

**Yolo County Office of Education  
1280 Santa Anita Court, Suite 100  
Woodland CA 95776**

**LEC Advisory Committee Meeting Minutes  
August 1, 2013**

**LEC Coordinator/Representative Attendees:**

Sharon Battaglia, Sonoma County Office of Education - Region 1  
Merilee Johnson, Glenn County Office of Education – Region 2  
Marjorie Rollins, Sutter County Superintendent of Schools, **Co-Chair** - Region 3  
Michelle Cowart, Contra Costa County Office of Education – Region 4  
Monica Morgan, Santa Cruz County Office of Education - Region 5  
Janice Holden, Stanislaus County Office of Education – Region 6  
Susan Ellyson, Madera County Office of Education - Region 7  
Ken Gragg, Kern County Superintendent of Schools - Region 8  
Margaret Roux, Kern County Superintendent of Schools - Region 8  
Annette Jewell, Orange County Department of Education, **Co-Chair** - Region 9  
Jennifer Alvarado, San Bernardino County Superintendent of Schools - Region 10  
Chris Cox, San Bernardino County Superintendent of Schools - Region 10  
Octavio Castelo, Los Angeles County Office of Education - Region 11  
Phillip Downing, Los Angeles County Office of Education - Region 11

**Other Attendees:**

Jennifer Brooks, Department of Health Care Services (DHCS)  
Carolyn Cain-Smith, Department of Health Care Services (DHCS)  
Janice DiCroce, LGA Co-Chair  
Lynda Lindsay, LGA Co-Chair  
Cathy Bennett, Sacramento City Unified School District  
Andrea Coleman, Los Angeles Unified School District  
Sherry Purcell, Los Angeles Unified School District

**Absent:**

## **1.0 Introductions**

Each individual stated his/her name and agency affiliation.

## **2.0 Additions to the Agenda**

Posting of LEC Advisory Committee meeting minutes (Item 6.14)

## **3.0 Approval of Minutes**

The June 6, 2013 LEC Advisory Committee meeting minutes were approved.

## **4.0 Department of Health Care Services (DHCS) and Co-Chairs Report**

### **4.0 Staffing**

- Jennifer Brooks, Acting Division Chief, Safety Net Financing Division will be taking the lead to resolve the following three MAA Program issues
  - Interim claiming plan 2013/14
  - Deferral process/deferral release
  - New SMAA implementation plan.
- A new DHCS School-based MAA Analyst (Daniel Miller) was hired. Chief Carolyn Cain-Smith reported that she was in the process of filling one additional vacant analyst position. DHCS would also fill a position to provide assistance to Branch Chief Geri Baucom. This position would not be exclusively for SMAA.

### **4.1 2013/2014 Interim Claiming**

- Acting Division Chief Jennifer Brooks reported that as of today, the program remained under deferral with no interim claiming in place.
- DHCS reported that they would be meeting this afternoon (8/1/13) with the MAA Program federal oversight agency CMS (Centers for Medicare & Medicaid Services). During this meeting, DHCS would request approval for interim claiming in 2013/14; as well as the deferral release of some MAA invoices.

### **4.2 CMS Deferral Certification Process**

#### **4.2.1 Reasonableness Test**

- DHCS reported that internal staff with specific statistical knowledge would develop a “reasonableness” test for use by DHCS and CMS in the deferral clearance process.
- A committee member reminded DHCS of the urgency in clearing the MAA deferrals and how the lack of MAA reimbursements might lead to layoffs within claiming units and within LECs.
- Acting Division Chief Jennifer Brooks stated that it was her first priority to get an interim claim process in place for 2013/14 and she understands the urgency of clearing the deferrals. She reported that DHCS hoped that during the upcoming meeting/discussion with CMS, a conceptual agreement could be reached with the details to be hammered out at a later date.

### **4.3 Implementation Plan - Update**

- DHCS reported that they would be developing a new SMAA implementation plan with the goal of securing CMS approval by 2014/15. The new plan would not include worker log methodology. It would be RMTS (Random Moment Time Study) methodology only.

- A committee member asked DHCS if the State would be working with the LEC Advisory Committee as they developed the new SMAA implementation plan. Chief Carolyn Cain-Smith responded that DHCS intends to reach out to the LEC Advisory Committee for feedback through the LEC Co-Chairs.
- A committee member asked for clarification from DHCS regarding reaching out to LECs through the LEC Co-Chairs, when LECs are independent and each LEC holds a contract with DHCS. Chief Carolyn Cain-Smith stated that (because of their contractual relationship) DHCS requires LEC/LGA input and satisfaction with the new implementation plan.
- Sherry Purcell asked DHCS if LEAs would be involved in providing DHCS with input regarding the new implementation plan. Chief Carolyn Cain-Smith responded that at this time (due to the scope of the project), the State did not want the plan to be reviewed by all LEAs and would limit input to the LECs and LGAs.
- A committee member reminded DHCS that a LEC subcommittee was in place dedicated to RMTS (Random Moment Time Study) implementation. The LEC RMTS subcommittee would remain available and willing to coordinate efforts with DHCS.

#### **4.4 CMS Financial Management Review (FMR) Report – Update**

##### **4.4.1 DHCS Response to FMR Report**

- After receiving the “draft” CMS FMR report, DHCS was given 30 days to respond. DHCS met the deadline and responded to CMS. DHCS reported that they were waiting to hear back from CMS on the final FMR report.
- A committee member asked if DHCS would share their response to the FMR draft report (that was sent to CMS). Chief Carolyn Cain-Smith stated that she was awaiting supervisory approval regarding sharing the information.

##### **4.4.2 Final CMS FMR Report**

Chief Carolyn Cain-Smith stated that DHCS would request a status update on the FMR from CMS today.

#### **4.5 OIG (Office of Inspector General) - Update**

- DHCS reported that there was no information from OIG regarding the Chino Valley Unified School District audit. The planned completion date of the “draft” audit report was 6/30/13 and OIG committed to providing a final report (of findings) by 9/30/13. Chief Carolyn Cain-Smith stated that DHCS would request a status update from OIG on the Chino Valley USD audit.
- DHCS was notified by OIG that additional claiming units would be selected for review. At this time DHCS does not know which LECs/claiming units will be selected for review. Once OIG notifies DHCS of a selected claiming unit, DHCS will notify the responsible LEC.

#### **4.6 SMAA Program Fact Sheet on DHCS Website**

- DHCS developed a fact sheet about MAA Program issues to provide updated and accurate information to LEAs. The fact sheet is under review by the DHCS Deputy and the State Information Technology Department is preparing a link to the fact sheet from the DHCS website. Once in place, the fact sheet link will be updated by DHCS on a regular basis.

#### **4.7 Community College - Update**

- Acting Division Chief Jennifer Brooks stated that DHCS was consulting with CMS regarding community college participation in the MAA Program. DHCS would provide an update at the next LEC Advisory Committee meeting.
- A committee member asked DHCS if they were aware that some LECs do not feel it is appropriate for community colleges to participate in the MAA Program. Chief Carolyn Cain-Smith replied that DHCS was aware of this and that no decision has been made regarding community college participation.
- A committee member asked if a decision had been made regarding the participation of general education teachers in the MAA Program. Chief Carolyn Cain-Smith replied that certain job classifications would be identified in the new implementation plan.

#### **4.8 Catalog of Federal Domestic Assistance (CFDA) 93.778 - Language for Contracts**

- On May 17, 2013, DHCS issued PPL (Policy & Procedure Letter) 13-004 regarding new contract language to be incorporated into all (DHCS) contracts. LECs/LGAs must include the new contract language in all contracts or agreements with their sub recipients and vendors effective July 1, 2013.
- The new contract language was included in the recently renewed DHCS contracts with Regional LECs 2, 3, and 10, as well as San Francisco City and Imperial County LGAs.
- DHCS is preparing contract amendments for all other LECs/LGAs. Chief Carolyn Cain-Smith advised LECs/LGAs not to amend their contracts (with participating claiming units) until DHCS provides a fully executed contract or amendment to the LEC/LGA.

#### **4.9 SMAA/LEA Workgroup**

See discussion in item #4.3

#### **4.10 Branch Chief Report**

- Acting Division Chief Jennifer Brooks had no additional items for discussion.
- Chief Carolyn Cain-Smith requested that LECs/LGAs notify her of any delayed MAA invoices due to the departure (from California) of vendor Accelify.
- A committee member extended an invitation to the State to consider attending the NAME (National Alliance for Medicaid in Education) Conference in October via the newly established Anyisia Drumheller Scholarship. Committee members discussed the value of the NAME conference and the importance of State representation.

#### **5.0 Review of June 6, 2013 LEC Advisory Committee Meeting Items**

No discussion

#### **6.0 LEC Advisory Committee Business**

##### **6.1 2013/14 Interim Claiming**

- The committee discussed the inclusion of DHCS staff member Jennifer Brooks to assist in resolving the three current MAA Program issues (interim claiming, deferral process, and the new implementation plan). The committee further

discussed that both central and regional CMS units were now involved in the process.

- The committee discussed training requirements in the event that the 2013/14 interim claiming is approved by CMS. The committee also discussed the possibility of a training requirement waiver similar to what was issued by DHCS in 2008. LEC Co-Chair Margie Rollins stated that (acting as a regional coordinator) she provided DHCS staff with a copy of the 2008 training requirement waiver (PPL 08-016).

## **6.2 CMS Deferral Certification Process**

### **6.2.1 DHCS Implementation Plan**

- The LEC Advisory Committee discussed the development of a “reasonableness” test by DHCS for use in the deferral certification process. The data previously provided by the LECs/LGAs apparently would not be used, as DHCS would be relying on an internal staff member to develop a statistically valid test.
- Committee member Octavio Castelo stated that he would be meeting with DHCS tomorrow, and part of this meeting would include discussing the reasonableness test developed by LACOE. He hoped that his system could be used by the State to assist in clearing the deferrals.
- LEC Co-Chair Annette Jewell stated that in the Co-Chair meeting, Acting Division Chief Jennifer Brooks mentioned that DHCS planned to develop a supplement to the statistical test, so that if a claiming unit was above a certain percentage, other factors could/would be considered.

## **6.3 Implementation Plan**

- The LEC Advisory Committee discussed preparing for a single time survey methodology (RMTS) now that DHCS indicated that would be their direction as they start fresh in developing a new implementation plan.
- A committee member stated that DHCS must start fresh because their original plan was a revision of the current manual to include RMTS, and was not a stand-alone plan. In contrast, the plan developed by the LEC RMTS subcommittee was a stand-alone plan.
- The committee discussed the importance of revisiting the work of the LEC RMTS subcommittee and continuing to offer assistance to DHCS as the State develops the new implementation plan.

## **6.4 CMS Financial Management Review (FMR) Report**

### **6.4.1 DHCS Response to FRM Report**

See item #4.4.1

### **6.4.2 Final CMS FMR Report**

See item #4.4.2

## **6.5 OIG (Office of Inspector General)**

See item #4.5

## **6.6 SMAA Update on DHCS Website**

The SMAA factsheet should be posted on the DHCS website by next Friday.

**6.7 Community College**

See item #4.7

**6.8 Catalog of Federal Domestic Assistance (CFDA) 93.778**

See item #4.8

**6.9 SMAA/LEA Workgroup**

- The SMAA LEA workgroup comprised of the LEC Co-Chairs, LGA Co-Chairs, Ad-Hoc Workgroup Co-Chairs and Hellan Dowden met on July 22, 2013. Geri Baucom and Jennifer Brooks from DHCS and Erika Hughes from CDE joined by conference call.
- During the meeting, there was discussion about school districts not being informed about the status of the MAA Program.
- Ad-Hoc Workgroup Co-Chair Sherry Purcell stated that information about MAA Program status is not reaching the LEAs. She further stated that Hellan Dowden works with many LEAs through her affiliation with the Healthy Kids Program and Hellan's general feeling was that there was a lack of uniform information being sent out to LEAs.
- The LEC Advisory Committee discussed the lack of (MAA Program status) information available from the State (DHCS) and how the DHCS website fact sheet would help provide information to LEAs. The committee further discussed how each region communicated with LEAs, sharing MAA Program information as it became available.
- A committee member mentioned that the "common message" sent out by the California County Superintendents Educational Services Association (CCSESA) Business & Administration Steering Committee (BASC) was another avenue being utilized to inform county business officials of MAA Program status.

**6.10 Branch Chief Report**

See item #4.10

**6.11 NAME (National Alliance for Medicaid in Education) Conference**

- The (2013/14) annual NAME conference will be held in Grand Rapids Michigan from October 8 through October 12, 2013.
- Committee members that plan to attend the NAME conference include representatives from regions 1, 2, 6, 9, 10 and 11. Regions 3, 4 and 5 have not yet received travel approval and regions 7 and 8 will not be attending the conference.

**6.12 Approval of 2013/14 DHCS SMAA Budget**

- The LEC Advisory Committee discussed the 2013/14 DHCS SMAA budget.
- The 2009/10 LEC revenues would be used to determine the allocated share of the DHCS SMAA budget.

**6.13 LEC Lunch Fund**

LEC Co-Chair Margie Rollins reported that the LEC lunch fund was current. A handout was provided showing the budget, expenses, and fund balance.

**6.14 Posting of LEC Advisory Committee Meeting Minutes**

The committee discussed when (LEC Advisory Committee) meeting minutes should be posted to websites and/or distributed to LEAs. The committee agreed that the minutes should not be posted (or distributed) until they were “approved” by the LEC Advisory Committee (at the next regularly scheduled meeting). The date of approval would be denoted in the footer of the minutes (bottom left hand corner).

**7.0 Business and Administration Steering Committee (BASC) Report**

**7.1 CCSESA Update**

CCSESA representatives Peter Birdsall and Sandra Morales along with County Superintendents Bill Cornelius and Tom Changnon requested a meeting with Toby Douglass (Director, Department of Health Care Services) to discuss the MAA Program issues.

**8.0 LEA Medi-Cal Billing Option Ad-Hoc Workgroup Report**

No report. The Ad-Hoc Workgroup meeting will be on 8/7/13.

**9.0 LGA Report**

- County-based MAA (CMAA) participants began their new time survey process on 7/1/13. LGA Co-Chair Janice DiCroce stated that the LGAs are working through the process. In addition, the LGA Co-Chairs anticipate that participation in CMAA would be lower than it was previously, as many claiming units would now be required to complete a “perpetual” time survey form.
- The LGA Co-Chairs and their consultant will be meeting with DHCS next week to begin discussing back-casting requirements relative to 09/10, 11/12, and 12/13 CMAA claims.

**10.0 Adjourn Regular Session**

**The next LEC Advisory Committee Meeting will be on  
Thursday October 3, 2013 @ YOLO COE**