



# **Developmental Disabilities Administration**

## **Self-Directed Services Training Series**

### **Module 12: Electronic Visit Verification**

*Updated October 2024*



# Overview

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- This training module will provide you with an overview of Electronic Visit Verification requirements in self-directed services
- This training is a summary with important information on this topic
- More information and requirements are found in the Medicaid waiver program applications, laws, regulations, guidance and policies
- The most updated information regarding Self-Directed Services is published in the Self-Directed Services policy and manual that can be found on the DDA's website at <https://health.maryland.gov/dda/Pages/sdforms.aspx>

# What is Electronic Visit Verification?

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- Technology that electronically verifies that services are delivered:
  - At the right time
  - In the right place
  - To the right person
- Electronic Visit Verification is required for:
  - Personal Supports
  - Respite Care Services

# The Federal 21st Century Cures Act

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- Signed into Federal Law in December 2016
- Requires that Maryland use Electronic Visit Verification to verify:
  - Type of service performed and person receiving the service
  - Date of the service and location of the service
  - Individual providing the service
  - Time the service begins and ends
- Electronic Visit Verification became required for participants who self-direct on January 1, 2023

## Benefits of Electronic Visit Verification (1 of 2)

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- Helps ensure the participant is receiving authorized services
- Makes employees' activities transparent and measurable
- Improves the quality of services
- Allows participants to view their service information online



## Benefits of Electronic Visit Verification (2 of 2)

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- Makes submitting timesheets and reviewing them easier for employees and employers
- Provides records when employees start and stop working
- Reduces billing and payroll errors
- Helps prevent fraud
- Helps participants be good stewards of public funds



# Electronic Visit Verification Requirements for Self-Direction

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- All direct support professionals who provide Personal Supports, Personal Supports - Enhanced, and Respite Care Services must use Electronic Visit Verification in ***real time***, including:
  - Family members hired as employees
  - Other hired employees
  - Vendors and DDA Providers



## Participant Responsibilities (1 of 2)

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- Electronic Visit Verification is carried out using the Electronic Visit Verification system of the participant's chosen Financial Management and Counseling Services provider:
  - Phone / tablet application

## Participant Responsibilities (2 of 2)

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- Participants, as the employer, must make sure that all Personal Supports, Personal Supports-Enhanced, and Respite Care Services employees, vendors, and DDA Providers use the Electronic Visit Verification system of their Financial Management and Counseling Services provider

# Financial Management and Counseling Services Provider Support

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- Each Financial Management and Counseling Services provider has a different Electronic Visit Verification system to support the participants they serve
- The Financial Management and Counseling Services provider will work with participants to ensure all employees, vendors, and DDA Providers:
  - Have a way to log into the Electronic Visit Verification system
  - Know how to use the system

# Service Modifications

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- A “Service Modification” occurs any time a service needs to be manually entered, edited, or voided in the Financial Management and Counseling Services billing system:
  - A modification can be submitted as a new service, as an edit to an existing service, or as an edit to a service with an associated claim
  - If a direct support professional is unable to clock in or out of a shift, they may manually enter the time or edit it after the shift is over
  - This edit is called a Missing Time Request

# Missing Time Requests (1 of 2)

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- A Missing Time Request modification can be submitted as:
  - A new service
  - An edit to an existing service
  - An edit to a service with an associated claim
- All service modifications must reflect the EXACT date, time and reason for the modification
- If a direct support professional does not use the Financial Management and Counseling Services provider's Electronic Visit Verification system to clock-in or clock-out for their shift, they must submit a Missing Time Request by manual entry

## Missing Time Requests (2 of 2)

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- A Missing Time Request manual entry is when a direct support professional, the participant, or designated representative on the participant's behalf, edits the clock-in or clock-out time for a direct support professional after their shift has been completed

## Example Missing Time Request

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- A Personal Support direct support professional works from 8am - 4pm on Monday
- The employee forgot to clock-in when they arrived at work, and clocked-in at 9am when they remembered
- The employee clocks-out at 4pm (ending their shift)
- The employee later edits the clock-in time to 8am, when the employee began working

## Electronic Visit Verification Non-compliance (1 of 3)

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- Missing Time Requests for Personal Supports, Personal Supports-Enhanced, and Respite Care Services that do not meet the Electronic Visit Verification requirements are considered non-compliant
- The Department allows each direct support professional up to 6 unexcused Missing Time Requests per month



## Electronic Visit Verification Non-compliance (2 of 3)

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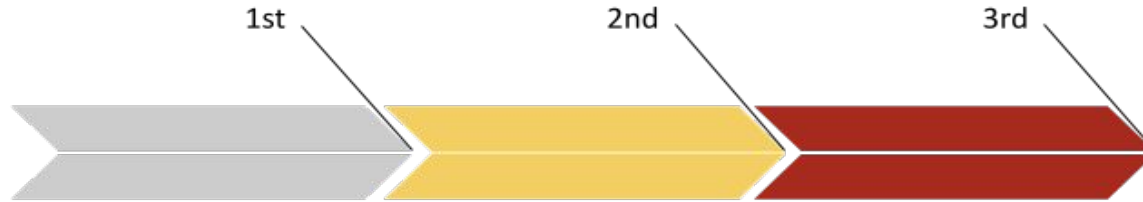
- Unexcused time edits/changes are counted for each missed time entry. For example:
  - Missed Clock-in = 1 Missing Time Request,
  - Missed Clock-Out = 1 Missing Time Request,
  - Missed Clock-in and Missed Clock-out = 2 Missing Time Requests

## Electronic Visit Verification Non-compliance (3 of 3)

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- An occurrence of non-compliance happens when a direct support professional has more than 6 unexcused Missing Time Requests in one month
- Corrective action takes place when a participant has an occurrence of non-compliance

# Electronic Visit Verification Non Compliance Corrective Actions



## First Occurrence

- Email and non compliance letter
- Web-based training required

## Second Occurrence

- Email and non compliance letter
- Call from FMCS
- Online or in-person training required

## Third Occurrence

- Email and non compliance letter
- Plan of Correction Required

Consistent Electronic Visit Verification non-compliance can result in removal from the Self-Directed Services model

## Plan of Correction (1 of 2)

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- If the participant is non-compliant with Electronic Visit Verification for a third month, a Plan of Correction is required
- Within 7 days of receiving the third Occurrence notice from the Financial Management and Counseling Services provider, the Coordinator of Community Services will call a team meeting to develop the Plan of Correction

## Plan of Correction (2 of 2)

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- **The Plan of Correction must:**
  - Be written by the participant, legal guardian, and any other team member the participant chooses
  - Include action steps, timelines, and monitoring plans to make sure Direct Support Professionals are in compliance

# Writing the Plan of Correction

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## The Plan of Correction must include:

- A list of all employees who have more than 6 Missing Time Requests in any month, leading to the notice of non-compliance
- A plan for training employees who have more than 6 Missing Time Requests in the previous month
- Personnel actions (as applicable) for employees

## Considering Personnel Actions

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Participants, as the employer of record, can consider personnel actions such as:

- Giving raises to employees who demonstrate improvement with using the Electronic Visit Verification system
- Putting employees who are not correctly using the Electronic Visit Verification system on unpaid leave
- Terminating employees who are not correctly using the Electronic Visit Verification system

# Electronic Visit Verification Exceptions

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- The Department will support cultural and religious exceptions regarding the use of technology:
  - The employer should alert the Financial Management and Counseling Services provider of the specific cultural/religious exception. Example: Saturdays from sun up to sun down, the use of technology is prohibited.
  - The Missing Time Requests submitted should note the exception
- MDH also allows participants to request an Electronic Visit Verification Exception for Live-In Caregivers



## Live-in Caregiver Exception to Electronic Visit Verification (1 of 2)

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- A live-in caregiver is an individual who lives with and provides paid direct care supports to a participant
- Participants interested in seeking an Electronic Visit Verification exemption must inform their Coordinator of Community Services

## Live-in Caregiver Exception to Electronic Visit Verification (2 of 2)

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- The Coordinator of Community Services will work with the participant and team to submit
  - The DDA Electronic Visit Verification Live-In Caregiver Exemption Request
  - Attestation Form
  - 2 residency verification documents
- These requests are reviewed by the DDA's Electronic Visit Verification team; approvals are made for up to one year

## Resources

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- [Self-Directed Services Comprehensive Policy](#)
- [Self-Directed Services Manual](#)
- [DDA's Electronic Visit Verification Webpage](#)
- [Electronic Visit Verification Live-In Caregiver Request Form](#)

## Summary (1 of 3)

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- The Federal 21st Century Cures Act requires Electronic Visit Verification
- Electronic Visit Verification is the technology that verifies that services are delivered at the right time, in the right place, to the right person
- Electronic Visit Verification is required for Personal Supports, Personal Supports-Enhanced, and Respite Care Services
- Helps ensure the participant is receiving authorized services

## Summary (2 of 3)

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- Missing Time Requests are when a direct support professional does not clock in or out in real time and must enter the time later:
  - Electronic Visit Verification Compliance = 6 or fewer total Missing Time Requests per direct support professional per month
  - Electronic Visit Verification Non-compliance = a direct support professional with 7 or more Missing Time Requests in a month

## Summary (3 of 3)

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- Corrective actions are required for non-compliance
- Consistent Electronic Visit Verification non-compliance could result in removal from the Self-Directed Services model