

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

**LEC Advisory Committee Meeting Minutes
August 9, 2012**

LEC Coordinator/Representative Attendees:

Greg Englar, Sonoma County Office of Education - Region 1
Margaret Parisio, 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
Margaret Roux, Kern County Superintendent of Schools - Region 8
Annette Jewell, Orange County Department of Education, **Co-Chair** - Region 9
Julian Weaver, San Bernardino County Superintendent of Schools - Region 10
Octavio Castelo, Los Angeles County Office of Education - Region 11

Other Attendees:

Geri Baucom, Department of Health Care Services (DHCS)
Robert Lucia, Department of Health Care Services (DHCS)
Andrew Smith, Department of Health Care Services (DHCS)
Tony Teresi Department of Health Care Services (DHCS)
Janice DiCroce, LGA Co-Chair
Lynda Lindsay, LGA Co-Chair
Laura Baynham, Mendocino County Office of Education
Sheri Coburn, San Joaquin County Office of Education

Absent:

Merilee Johnson, Glenn County Office of Education – Region 2
Ken Gragg, Kern County Superintendent of Schools - Region 8

1.0 Introductions

Each individual stated his/her name and agency affiliation.

2.0 Additions to the Agenda

Implementation of Electronic Signatures (item #6.12)

3.0 Approval of Minutes

The June 7, 2012 LEC Advisory Committee Meeting Minutes were approved.

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

4.0 Staffing

Four positions were recently filled in the Administrative Claiming, Local and School Services Branch. Carolyn Cain-Smith is the new SMAA Chief. The additional filled positions include a person in TCM, Resource Administration, and a School-based Office Technician. There are 5 vacant Analyst positions (1 in SMAA, 2 in TCM, and 2 in Administration Support).

4.1 Analyst Assignments

An updated DHCS Analyst assignment list will be sent to all LECs/LGAs.

4.1.1 Quarterly Update Reports

Quarterly invoice status reports will be sent to LECs the first month after the beginning of each quarter and it will be a year-to-date report.

4.2 New SMAA Contracts

4.2.1 Outstanding Contracts

All contracts have been executed except for Orange County Department of Education which is in process.

4.3 Status of DHCS Desk/Site Reviews

4.3.1 Update on LEC documentation provided to DHCS for Review

DHCS requested time survey copies and supporting documentation from some regions for review (2010/11, all quarters). DHCS Analysts are reviewing this information and they do not have a completion date at this time. Branch Chief Geri Baucom stated that DHCS staff had to shift their focus because of the CMS (Centers for Medicare & Medicaid Services) review and subsequent deferral notification.

4.4 General Education Teachers – DHCS Criteria Report

DHCS Analysts will continue reviewing data provided by LECs as they decide whether or not general education teachers may claim MAA activities and/or whether or not parameters need to be in place for general education teacher participants. This analysis will be incorporated into the draft State implementation plan (which is due to CMS by 9/30/12).

4.5 Community College

4.5.1 CPE (Certified Public Expenditure)

DHCS Analyst Tony Teresi met with the State Legal Department and provided them with a copy of the LGA letter regarding Community Colleges, and a letter from the College Chancellor's office. The State Legal Department will review this information and research the CPE issue. DHCS expects that a legal opinion as far as what can fund CPE will be provided by the State Legal Department by the end of August.

4.5.2 Health Center Fees

DHCS will address this issue at a future date.

4.6 CMS Deferral Certification Process

- DHCS is developing a certification process that should be ready by the end of next week. DHCS Analysts are preparing spreadsheets by LEC/LGA listing claiming units in deferral, beginning with the December CMS 64 report.
- Once a claiming unit completes the certification process for one quarter (of the deferral period), all quarters in deferral will be cleared.
- DHCS will have a process in place to track claiming units as they complete the certification process and are cleared.
- Direct charge claiming units will not be included in the deferral and will continue to receive reimbursements.
- A LEC Committee member asked what would happen if a claiming unit certified their invoice, but the LEC did not agree with the certification and the LEC did not sign off – would the claiming unit be allowed to send the certification directly to DHCS for approval? Branch Chief Geri Baucom stated that DHCS will not certify the invoice unless both the claiming unit and the LEC certify the invoice.
- A LEC Committee member asked what would happen if (as part of the certification process), a claiming unit revised an invoice and owed money back as a result of the revision, but the claiming unit does not have the money to pay back to the State? Branch Chief Geri Baucom stated that DHCS will address these circumstances if/when they happen.
- A LEC Committee member asked DHCS if a claiming unit is not certified by the LEC, will DHCS go after the district to retrieve funding already paid. Branch Chief Geri Baucom nodded in affirmation.

4.6.1 Warrants dated 7/20/12 Received (from DHCS)

- Some MAA reimbursements were already in the State Accounting Department before DHCS was notified by CMS of the deferral. This resulted in MAA reimbursements being issued on 7/20/12 (in error). The State Accounting Department is now aware of the MAA deferral and no more checks will be mailed in error.
- A LEC Committee member asked if LECs are holding reimbursement dollars pending completion of the deferral process.

4.7 OIG (Office of Inspector General)

OIG has notified the Region 8 LEC that they will be visiting the Santa Barbara COE claiming unit on September 17, 2012. No reason was given as to why Santa Barbara COE was selected and it is not known if OIG will be visiting other claiming units within the state.

4.8 Random Moment Time Study (RMTS) Updates

4.8.1 DHCS Key Components to be included in all RMTS Plans

- DHCS had planned to have a draft RMTS plan ready by the end of August. However, now that CMS is requiring a new State implementation plan, RMTS will become a part of that plan. Initially several RMTS plans were submitted to DHCS and Analyst Tonya Corral took pieces/components from a variety of plans to develop a shell. Analyst Robert Lucia went further in developing the shell into a State-wide plan and then DHCS was told by CMS that a new implementation plan would be required as a result of the CMS Financial Management Review (FMR).
- A LEC Committee member asked DHCS what part of the “LEC” RMTS plan was not acceptable to DHCS? Branch Chief Geri Baucom responded that DHCS is not in a position to make RMTS mandatory. It is the State’s intention to allow worker log and RMTS methodology, allowing the methodology to be determined at the local level. It is not known that CMS will approve both methodologies, but the plan is to incorporate LAUSD’s approved RMTS plan and a worker log into the new implementation plan.
- If after reviewing the draft implementation plan, CMS sees major changes they may require program changes to begin October 1, 2012. Otherwise there may be too much difference between the interim plan and the new plan which would result in major revisions/back casting/adjustments. If CMS does not see major changes, then we operate under the interim plan for the remainder of 2012/13 or until a new implementation plan is approved.
- LEC Committee members expressed concern about continued use of the worker log methodology if CMS has expressed concerns about worker log validity. Also, past OIG audits (in other States) resulted in discontinuance of the worker log and implementation of RMTS methodology. Branch Chief Baucom replied that she has heard from many (SMAA Program) stakeholders that RMTS does not work for all school districts. Therefore, the State would prefer that the decision to use RMTS methodology be a local decision.
- A LEC Committee member asked about annual training requirements, given the fact that the program may change in October. Branch Chief Baucom stated that the annual training requirements for MAA participants remain the same. If the only adjustment is the code15/16 issue, then re-training will not be necessary. If CMS identifies additional adjustments, a back casting methodology will be put in place and everything will be adjusted with a new plan in place as we move forward. We will not know if additional program adjustments will be necessary until the first draft of the implementation plan is submitted to CMS.

4.8.2 SMAA RMTS Committee

DHCS has a deadline to submit a draft implementation plan to CMS by September 30, 2012. DHCS will form a committee with LECS and LGAs to review the draft before submitting it to CMS.

4.9 Branch Chief Report

Branch Chief Geri Baucom stated that all 2011/12 host contracts have been approved for a 3-year period. DHCS is in the process of identifying unpaid 2011/12

expenditures and will invoice LECs/LGAs. Beginning in 2012/13, DHCS will invoice the LECs/LGAs on a quarterly basis.

5.0 Review of June 7, 2012 LEC Advisory Committee Meeting Items

No discussion

6.0 LEC Advisory Committee Business

6.1 Analyst Assignments

6.1.1 Quarterly Update Reports

Quarterly invoice status reports will be provided by DHCS at the end of the first month following the end of a quarter. DHCS will provide the LECs/LGAs with an Analyst assignment listing showing which DHCS Analysts are assigned to which LEC/LGA.

6.2 New SMAA Contracts

See item #4.2

6.3 Status of DHCS Desk/Site Reviews

See item #4.3

6.4 General Education Teachers – DHCS Criteria

See item #4.4

6.5 Community College

6.5.1 CPE (Certified Public Expenditure)

The CPE issue is now with the State legal department and when a decision is issued, it will apply to all State programs (not just School-based MAA). A LEC Committee member stated that Policy & Procedure Letter (PPL) 12-003 issued by DHCS regarding Community Colleges using an Indirect Cost Rate of 10% does not address State Universities.

6.5.2 Health Care Center Fees

See item #4.5.2

6.6 CMS Deferral Certification Process

- The LEC Committee discussed the CMS deferral and what we might expect to see in the certification process. CMS concerns appear to center around MAA participants planning MAA activities for the time survey week, so it would make sense that the certification would address this issue.
- The Committee discussed who would be involved in signing a deferral certification at the local level (participants, LEA MAA Coordinator, CBO, or Superintendent). Most likely a person with “signatory authority” within the claiming unit would be required to sign the deferral certification form.
- The Committee discussed that Code 15 can now only be claimed by MAA Coordinators. A Committee member asked about multiple MAA Coordinators within a claiming unit. The amount of time being claimed and the size of the claiming unit would dictate what would be a reasonable amount of time claimed in Code 15 by multiple site MAA Coordinators.

6.7 **OIG (Office of Inspector General)**

A LEC Committee member commented about the selection of Santa Barbara COE by the Office of Inspector General. Committee members speculated that OIG may want to visit the claiming unit that was cleared by CMS to see how things should operate before they develop a scope of work.

6.8 **Random Moment Time Study (RMTS) Updates**

See item #4.8

6.9 **Branch Chief Report**

See item #4.9

6.10 **Bylaws Potential Amendments**

Legal counsel in Region 8 reviewed the LEC Bylaws, and suggested some minor changes. The Committee Name (LEC Advisory Committee) was clarified. The LEC Committee voted to approve changes to the Medi-Cal Administrative Activities LEC Advisory Committee By-laws. Changes were made to the following areas:

- Name of committee changed throughout the bylaws
- Article I, Section 2(d)
- Article II, Section 3
- Article VI, Section 2(b)

Other proposed changes will be discussed (by the LEC Advisory Committee) at a later date.

6.11 **LEC Lunch Fund**

New lunch fund invoices will be sent out to all regions soon.

6.12 **Electronic Signatures**

Committee members shared whether or not they are moving forward with implementing E-signatures this year. Region 1 is trying out E-signatures for the time survey participants, but requiring a “wet” blue ink signature from the participants’ supervisor (which will be kept in the MAA audit binder). Region 9 has one district that may begin using E-signatures this year.

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

Nothing to report

8.0 **Invoice News**

Nothing to report

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

- There will be a DHCS LEA Billing Option Webinar on 9/19/12.
- The 2010/11 CRCS (Cost & Reimbursement Comparison Schedule) is due (to the State) November 30th.
- The 2011/12 AR and the 2012/13 PPA are due (to the State) on October 10th (extended due date to November 30th).

- The Data Use Agreement is due (to the State) 11/30. The Data Use Agreement is for LEA Billing only (not MAA) and deals with Medi-Cal eligibility verbiage for secure data transmissions.
- The 2006/07 CRCS audit is complete. A&I (Audits & Investigations) provided an update on letters sent out relative to the 06/07 CRCS forms. Auditors have reviewed 70% of the 07/08 CRCS forms and they will be conducting site visits relative to the 08/09 CRCS submissions. A LEC Committee member asked when DHCS would be releasing the amounts that districts are required to pay back based on the CRCS form submission. Janice Holden stated that each district is notified of what amount is owed, but DHCS will not be (publicly) releasing data identifying districts and dollar amounts owed.
- The 2009/10 CRCS form is the only CRCS form that may be re-submitted to the State by the LEA.

10.0 LGA Report

- The LGAs are awaiting time survey methodology approval from CMS.
- A LEC Committee member asked the LGA Co-Chairs if vendors are involved in County-based MAA. Janice DiCroce responded in the affirmative.
- Co-Chair Margie Rollins asked for clarification on the recent PPL (12-014) about LGA Reimbursement. Janice DiCroce stated that the LGAs pay the State (DHCS), and they pay their Consultant (Patrick Sutton). In addition, the LGAs provide stipends for their Executive Committee (mainly to cover travel expenses).
- The LEC Committee discussed the possibility of forming a LEC/LGA workgroup to keep everyone on the same page regarding School-based MAA. Information sharing would be valuable as various LEAs move from LEC to LGA and vice versa.

11.0 Adjourn

**The next LEC Advisory Committee Meeting will be on
Thursday October 4, 2012 @ YOLO COE**