CDS and EVV

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CDS and EVV Overview

What is CDS?
Consumer Directed Services (CDS) is a service delivery option offered in Medicaid funded programs. CDS is meant to empower the individual, or that person’s parent or legally authorized representative, to hire their own employees and manage their services while living in their home.

What is EVV?
Electronic Visit Verification, also known as EVV, is a computer-based system that electronically verifies that service visits occur, and documents the following visit data:

- The program provider (FMSA) and the individual providing the service (employee)
- The type of service performed
- The individual receiving the service
- The date and time the service delivery begins and ends
- The location where services are delivered
Where is EVV Coming From?

• The 21st Century Cures Act Section 12006 (Cures Act) is a federal law requiring the use of EVV for all Medicaid personal care services. Texas must implement EVV for personal care services by Jan. 1, 2021.

• HHSC already requires EVV for about 90 percent of Medicaid personal care services. Individuals using the Agency service delivery option currently use EVV. The Cures Act requires states to use EVV for all personal care services to continue to receive federal Medicaid funds.
EVV Timeline

• July 1st, 2020 – Practice Period:
  FMSA’s will begin implementing and working with CDS Employers to begin using the EVV system. This practice period will continue until December 1st. Each FMSA is utilizing this time frame differently. Please discuss with your FMSA key implementation dates, and how they are looking to roll out EVV.

• December 1st, 2020 – Go Live:
  HHSC will start requiring EVV punches after December 1st. This means, if there is not an electronic punch in the EVV system, HHSC will not approve reimbursement of claims submitted after processing payroll. Your FMSA bills for the services paid out in payroll, and with no visit in the system the bill item will reject. This could lead to a disruption in payroll for you and your employees.
## Services Impacted

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**Form 1722**

**Employer's Selection for Electronic Visit Verification Responsibilities**

The Texas Health and Human Services Commission (HHS) requires employers to use Electronic Visit Verification (EVV) for Medicaid personal care services requiring an in-home visit by a service provider, including services delivered through the Consumer Directed Services (CDS) option.

**EVV** is an electronic documentation system used to verify that services have been provided. The EVV system electronically documents the following information for each service visit:

- The type of service provided,
- Name of the person receiving the service,
- Name of the service provider (CDS employer),
- The location, including the address, where the service is provided,
- Date and time the service delivery begins (clock in time),
- Date and time the service delivery ends (clock out time), and
- Other information necessary to ensure the accuracy, integrity, and confidentiality of Medicaid claims.

When a CDS employer provides a service requiring EVV to a person, the employer must clock in to the EVV system when services begin and clock out of the EVV system when services end, using an approved remote verification method. An electronic verification method is the method the employee will use to clock in and clock out of the EVV system. Approved methods include a mobile application, laptop, phone, or alternative device.

The CDS employer is responsible for ensuring that the employee clocks in and clocks out of the EVV system and must ensure the CDS employer uses the EVV system to record service visits. Visit verification is the process for making corrections to clock in and clock out information in the EVV system to accurately reflect the delivery of services. For example, the CDS employer, or their Financial Management Services agency (FMSA), may perform visit verification if an employee clocks in through the EVV system at the beginning of a shift but forgets to clock out at the end of the shift. In this case, the CDS employer or FMSA will add the clock out time and adjust the time worked in the EVV system. All required visit maintenance must be completed before the FMSA submits an EVV claim for payment.

### 1. Name of Person Receiving Services:

#### For FMSA Use Only

#### 2. CDS Employer's Name (if different from the person receiving services)

#### 4. Relation to Person Receiving Services:

The CDS employer acknowledges:

- My FMSA has explained my responsibilities for using EVV.

I understand that I must complete the following required EVV trainings prior to using the EVV system:

- EVV system training conducted by the FMSA, Texas Health and Human Services Commission (HHS), or my area's managed care organization (MCO), if applicable.

I understand that I will not receive access to the EVV system until I have taken the EVV system training.

I understand that I must use the EVV system listed below, chosen by my FMSA.

**EVV Vendor Name:**

**EVV System Name:**

**EVV System Contact Information:**

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**Selection for EVV Visit Maintenance Responsibilities**

I understand that I am always responsible for approving the time my employees have worked. Also, I understand that for a service requiring EVV, I can enter my approval of the time worked in the EVV system or I can request that the FMSA enter the approval of the time worked in the EVV system.

Further, I understand that I must choose to perform visit maintenance in the EVV system, or I can choose to delegate the performance of visit maintenance to my FMSA. If I delegate visit maintenance to my FMSA, I will enter the EVV system my approval of any changes made by the FMSA, as part of visit maintenance or I must have the FMSA confirm in the EVV system my approval of any changes. I choose the following option:

- **Option 1:** I will enter my approval of the time my CDS employee worked in the EVV system and I will perform visit maintenance in the EVV system.
- **Option 2:** I will enter my approval of the time my CDS employee worked in the EVV system, delegate the performance of visit maintenance to the FMSA, after the FMSA completes visit maintenance, I will enter my approval in the EVV system of any changes to time worked made by the FMSA, if necessary, as part of visit maintenance.
- **Option 3:** The FMSA will confirm my approval of the time my CDS employee worked in the EVV system. I delegate the performance of visit maintenance to the FMSA.

I understand that regardless of the option I choose, I must review the EVV system, including reviewing the time worked in the EVV system, and reconcile any CDS employed on how to clock in and clock out of the EVV system.

I understand that the FMSA will review EVV visits to ensure the time worked by a CDS employee is within the hours authorized on the person's service plan and the CDS budget.

I want to have my Designated Representative (DR) assist me with the EVV responsibilities described on this form.

I understand that my DR must take the EVV system training and EVV policy training prior to assisting me with using the EVV system.

I agree to complete a new form if any of the information provided on this form changes or if I elect to choose a different option than that identified above.

I agree that the selections made on this form will become effective on:

**Signature — CDS Employer**

**Signature — Designated Representative (if applicable)**

**Signature — FMSA Representative**
CDS Employer’s Role and Responsibilities

Form 1722 - Option 1:
• Training Employees on how to clock in and out
• Complete required initial and annual CDS Employer EVV training
• Perform visit maintenance in the EVV system
• Approve employees' hours after visit maintenance has been completed

Form 1722 - Option 2:
• Training Employees on how to clock in and out
• Complete required initial and annual CDS Employer EVV training
• Approve employees’ hours after visit maintenance has been completed by the FMSA

Form 1722 - Option 3:
• Training Employees on how to clock in and out
• Complete required initial and annual CDS Employer EVV training
• Required to submit documentation of hours worked within the home in order for FMSA to perform visit maintenance
CDS Employee’s
Role and Responsibilities

Form 1722 - Option 1:
• Complete initial training provided by the CDS employer on how to clock in and out
• Clock in and out using an approved method

Form 1722 - Option 2:
• Complete initial training provided by the CDS employer on how to clock in and out
• Clock in and out using an approved method

Form 1722 - Option 3:
• Complete initial training provided by the CDS employer on how to clock in and out
• Clock in and out using an approved method
FMSA Role and Responsibilities

Option 1:
- Final approval of hours after CDS Employers have submitted and approved service visits in EVV system, and send to the TMHP – Aggregator
- Train CDS Employers on EVV Policy initially and annually.

Option 2:
- Train CDS Employers on EVV Policy initially and annually.
- Perform visit maintenance in the EVV system on behalf of the CDS Employer
- Final approval of hours submitted in EVV system (after service hours/visits are approved by CDS Employer in EVV system), and send to the TMHP – Aggregator

Option 3:
- Train CDS Employers on EVV Policy initially and annually.
- Perform visit maintenance in the EVV system on behalf of the CDS Employer
- Approve employees’ hours after visit maintenance has been completed
- Final approval of hours submitted in EVV system and send to the TMHP - Aggregator
FAQ’s and Questions

• What if my smart phone is not working. How do I clock in and out?
  • We are recommending that all clients request an alternative device. That way employees can clock in and out when they are unable to use a smart phone or land line.

• How does it work for clocking in for different service types?
  • Currently some EVV systems do not allow for the employee to select what service is being performed. The selection of service type happens when the employer is performing visit maintenance. We have submitted a request that allows the employers' employees to select the service that is being performed.
FAQ’s and Questions

• If I am using an alternative device, how often do I need to log the clock in/out codes?
  • You should call this information in every day. This data is retained for only 7 days. If you do not register the data daily, you risk losing a record of your hours.

• Is it the Employer's or Employee's phone that should be used to clock in? If it is the Employer's, how will that work if Employer is away from home while Employee is trying to log in?
  • If the employer has a landline that may be used to clock in/out. The employee may use their own smart phone to clock in/out using the mobile app or they can use their own phone to call in a code produced using the Alternative Device. The employer may also let them use their smart phone to clock in/out using the Vesta mobile app if the Employee does not have a smart phone.
FAQ’s and Questions

• Are separate clock in/outs required for different services? PAS, Respite, etc?
  • Yes, the employee must clock in/out when changing services or clients.

• If a change in Employee's schedule is required, would Employee's hours be locked in, or will there be an option to manipulate them and maintain a flexible work schedule?
  • Yes, the employer or the FMSA performing visit maintenance is able to edit the hours worked for a period of 60 days after the shift was completed. However, hours may not exceed the total authorized by week. Please note if edits are made after payroll has been produced, payment may be delayed.
FAQ’s and Questions

• **Mobile App - Can I clock in and out while my phone does not have a signal or access to the internet?**
  • Yes, the Vesta mobile app will allow you to clock in/out while offline. Once your cell phone registers a signal or access to the internet your punches will sync.

• **I do not have a landline or a smart phone, and I am the CDS employer. Am I able to use my employee’s smart phone in order to approve my employee’s hours?**
  • Yes, you can utilize your employee's smart device or computer that has access to the internet to approve your employee's time. You will have your own username and password to the EVV system. We would recommend using a computer over a smart phone if possible to perform visit maintenance.
FAQ’s and Questions

• Can each employee choose a different way to clock in/out?
  • Yes, each employee can choose a different way to clock in and out. The employee can also use different methods.

• Does this mean no more time sheets?
  • Timesheets are still required until December 2020. If you have done training and we get you set up, it means no more timesheets if you choose option 1 after the testing period between July 1st and November 30th is over. If you choose option 2 or 3, your employees will still have to log in electronically, and you will need to send us a timesheet as well. We are in the process of designing a timesheet for this purpose. It may be necessary for this timesheet to be sent back-and-forth multiple times before it can be finalized. We are still working with HHSC to reach the simplest process which still meets their requirements.
FAQ’s and Questions

• Can funds in the budget be used to purchase a smart phone?
  • Yes, but funds must be allocated to your budget. At present, the limit is $600.00 per program year. HHSC is working on increasing the amount of funds that can be used for equipment and supplies. HHSC has stated they will be allowing the employer to purchase items to help with EVV but have not given a formal list.

• I would like to know when the training will be sent out for the new EVV Clock In / Clock Out format?
  • You will be prompted to go through training when you first log into the EVV user portal.

• When does EVV start? I do not know how to get my employees’ times paid out.
  • July 1st started the official testing period that will run until December 1, 2020. We will begin utilizing EVV before December 1st but are still in the information gathering period. When we are ready to begin, there will be an official notification sent to all clients. Please continue sending timesheets as normal.
FAQ’s and Questions

• How will Holiday and Vacation pay work with EVV?
  • Vacation and Holiday pay are none EVV required services and will need to be communicated on a separate form. EVV has not officially gone live, please continue to submit these types of items on your employees' timesheet. Once EVV usage has begun we will have a new form to communicate and document none EVV services.

• I do not want to use EVV, so I am holding off on sending in the requested paperwork.
  • EVV is not an option any longer for the CDS Option. Please make your selection on Form 1722 and return to your FMSA.

• On Form 1722 what do we put as an effective date?
  • The effective date needs to be the date you sign the form.
FAQ’s and Questions

• I heard if my employee lives in the same household I do not have to participate in EVV.
  • Unfortunately, this is not the case. CMS recommended that a state can exclude members from having to participate in EVV if their employee lives in the same home as the client. Texas HHSC has decided not to adopt this recommendation and all personal care employees must utilize EVV.

• Employer wants to know if Employee can take the training course instead of Employer for EVV?
  • No, the employer or their DR must be the one to take the EVV training. The employer then trains the employee on how to clock in/out.
FAQ’s and Questions

• I have a VoIP internet-based home phone like Magic Jack or Ooma, Is this considered a landline phone?
  • Non-fixed Voice over Internet Protocol (VoIP) are now allowable phone types if the client home phone is not a hard-wired landline.

• The EVV information form requests that Employer select a phone option, and asks for Employee's phone and email. Is the Employee clocking in/out on their phone (landline) or ER's phone?
  • The employee cannot use their own landline phone to clock in/out. They can use their own smart phone to clock in/out using the Vesta mobile app or by calling in a code generated by the Alternative Device on any phone.
FAQ’s and Questions

• Is there a mileage limit for Employees when attending Dr. appts?
  • No, EVV is not limiting any services; it only records the time in and out. Mileage is not subject to EVV. If you have Transportation as a separately authorized service, that time must be recorded on a timesheet. It is not part of EVV at this time.

• Can the Designated Representative sign the EVV documents for the Client if he/she is unable to do so?
  • Yes, the DR can sign the 1722 if the effective date on form 1720 (DR Appointment form) is before the effective date on form 1722 and the form 1720 does not restrict the DR from approving timesheets.

• Is it a problem for the Client and Employee to use same email and phone for the EVV forms?
  • The client and employee cannot use the same email address because each has different access. The employee's email address is used to clock in/out and the client's email is used to verify and approve the time for the employee. If you (the employer) are currently using the employee’s email address, please let us know, and set up an email address for the employer’s use.
Additional Helpful Items, Guides, and Required Training

- PDF EVV Policy Training – must be completed before actively using the EVV system:

- A helpful tip for managing clock in and outs is set a reminder with any smart home device you may have, like a Google or Alexa device to remind your employee to clock in and out if at home.
- Set alarms that are labeled on your smart phone to alert you when an attendant needs to clock in or out.
- Make each employee an EVV card, with the individual’s code and the employee’s EVV code with EVV phone number and app information. This could be kept in the home by the landline or a common area that timesheets were filled out.