

DRAFT - NOT FOR FILING

5160-32-02 Electronic visit verification (EVV) data collection.

- (A) The Ohio department of medicaid (ODM) EVV system collects and maintains data for medicaid programs and services subject to participation in the EVV program.
- (B) Data collection method option:
- (1) Application installed on one of the following devices:
 - (a) An electronic device provided by ODM that is available at no cost to the service provider. ODM's contracted entity is responsible for electronic device distribution, collection, and ongoing maintenance activities.
 - (b) A mobile electronic device owned by the service provider or direct care worker.
 - (i) ODM is not responsible for any costs incurred.
 - (ii) Data services connected to the service provider or direct care worker owned device will be used to transmit visit data from the application to the data aggregator in near real time.
 - (iii) The device used with the application will comply with device qualifications found at <https://medicaid.ohio.gov/resources-for-providers/special-programs-and-initiatives/electronic-visit-verification>.
 - (2) Telephony: The use of a phone call to start or end a visit.
 - (3) Manual entry: Manual visit entry is only permissible in the event verification through a device with an application or telephony is not available or appropriate based on the immediate needs of the individual. It is not to be used for routine visit verification.
 - (4) Alternate vendor:
 - (a) ~~Agency~~ providers may utilize an alternate EVV system, as described in rule 5160-32-03 of the Administrative Code.
 - (b) Financial management service vendors contracted with ODM, the Ohio department of aging, the Ohio department of developmental disabilities, or their designees will obtain and maintain certification as an alternate vendor.
- (C) Visit data elements captured in accordance with Section 1093 of the Social Security Act (42 U.S.C. 1396b) include:
- (1) The type of service performed;
 - (2) The individual receiving the service;
 - (3) The date of the service;
 - (4) The location of service delivery;
 - (5) The direct care worker providing the service; and
 - (6) The time the service begins and ends.

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(D) Data aggregator:

- (1) Collects and stores visit data, regardless of method of visit capture.
- (2) Confirms visit data present in the EVV system contains all necessary elements.
- (3) Confirms claims submitted to the payor are supported by the service provider's visit data.

(E) Global positioning system (GPS) functionality of any application or device may be used only upon obtaining the signed consent of the individual receiving the service. Signed consent will be obtained annually, and GPS functionality cannot be activated if consent is not obtained for a respective annual period. The provider will maintain a copy of that signed consent. An individual who has provided consent for GPS functionality may revoke that consent at any time.

(F) The location of service delivery for each visit will be recorded by some other means, such as drop-down menus indicating the location of service in the home or community of the individual.

(G) It is the responsibility of the service provider to ensure accuracy of information entered into the EVV system. Missing visit data or details needing additional action by the service provider will result in a notification to the service provider, otherwise known as an exception.

(H) Claims cannot be substantiated for payment until all exceptions are resolved by the service provider and EVV visit data supports the claim. Unsubstantiated claims may result in denial of payment or post payment review penalty. ODM will communicate with affected service providers at least three months prior to initiating the process of claims denial or post payment review penalty due to EVV as set forth in this paragraph.

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5160-32-03 Alternate electronic visit verification (EVV) vendor.

- (A) An alternate EVV vendor may be used for EVV data collection.
- (B) The state is not responsible for any costs related to the development, approval, testing, and utilization of a qualifying alternate EVV vendor.
- (C) To use an alternate EVV vendor, ~~agency~~ providers should:
 - (1) Notify the Ohio department of medicaid (ODM) or its contracted entity of the intent to seek ODM approval to utilize the selected alternate EVV vendor; and
 - (2) Complete alternate system aggregator training.
- (D) The ~~agency~~ provider is responsible to ensure:
 - (1) The visit data in the aggregator is correct and reflects the visit as it occurred; and
 - (2) Billing is supported by visit data.
- (E) System, technical, and business specifications to become an alternate EVV vendor are published on the ODM website
<https://medicaid.ohio.gov/resources-for-providers/special-programs-and-initiatives/electronic-visit-verification/alternate-system/alternate-system>. Failure to meet the specifications at any time could result in Ohio certification revocation.
- (F) A financial management service vendor contracted with ODM, the Ohio department of aging, and the Ohio department of developmental disabilities will obtain and maintain the alternate EVV vendor certifications.
- (G) ODM may request re-approval of any alternate EVV system at any time.