

TOUCH OF CLASS – CDS EVV GENERAL INFORMATION & EVV POLICIES

Touch of Class CDS Clients will soon be required to use Electronic Visit Verification (EVV) for submission of time for CDS Employee Payroll for specific services required by the 21st Century Cures Act. EVV is replacing timesheets as the only approved method for submitting time to payroll for EVV required services.

Please see the Touch of Class CDS EVV Information & FAQ for answers to frequently asked questions and a glossary of related acronyms. This document can be found on our website at:

https://TouchOfClass.net/Forms/CDS_EVV_Information_&FAQ.pdf

IMPORTANT: Upon going live with EVV, Touch of Class will be using our website exclusively for communication of changes and policies regarding the Touch of Class CDS services. It is the responsibility of the CDS Clients, Legally Authorized Representatives, and/or Designated Reps (DR) to monitor the website for changes in program policies and adhere to those policies. No other form of communication will be used for notification of changes in this area.

The following is a list of policies related to CDS EVV with Touch of Class as the FMSA.

CDS EVV Policies

- The use of EVV is required by federal law in the 21st Century Cures Act. For further information about the 21st Century Cures Act and how it relates to Texas HHSC, please refer to the Texas HHSC website or the links in the EVV Information & FAQ document referenced above.
- EVV is required for PAS, HAB, and Respite type services provided through Medicare or Medicaid. There are no other approved methods for submitting payroll time for these services. Services other than PAS, HAB, or Respite must continue to use the current method of reporting time along with any required documentation.
- Visits not recorded using EVV or not approved through the EVV system will not be processed for payroll by Touch of Class. (No other form of time submission is approved for these services including timesheets, phone calls, email, fax, etc.)
- The CDS Client or Legally Authorized Representative (LAR) is the legal employer for the employees that work for them. The client or LAR is legally responsible for paying employees for the work they perform. Touch of Class, as the FMSA, is limited to processing payroll for CDS Clients only if approved methods for time submission are used and within the limits of budgetary restraints. If payroll cannot be processed because EVV was not used or not properly used, or if the CDS budget for the client has been depleted, Touch of Class will not process payroll and employees can file a wage claim against the employer. Touch of Class is in no way responsible for payroll outside of budget limits or payroll time not submitted using approved methods. It is very important to ensure your employees are using EVV properly and that visit maintenance and time approval is performed accordingly.

TOUCH OF CLASS – CDS EVV GENERAL INFORMATION & EVV POLICIES

- It is the Client or Legally Authorized Representative's (LAR) responsibility to notify Touch of Class using the Touch of Class [CDS General Communications - Change of Information Form](#) (available on our website) of any change in information for the client or employees working for the client. This includes, but is not limited to, information such as change in employment status, change of address, or other information including Cell Phone Numbers for the Employees using the Mobile App method for Clock In / Clock Out.
- Touch of Class recommends using the Mobile App for EVV as much as possible since this is the most flexible and easy to use EVV method.
- Schedules are not required for CDS EVV and will not be used by Touch of Class for CDS Clients and Employees.
- CDS Clients, Legally Authorized Representative, and/or Designated Reps (DR) must complete EVV Policy Training annually as outlined by HHSC and provide Touch of Class with the Certificate upon completion of the training. Failure to comply will result in removal of all access from Vesta Visit Maintenance and EVV Time approval resulting in a disruption of payroll processing services.
- CDS Clients, Legally Authorized Representatives, and/or EVV Designated Reps (DR) are responsible for completing and tracking their own Vesta EVV training and ensuring that their employees are properly trained in the use of the system.
- CDS Clients, Legally Authorized Representative, and/or Designated Reps (DR) must follow any HHSC or MCO defined policies for EVV including, but not limited to, policies related to training and policies related to the use of Reason Codes when performing EVV Maintenance.
- Touch of Class is responsible for specific data that is entered into the Vesta EVV system. This includes data related to the Client, Employee, and Service Authorizations. Any question or problem related to the Vesta EVV system itself that is not data related must be directed to Vesta EVV Customer Support. Touch of Class has no responsibility or control over the Vesta EVV System functionality, availability, or operation and will not be able support the use of the Vesta EVV system other than the data related to Clients, Employees, and Authorizations for services.
- All Visit Maintenance and time approval must be completed by the close of business (4:00 pm) on the Tuesday following the end of a pay period with no exceptions. Any time approved or submitted after that time will be processed during the next payroll cycle. The client, Legally Authorized Representative, and/or Designated Reps (DR) is responsible for keeping track of time for their employees, knowing the pay period dates, and ensuring that time is submitted on the proper schedule. Any visit maintenance performed after the cutoff time will be processed during the next pay cycle. This will mean a minimum additional 2-week delay in the employee receiving their pay for any time submitted after the cutoff. Payroll cycle dates can be found on the Touch of Class CDS Calendar available for download in the CDS Info area of our website. (Direct download link here: https://www.touchofclass.net/Forms/2020_TOC_CDS_Calendar.pdf).
- The person responsible for Visit Maintenance is also responsible for ensuring the proper service is selected for the time submitted (PAS, HAB, Respite, Protective Services, etc.). Improper selection of services could cause payroll and budget issues later in the budget period or result in payroll not being processed for these services due to budgetary constraints.

TOUCH OF CLASS – CDS EVV GENERAL INFORMATION & EVV POLICIES

- Touch of Class will only provide payroll services for clients with a current authorization for services issued by the payer (HHSC or MCO). A lapse in services may be experienced if the payer does not issue an authorization for continuing services before a prior authorization expires.
- Touch of Class will not continue services for clients that lose Medicaid eligibility. It is the responsibility of the Client or Legally Authorized Representative to ensure continued Medicaid eligibility.
- Any person performing Visit Maintenance cannot be an employee for the client. An employee cannot be responsible for making changes to or approving time. Setting up an employee to perform visit maintenance and approval for time would be viewed as fraud and must be reported by Touch of Class.
- If there are multiple clients in the home, employees must clock in and out for each client with no overlap in time.
- If there are multiple services provided for a single client, the employee must clock in and out for each service provided (PAS, HAB, Respite, Protective Services, etc.)
- Clients that have not given consent to receiving communications by email from Touch of Class will be responsible for monitoring the Touch of Class website for any new information and updates to rules and policies that may pertain to them. No other form of communications will be provided. The Client or Legally Authorized Representative (LAR) is solely responsible for keeping themselves informed on current information and policies posted to the Touch of Class website or located on the HHSC website.
- If the person performing visit maintenance becomes aware of any mistake or issue regarding payroll after the visit maintenance has been done, approved and sent to Touch of Class, it is up to the Visit Maintenance person to contact TOC and to work with their employees and/or Touch of Class to get the issue resolved.
- Attendants may use any combination of the three approved methods for EVV Clock In/Clock Out Calls. Land Line (Home phone for the Client), Alternative Device, and Mobile App. See FAQ document referenced at the top of this document for further details.
- Land Line phones can only be of the type approved by the State of Texas (HHSC) for use with EVV. It is the Client's responsibility to ensure their phone line type is approved. See FAQ document referenced at the top of this document for further details.
- Once the client's budget has been depleted, payroll will not be processed by Touch of Class. The client, as the legal employer for the employee, will be fully and legally responsible for payroll that is over budget limits.
- Bonuses must be set aside in the initial budget process and are accrued based on HHSC guidelines. Bonus amounts cannot exceed the amounts set aside in the client budget. Bonus requests require 2-week lead times before they will be processed and paid.
- It is highly recommended that visit maintenance be performed daily. This will make it easier to manage issues while the information is recent and fresh in the client and employee's memories. Working with problems two weeks later can be time consuming and troublesome if the client or employee has problems recalling the details for a specific work date.

TOUCH OF CLASS – CDS EVV GENERAL INFORMATION & EVV POLICIES

- EVV usage including the use of reason codes will be monitored regularly by Touch of Class. Any improper use of reason codes affecting the Touch of Class EVV usage scores will be handled in the following manner:
 - The Client or Legally Authorized Representative (LAR) will be notified with actions to correct the problem.
 - Continued improper EVV usage will result in a review for further action.
- Any recoupment of billing funds by the payer (HHSC or the MCO) for improper use of EVV will be passed back through to the client by withholding of payroll funds.

If you have any questions or concerns regarding these policies or the Touch of Class CDS program in general, please contact the Touch of Class CDS Department via email or fax at the following address / fax number.

Email: TOCCDS@CHHTexas.com

Fax Number: (800) 268-0927