

The Texas Health and Human Services Commission (HHSC) is phasing out the use of alternative devices as an HHSC-approved method for service providers and CDS employees to clock in and clock out. HHSC developed the phase out schedule that will be effective January 1, 2025. Also, effective January 1, 2025, HHSC will require proprietary system operators (PSOs) and EVV proprietary system vendors to comply with certain alternative device policies currently applicable only to program providers and FMSAs who use the state provided EVV system. HHSC will amend the Business Rules effective January 1, 2025, to require that all PSOs have a mobile method for service providers and CDS employees to use to clock in and clock out as well as any updates necessary due to the new PSO and EVV proprietary system vendor requirements.

**Phase Out of Alternative Devices**

Beginning January 1, 2025, all program providers and FMSAs, regardless of the type of EVV system they use, will be subject to a limit on the total number of visit transactions captured by an alternative device. They must reduce the number of visit transactions captured by an alternative device by 25% each of the phase out years until they reach 0% on January 1, 2028.

The schedule for the phase out of alternative devices is listed in the table below:

<b>Calendar Year</b>	<b>Begin Date</b>	<b>End Date</b>	<b>Allowable percent of transactions per NPI</b>
<b>2025</b>	1/1/2025	12/31/2025	75%
<b>2026</b>	1/1/2026	12/31/2026	50%
<b>2027</b>	1/1/2027	12/31/2027	25%
<b>2028</b>	1/1/2028	Forward	0%

The phase out of alternative devices will modernize the EVV clock in and clock out methods to focus on the landline and mobile application. These methods provide greater assurance for HHSC, TMHP, program providers and FMSAs that members are receiving their authorized services in their home or other authorized location.

**Expiration of device codes**

The current policy regarding the expiration date of codes from the alternative device applies only to program providers and FMSAs that use the state provided EVV system. Effective January 1, 2025, codes from the alternative device must be entered within seven days of the date of the EVV visit or the codes expire, regardless of the type of EVV system they use (the state provided EVV system or an EVV proprietary system.) This will ensure service providers and CDS employees are entering the visit information in a timely manner.

### **Criteria for Assigning Alternative Devices**

Current policy states that program providers and FMSAs that use the state provided EVV system may only assign alternative devices to members that meet the required criteria; this policy does not apply to program providers and FMSAs that use an EVV proprietary system. Beginning January 1, 2025, the criteria will be removed from the policy and program providers, FMSAs or PSOs, regardless of the type of EVV system they use (the state provided EVV system or an EVV proprietary system), may assign an alternative device to a member, but they must ensure a maximum of 75% of their visits are recorded by an alternative device.

### **Installing Alternative Devices, Malfunctioning Alternative Devices and Return of Alternative Devices**

This is a reminder that the current policies regarding the installation and return of alternative devices, and when an alternative device malfunctions, apply to all program providers, FMSAs or CDS employers, regardless of the type of EVV system they use (the state provided EVV system or an EVV proprietary system).

### **Seeking Public Comment**

HHSC is publishing the proposed policy so that all interested parties may provide comment prior to final implementation of the policy. Please email comments on the proposed policy to EVV Operations at [EVV@hhs.texas.gov](mailto:EVV@hhs.texas.gov) with "Comments on EVV Alternative Device Phase-out Schedule" as the subject of the email. The period for public comments ends at **5:00 p.m. May 15, 2024**.