

# Know Your Rights

## Electronic Visit Verification FAQ

### What is EVV?

Electronic Visit Verification (EVV) is a way to electronically track in-home visits by providers. It can use phones, tablets, or tools like fingerprint scanners or voice recognition tools.

### Why is Oregon using EVV?

United States law requires EVV. The law says that states have to set up an EVV system for all Medicaid personal care services and home health services that require an in-home visit by a provider. (42 U.S.C. § 1396b(l)(5)) This includes services offered under the “K Plan” (SSA Section 1915(k) Community First Choice state plan option).

States must start using EVV by January 1, 2020, or they will likely see funding cuts.

### How does EVV work?

The law says that EVV systems must electronically verify these things:

1. What type of service was provided
2. Who received the service
3. When and where the service was provided
4. Who provided the service
5. What time the service started and ended

These things must be electronically verified for any services that start or stop in your home.



# Will EVV affect my privacy?

EVV is intended to help protect people who rely on those services from abuse and neglect. EVV is also intended to help strengthen Medicaid-funded services by increasing transparency and accurate reporting.

The Centers for Medicare and Medicaid Services (CMS) have said that GPS can be used to track location. CMS have said that states can require more information and choose which EVV system to use. But, all EVV systems must meet Health Insurance Portability and Accountability Act (HIPAA) privacy standards. (42 U.S.C. § 1396b(l)(2)(a)(iii))

# How is Oregon using EVV?

The Department of Human Services, Office of Developmental Disabilities Services (ODDS) is the first program to start using EVV. Statewide roll-out of EVV is July 16, 2019. Personal Support Workers (PSWs) who provide in-home supports should start using EVV. ODDS expects a “point-in-time” snapshot when a shift begins or ends. ODDS does not intend to track people as they move around the community.

In 2019, the Health Systems Division (HSD) and Aging and People with Disabilities (APD) will start developing an EVV time capture system.

# What is DRO doing about EVV?

DRO has been monitoring the implementation of EVV in Oregon. We understand that for many people, EVV raises privacy concerns. It also brings up practical concerns around how much work Personal Support Workers (PSWs) and consumer-employers have to do, and whether technology is available. We are working with ODDS and other stakeholders on the implementation of an EVV system .

# Where can I learn more about EVV?

CMS guidance on EVV: [bit.ly/hcbsevv](https://bit.ly/hcbsevv)

Frequently Asked Questions: Section 12006 of the 21st Century Cures Act: [bit.ly/curesfaq](https://bit.ly/curesfaq)

ODDS EVV Project (includes information in Spanish, Russian, Vietnamese, and simplified Chinese): [bit.ly/oddsevv](https://bit.ly/oddsevv)

ODDS EVV FAQ for PSWs: [bit.ly/oddsevvfaq](https://bit.ly/oddsevvfaq)

