

Policy Transmittal Developmental Disabilities Services



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Number:
Issue date:

Topic: Developmental Disabilities

Due date: March 24, 2022

Transmitting (check the box that best applies):

- New policy
 Policy change
 Policy clarification
 Executive letter
 Administrative Rule
 Manual update
 Other:

Applies to (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging: {Select type} | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Aging and People with Disabilities | <input checked="" type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input checked="" type="checkbox"/> ODDS Children's Intensive In Home Services |
| <input checked="" type="checkbox"/> County DD program managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input checked="" type="checkbox"/> Support Service Brokerage Directors | <input type="checkbox"/> Other (please specify): OHCC, SEIU 503 |
| <input type="checkbox"/> ODDS Children's Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

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|-------------------------------|--|-------------------------|--------------------------|
| Policy/rule title: | Electronic Visit Verification (EVV) requirements for Personal Support Workers | | |
| Policy/rule number(s): | APD-AR-19-041; OAR 411-375-0010(13); 411-375-0040(3)(c); 411-375-0070(5)(p) | Release number: | AR: 9/13/19; OAR 11/1/19 |
| Effective date: | | Expiration date: | TBD |
| References: | OAR 411-375; Collective Bargaining Agreement PSW/HCW | | |
| Web address: | https://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/Pages/ODDS-Rules.aspx ; https://www.oregon.gov/dhs/SENIORS-DISABILITIES/HCC/PSW-HCW/Pages/Collective-Bargaining.aspx | | |

Discussion/interpretation:

ODDS will begin addressing the use of Electronic Visit Verification (EVV) by Personal Support Workers (PSWs) to assure compliance with federal and state requirements. PSWs who have approved EVV exceptions on their provider profile page in eXPRS will not be impacted. Timelines, processes, and any requested actions to Case Management Entities (CME) will be outlined in future communications.

Electronic Visit Verification (EVV)

States are required to demonstrate EVV compliance to the federal Centers for Medicare and Medicaid Services (CMS). Exceptions to EVV may only be granted as indicated in the [Collective Bargaining Agreement \(CBA\)](#) for PSWs and [\(OAR\) 411-375-0040\(3\)\(c\)](#). Current utilization indicates that there are PSWs who are not in compliance and do not have an approved exception.

Notification

A text message alert will be sent to all PSWs in March 2022 to remind them of the EVV mandate and encourage compliance with OAR 411-375-0040(3)(c). ODDS will identify any PSWs who remain non-compliant no sooner than May 1, 2022. Those identified will be issued ODDS Notice of Intent to deactivate and terminate their provider number and enrollment per OAR 411-375-0070(5)(p), which includes the right to request an Administrative Hearing.

PSW's residing with the individual supported are required to use EVV including legal representatives/PSW.

Technology Access Exceptions

PSWs who do not have access to a smart phone or tablet qualify for a technology access exception.

Language Barrier Exceptions

PSW's with exceptions due to language barrier are to complete EVV training if available in their language and comply with the EVV mandate. Language exceptions will only be granted if training is unavailable to the PSW in their language. The CME may make request for translation of EVV training materials into additional languages by sending an email request to: info.exprs@dhsosha.state.or.us with the subject line, "Request for EVV training translation".

An Information Memorandum will be posted to inform CME's when training materials are translated and available.

EVV training is currently available in Spanish, Russian, Chinese, Vietnamese, and Somali.

To access EVV training:

1. login to eXPRS
2. Click on “help” at the top of the page
3. select “PSW”,
4. then select “PSW training videos”
5. click on the language of choice

Training/communication plan:

This transmittal will be discussed during the next Monthly Transmittal Review. Please send questions in advance to ODDS.Questions@dhsosha.state.or.us

The Monthly Transmittal Reviews are held the second Wednesday of every month at 2 pm using the Zoom platform. Please register in advance for these meetings: <https://www.zoomgov.com/meeting/register/vJlsc-qvqD8iGURx5OQk8TAdIS6Arg9ZAf4>

After registering, you will receive a confirmation email containing an appointment and information about joining the meeting. American Sign Language (ASL) and live captioning will be provided. To request other accommodations or languages, please send an email to ODDS.Questions@dhsosha.state.or.us at least three business days prior to the meeting.

Local/branch action required: None

Central office action required: None

Field/stakeholder review: Yes No

If yes, reviewed by: Engagement and Innovations page

Filing instructions: Distribute March 24, 2022

If you have any questions about this policy, contact:

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