

Electronic visit verification (EVV) live-in caregiver policy

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Legal authority	Public Law 114-255 (PDF)	
Definition	Electronic visit verification (EVV): An electronic system used to record data about the delivery of in-home or community-based services where people receive support with activities of daily living (ADLs) and/or instrumental activities of daily living (IADLs). Minnesota must implement EVV for all Medicaid personal care services and home health services that require an in-home visit by a direct support worker.	
Overview	Live-in caregivers are exempt from some EVV requirements, according to federal guidance. Live-in caregivers must enter the following required information into the EVV system at least once per day: <ul style="list-style-type: none"> • Type of service performed. • Person who received the service. • Date of the service. • Location of the service delivery. • Person who provided the service. • When the service begins and ends. DHS does not require live-in caregivers to interact in real time with the EVV system. However, provider agencies can choose to require live-in caregivers to interact in real time.	
Eligibility	A live-in caregiver is a caregiver who resides in the same residence as the person receiving services, either permanently or for an extended time period. They live, work and sleep in the same home as the person to whom they provide services.	
Documentation of live-in caregiver status	Provider agencies must collect and maintain documentation of live-in caregiver status. Documentation must show the caregiver's name and current residential address matching the person receiving services. Provider agencies must collect documentation of live-in caregiver status and review it on at least an annual basis (e.g., during each new authorization period). Types of documentation provider agencies may collect to verify live-in caregiver status include: <ul style="list-style-type: none"> • Current Minnesota driver's license or ID card. • Residential lease. • Tax statement. • At least two consecutive months of utility bills. The caregiver and person receiving services establish their live-in relationship, and the provider agency collects and maintains documentation to prove it. The caregiver could be considered a live-in caregiver for one person and also be a non-live-in caregiver for another person.	
Process and procedure	The exception for live-in caregivers only applies to the real-time collection of EVV data. All other EVV requirements are the same. Provider agencies and financial management service (FMS) providers must use their chosen EVV system to have the live-in caregiver record the time they worked and type of service they provided each day. Live-in caregivers do not need to clock in and clock out of the EVV system in real time. The method to clock in and clock out may vary by EVV system. Provider agencies and FMS providers must consult with their EVV vendor on how to use the system with live-in caregivers. Live-in caregivers must	

	<p>enter all entries and shifts into the EVV system on daily basis. Provider agencies that choose to use the live-in caregiver exception must have a way to identify the type of service the live-in caregiver provided and the hours they worked for each shift in the EVV system. This identification may be done with a tag or other identifier.</p>
Additional resources	<p>DHS – EVV CBSM – EVV CBSM – EVV compliance policy CBSM – EVV device usage policy CBSM – EVV verification methods policy CMS Informational Bulletin for Live-in Caregivers: Aug. 8, 2019 (PDF)</p>