



Center for Public
Representation

October 24, 2018

CMS EVV Mailbox
EVV@cms.hhs.gov

Re: November 7 Stakeholder Call Feedback

Dear CMS:

We are looking forward to participating in the November 7th Stakeholder Open Door Forum on implementation of Electronic Visit Verification (EVV) systems. We appreciate the opportunity to submit information and questions for CMS' consideration in advance of the call.

The Center for Public Representation (CPR) is a national legal advocacy organization that promotes the full inclusion of people with disabilities in all aspects of life. CPR is a member of the Consortium for Citizens with Disabilities (CCD), and Alison Barkoff, CPR's Director of Advocacy, is a co-chair of CCD's Long-Term Services and Supports (LTSS) Task Force. CCD's LTSS Task Force has had the opportunity to meet with CMS several times about our concerns with EVV and will be submitting comments in advance of the November 7th EVV Stakeholder call. CPR strongly agrees with the specific concerns and requests for additional guidance in CCD's comments. CPR is writing separately to submit some additional questions that we hope CMS will address during the November 7th Forum:

- How will CMS address participant and provider concerns about privacy? What steps will CMS take to ensure that state systems comply with the Health Insurance Patient Portability Act (HIPPA) and other relevant protections? Will CMS help states identify best practices to protect information in the EVV system?
- How will CMS help address concerns about the tracking of individuals as they move through the community because they receive services? CMS has said that states do not have to use GPS. What alternatives to GPS can states use to electronically verify the location of a shift that begins or ends in the community, when the other part of the shift is in-home and thus subject to EVV?
- How will CMS address concerns about the use of EVV in consumer-directed programs and design barriers that can impede the purpose of these programs? What are best practices states should use to preserve flexibility and consumer control in those programs?

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- How will CMS help states maximize opportunities for public input in their respective EVV system design process? What steps will CMS take to review states' public engagement in advance of approving their EVV systems to ensure that it included and considered input from beneficiaries, family caregivers, providers, and other stakeholders, as required in the law?

If you have any questions or would like to discuss these issues further, please contact Alison Barkoff at abarkoff@cpr-us.org or Molly Burgdorf at mburgdorf@cpr-us.org.



Alison Barkoff
Director of Advocacy

Sincerely,



Molly Burgdorf
Senior Policy Attorney