



New York State Electronic Visit Verification (EVV) Medicaid Program Fiscal Intermediary (FI) Attestation Instructions

EVV Attestation

The New York State Department of Health (NYSDOH) has selected the Choice Model for implementing Electronic Visit Verification (EVV). The Choice model allows providers to select and use their own EVV system so that they are able to choose a system that best meets the needs of their business and the needs of the consumers they serve. As part of the Choice Model implementation, NYSDOH must ensure that providers have met and continue to meet the program guidelines and requirements for training users on how to use the provider's EVV system, and that providers understand their obligations to submit EVV data to NYSDOH.

To accomplish this, NYSDOH is requiring an annual attestation be completed by Providers and Fiscal Intermediaries (FIs) who are subject to EVV. The attestation requires Providers and FIs to acknowledge that they:

- Are in compliance with and will continue to comply with the 21st Century Cures Act
- Are complying with NYSDOH EVV Requirements
- Have provided and will continue to provide Caregivers and EVV Submitters training on the EVV system they have chosen
- Understand their obligations for submitting data to the Medicaid Management Information System, also known as eMedNY
- Understand they need to maintain records and documentation for EVV Live-in caregivers, and
- Are aware they may be subject to NYS OMIG audits and/or NYSDOH compliance reviews

To learn more about EVV Program policies, please review the [EVV Program Guidelines and Requirements document](#).

Please note, if the Provider or FI does not bill Medicaid directly, but they employ the staff who provide EVV applicable Medicaid services, they must enroll in eMedNY, implement an EVV system and sign the EVV Attestation.

NEXT STEPS:

For FIs currently enrolled with eMedNY, they must electronically complete and sign the EVV Attestation found on the [eMedNY EVV page](#). Please note, the Provisional Temporary Enrollment and the EVV Attestation are two separate and distinct processes to be completed.

The eMedNY enrollment portal is open for FIs not enrolled who need to sign the EVV Attestation and submit EVV data. Once eMedNY enrollment is processed and approved, FIs will need to sign an electronic copy of the attestation on the [eMedNY EVV page](#). Once the electronic version is submitted, it will become the FI's annual renewal begin date.



**Department
of Health**

**Office of
Health Insurance
Programs**

While the enrollment application is being processed for approval, FIs must complete and sign a paper Attestation and send it as a PDF to the NYSDOH via the EVVHelp@health.ny.gov mailbox.

A copy of the Attestation can be found in the [EVV Program Guidelines and Requirements document](#) Appendix A.

Providers and FIs that fail to timely comply with these obligations are at risk for their claims for services being denied and/or the issuance of an overpayment demand letter followed by recoupment procedures. Providers may be also subject to penalties.

FOR MORE INFORMATION:

Visit the [EVV Website](#)

Contact our email: EVVHelp@health.ny.gov

To be notified of upcoming collaboration opportunities, please be sure to subscribe to the NYS EVV Listserv at listserv@listserv.health.state.ny.us. Please be sure to include the following in the body of your email sign-up request: SUBSCRIBE EVV-L YourFirstName YourLastName