



COMMISSIONER
Chris Traylor

August 5, 2010

Delivered via electronic mail

To: All Interested Stakeholders

As noted in the July 27, 2010 stakeholder meeting regarding the Electronic Visit Verification (EVV) initiative, the Department of Aging and Disability Services (DADS) is in the process of drafting and amending rules to mandate the implementation of EVV for services provided in multiple DADS programs. Specifically, these rule changes will allow DADS to require the implementation of EVV technology for:

- community attendant service (CAS) as described in Texas Administrative Code (TAC) §47.3(3);
- personal assistance services and in-home respite in the Community Based Alternatives (CBA) Program;
- residential habilitation and in-home respite in Community Living Assistance and Support Services (CLASS);
- personal assistance services and residential habilitation in the Consolidated Waiver Program (CWP) relating to nursing facility level-of-care;
- residential habilitation and in-home respite in the CWP relating to ICF/MR;
- residential habilitation and in-home respite in Deaf-Blind with Multiple Disabilities (DBMD);
- Family Care Services (FC) as described in TAC §47.3(11);
- in-home respite and adjunct services in Medically Dependent Children Program (MDCP); and
- Primary Home Care (PHC) as described in TAC §47.3(20).

This mandate would also require implementation of EVV in the Consumer Directed Services (CDS) option for the aforementioned programs.

Because the EVV initiative is in its formative stages and spans multiple programs, DADS is proposing the development of a new Texas Administrative Code (TAC) chapter that contains broad language mandating the use of EVV. DADS is proposing that this new rule be contained in TAC, Title 40, Part I Chapter 68. Additionally, DADS has drafted amendments to TAC, Title 40, Part I Chapter 41, relating to the Consumer Directed Services Option.

The draft rules are attached for your review. Please submit written comments in a separate document via electronic mail to DADS Center for Program Coordination at CPC@dads.state.tx.us no later than close of business on August 18, 2010. For each comment made, please remember to cite the applicable section, subsection and paragraph. *For example: In 68.1(b)... (plus comment).*

If you have any questions regarding the review process or the draft rules, please contact Calvin Green, CPC Planning and Reporting Unit Manager at 512-438-3765 or Wes Yeager, CPC Director at 512-438-4296.

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Sincerely,

/S/

Jon Weizenbaum
Deputy Commissioner
Department of Aging & Disability Services

attachments

cjg