



## **Texas Health and Human Services Commission Electronic Visit Verification Rights and Responsibilities (Managed Care Organization - MCO)**

Texas requires attendants who deliver certain Medicaid services to use Electronic Visit Verification. The EVV system makes sure your approved services are provided to you.

### **Section I - Your Rights**

- Your private information may only be shared in specific situations that follow state and federal guidelines and regulations.
- You don't have to let your attendant use your home telephone.
- You can ask for an Interdisciplinary meeting or Service Plan Team Meeting with your health plan's service coordinator about concerns using EVV.
- You have the right to make a complaint, voice grievances or recommend changes in policy or service. No one can treat you differently because you made a complaint. No one can stop you from making a complaint.

How to file a complaint:

- **By calling:**  
866-566-8989. People who are deaf, hard of hearing or speech impaired can call any HHSC office by using the toll-free Texas Relay service at: 7-1-1 or 800-735-2989.
- **On the internet :** <https://hhs.texas.gov/about-hhs/your-rights/hhs-ombudsman-managed-care-help> Online Submission form (only works with Internet Explorer)
- **By mail:**  
Texas Health and Human Services Commission  
Office of the Ombudsman, MC H-700  
P.O. Box 13247  
Austin, TX 78711-3247
- **By fax:**  
888-780-8099 (Toll-Free)

### **Section II - Your Responsibilities**

- You must allow your attendant to use EVV to clock-in and clock-out in one of the following ways:
  - EVV mobile method
  - EVV alternative device
  - Your home landline telephone
- Your attendant can't use your personal cell phone to clock-in or clock-out.
- You must tell your provider agency if your attendant asks you to clock-in or clock-out of the EVV system for them.
- If you use an EVV alternative device that is placed in your home, it must remain in your home at all times.

You must tell your provider agency or your MCO Service Coordinator immediately if:



- The EVV alternative device has been removed from your home or damaged;
- You think someone has tampered with the EVV alternative device; or
- If a zip tie was used to install the device has been cut, damaged or broken.

You must return the EVV alternative device to your provider agency when you aren't receiving Medicaid services any more. You can ask the agency to remove the device from your home.

### **Section III - Frequently Asked Questions (FAQ)**

#### **Do I have to participate in EVV?**

Yes, if you get services that require EVV. You must allow your attendant to clock-in when they begin and clock-out when they end services using one of the acceptable methods. EVV is required for certain home and community based services, such as Personal Attendant Services, Protective Supervision, Personal Care Services, In-home Respite, Flexible Family Support and Community First Choice.

If you choose Consumer Directed Services or the Service Responsibility Option, you don't have to use EVV until Jan. 1, 2020.

#### **How do attendants clock-in and clock-out?**

Attendants must use one of the following to clock-in and clock-out:

- The attendant's smart phone using an EVV mobile method
- An EVV alternative device
- Your home landline telephone (but only with your permission)

You aren't allowed to clock-in or clock-out of the EVV system for the attendant for any reason. If you clock-in or clock-out for your attendant, a Medicaid fraud referral may be made to the Office of Inspector General, which may end up affecting your ability to get services.

#### **What if I don't have a home landline telephone or I don't want my attendant to use my home landline?**

If you don't have a home landline telephone, or don't want your attendant to use your home landline phone, tell this to your attendant or nurse as soon as possible.

The following are two options available other than your home landline that your attendant may use to clock-in and clock-out.

##### **Option 1**

Your provider agency may order an EVV alternative device. The device may be placed or installed by using the EVV vendor zip tie in your home. It must be in an area where your attendant can reach it. Once installed, the device must remain in your home at all times. A Medicaid fraud referral may be made to OIG if the device isn't in your home at all times while you are receiving Medicaid services. A fraud referral may end up affecting your ability to get services.

##### **Option 2**

Your attendant may use their smart phone with an EVV mobile method.

**CDS/SRO:** Also, remember if you choose Consumer Directed Services option or the Service Responsibility Option, the EVV requirements don't apply until Jan. 1, 2020. Under these two programs, attendants may use the CDS employer's cell phone to clock in and out of the EVV system.



**Can I receive services in the community with EVV?**

Yes. EVV doesn't change the location for where you get services. You can get services in accordance with your service plan and the existing program rules, at home and in the community.

**Who do I contact with questions or concerns?**

Please contact your provider agency representative or health plan's service coordinator if you have any questions or concerns.

For more information on EVV, please visit our website at <https://www.hhs.texas.gov/node/2639>

**Section IV - Acknowledge Statement**

I certify:

- ☐ I have read and understand my rights and responsibilities for EVV.
- ☐ I was given an oral explanation of this form and given a copy.

Failure to follow your responsibilities may result in a Medicaid fraud referral or your services may be denied, suspended or terminated.

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Signature - Individual or Legally Authorized Representative

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Date

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Signature - Family Member or Caregiver optional

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Date

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Signature – MCO Service Coordinators

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Date