Tomko

Policy Revisions	Revision Approved
[revision date]	[name of person who approved revision]