



December 19, 2022

To: New Mexico Personal Care Service Provider Agencies

From: New Mexico Centennial Care Managed Care Organizations

Re: Electronic Visit Verification Implementation for Respite Services

Section 12006 of the Cures Act Part (a) requires states to implement an Electronic Visit Verification (EVV) system for Respite Services by January 1, 2023. The CPT codes affected by this requirement are 99509 U1, T1002 U1 (RN), and T1003 U1 (LPN). The two RN and LPN codes are provided under provider type 363 who have an approved specialty code of 180.

*\*\*\*PLEASE NOTE that if your agency does not bill for any of these services codes, disregard this new EVV requirement and continue to use EVV for your existing community benefit services and codes\*\*\**

The Cures Act requires EVV systems to monitor the delivery and utilization of Respite Services and provide verification of:

- Type of service performed
- Individual receiving the service
- Date of the service
- Location of the service delivery
- Individual providing the service
- Time the service begins and ends

New Mexico Human Services Department (HSD) has submitted a formal Good Faith Effort extension request to Centers for Medicare and Medicaid Services (CMS) in order to postpone the January 1, 2023 go-live date for this EVV requirement in New Mexico. If approved by CMS, the MCOs will notify all affected agencies with the new go-live date.

All agencies providing respite under the three codes mentioned must begin using the AuthentiCare® EVV system by the go-live date that will be provided. The options for access and criteria for each are listed below:

1. **Member’s home phone/landline** – To participate in the program on a statewide basis, members and/or guardians must allow caregivers to use their home phone/landline phone if one is available in the home. If a member refuses to allow the caregiver to use their home phone/landline, the caregiver may use their own personal smartphone as described below.
2. **Caregiver’s Smartphone with Stipend** –Each MCO will provide a stipend to the provider agency to create an incentive for respite caregivers to utilize their personal smartphone and existing data plan. The entire stipend must be paid to the respite caregiver and the agency may not retain any of it. All stipend payments made by the MCOs are inclusive of gross receipts tax (GRT).
3. **Tablets** – The option to order a tablet will become available as the implementation comes near for those respite caregivers that do not have access to a personal smartphone or a member’s home phone/landline.

Such services are funded in part with the State of New Mexico

### **Billing for the Caregiver Smartphone Stipend**

Agencies may not bill an MCO more than one stipend per caregiver, per month. The entire stipend must be passed through to the caregiver and the agency is not allowed to retain any portion of it.

The MCOs will allow provider agencies and caregivers 30 days to transition to the use of smartphones with the AuthentiCare® application. However, agencies may not submit for the stipend reimbursement unless the caregiver has used their personal smartphone for at least two weeks prior to the submission of the request for reimbursement.

Some unique billing scenarios include:

- If a member has more than one caregiver and both caregivers utilize their smartphone, agencies may bill for a stipend payment for each caregiver.
- Agencies may only submit a single stipend payment if the caregiver utilizing their smartphone provides services for more than one member and at least two of the members are enrolled with the same MCO.
- Agencies may submit a stipend to each MCO if a caregiver utilizing their smartphone provides services for more than one member and the members are enrolled with multiple MCOs. However, agencies should submit for reimbursement using the code G9006 with a U2 modifier. In these instances, each MCO will pay 50 percent of the total stipend amount. Please see example below.

### **Stipend Billing Example**

For a reference on how to bill for the stipend, please review the stipend billing example below:

- G9006 U1 – caregiver will receive the full stipend amount set by the MCO.
- G9006 U2 – caregiver will receive 50 percent of the stipend amount from each MCO. In unique circumstances there may be caregivers that provide services to members enrolled with three or more MCOs. In these circumstances, you may submit 50 percent reimbursement from each MCO.

### **Need more information or would like to contribute input?**

Please reach out to your representatives listed below from any of the MCOs with whom you are contracted.

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