

LEC Advisory Committee Meeting Minutes

Thursday, December 3, 2015
Meeting Time: 10:00 a.m. to 2:15 p.m.

Yolo County Office of Education
1280 Santa Anita Court
Woodland, California 95776-6127
Phone: (530) 668-6700

LEC Coordinator/Representative Attendees:

Sharon Battaglia, Sonoma County Office of Education, **Co-Chair** – Region 1
Randy Jones, Glenn County Office of Education – Region 2
Marjorie Rollins, Sutter County Superintendent of Schools – 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
Margaret Roux, Kern County Superintendent of Schools – Region 8
Rosalee Hormuth, Orange County Department of Education – Region 9
Andrea Tennyson, San Bernardino County Superintendent of Schools – Region 10
Octavio Castelo, Los Angeles County Office of Education, **Co-Chair** – Region 11

Other Attendees:

Tony Teresi, Department of Health Care Services (DHCS)
Stacy Fox, Department of Health Care Services (DHCS)
Janice DiCroce, San Diego LGA

Absent:

Susan Ellyson, Madera County Office of Education – Region 7
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

DHCS was asked to address Free Care under Item 4.1.1 Updated SMAA Manual.
Item 4.9 DHCS Appeals Board was also added to the agenda.

3.0 Approval of Minutes

Suggested changes to the minutes from the December 3, 2015 LEC Advisory Committee meeting were discussed. The Committee decided to hold the approval of the minutes until the meeting on February 4, 2016 once the revised minutes could be reviewed by all committee members.

4.0 Department of Health Care Services (DHCS) Report

4.1 RMTS Implementation

4.1.1 Updated SMAA Manual – Status (What is expected submission date to CMS? Effective date? July 1, 2015 is preferred. How will 2014/15 Q3 RMTS Invoice be affected? Currently due to DHCS on June 30, 2016.)

- Chief Tony Teresi stated that the updated SMAA Manual would be submitted to CMS once DHCS internal review is complete. DHCS will be posting the updated SMAA Manual to the DHCS website for a final round of comments. Posting will include track changes and a spreadsheet that lists all comments received and if whether or not that comment was used or not. The spreadsheet will also provide an explanation of why some comments were not used.
- Most comments were clarifying specific definitions/terms. DHCS also received a few comments from CDE regarding 504 Plans, third party liability and the Free Care principle.
- Chief Tony Teresi stated that DHCS made changes to Free Care portion of Section 4 to bring the manual in line with the CMS issued letter.
- Chief Tony Teresi stated that the effective date of the manual will depend on what CMS is willing to approve. He believes that a January 1, 2015 effective date would be more in line with the transition to RMTS for California but CMS may only agree to a July 1, 2015 effective date.
- Chief Tony Teresi stated that DHCS is asking CMS to review the code section of the manual first, prior to approving the entire manual.
- Chief Tony Teresi stated that DHCS is still working on the SMAA Invoice template due to the enhance Code 12 translation. He asked for the Committee’s input regarding the translation calculation.
- Committee members asked for clarification regarding the qualifications for TSPs to qualify for the enhance translation rate. Chief Tony Teresi stated that there were no pre-qualifiers regarding job classification or what is being translated. Documentation was requested stating DHCS’s interpretation/understanding.

4.1.2 DHCS Determination on Codes 17, 18 and 19

- Chief Tony Teresi stated that DHCS is asking CMS to review the code section of the manual first, prior to approving the entire manual.
- Chief Tony Teresi stated that DHCS will be submitting their interpretation of the treatment of Codes including 17, 18 and 19 to CMS and hope that with an effective date of January 1, 2015, all changes will be approved and able to be applied retroactively to the start of RMTS.

- Chief Tony Teresi explained that in his conversations with Brian Burdullis, CMS, he's is of the opinion that a moment is either valid or invalid and does not believe that breaking out invalid moments into sub-categories does make much sense and Tony agreed. Chief Tony Teresi stated that the compliance rate threshold is meant to be an incentive for districts to have increased participation and respond to moments timely.
- Chief Tony Teresi will meet and discuss the language prepared by the LEC Committee with Chief Michelle Kristoff and get back to the group. He stated that DHCS wants to be as open and inclusive in the process.

4.1.3 IEP discussion

- Chief Stacy Fox stated that there are a few minor changes in the manual revision regarding IEPs. She has a meeting scheduled with her team at DHCS next week and is gathering information/data regarding what is/isn't allowed, any changes from worker log to RMTS and CMS previous guidance.
- Chief Stacy Fox stated that she has not had any discussions with CMS on this issue recently and is not sure if they will have any further discussions with CMS; it will depend on the fact finding she is able to do. DHCS will provide an update.
- A committee member did inform Chief Stacy Fox that CMS will be updating their manual and DHCS should inquire if there is any additional guidance expected to be in it.

4.1.4 Coding Review Report discussion/call with LECs to provide direction to PCG for changes to the existing format

- Chief Tony Teresi stated that a conference call with DHCS and the LECs/LGAs is scheduled for Monday, December 7, 2015 at 9:00am to have an initial discussion about PCG and the LEA Coding Review Report.
- Discussion will involve developing a set of standards/format for the report that should be built into the RMTS system and available to all contract holders. The hope would be to update the SMAA manual with a sample report format in an Appendix.

4.1.5 For RMTS invoices, what will replace the Time Study Participant Summary (TSPS) Fields?

- Chief Tony Teresi stated that since DHCS has access to all the TSP lists and save them quarterly there is no need to submit a TSPS or "rollup" with an RMTS invoice. A copy of the Roster Report should be maintained in the LEA and LEC audit file.

4.2 Clarification from CMS on whether or not the LEC fees are considered Vendor fees.

- Chief Tony Teresi stated that he submitted this question to Brian Burdullis, CMS, but he was out. Chief Tony Teresi will follow-up on Monday with him.

4.3 RMTS Training Slides – status

- **It would be beneficial to have these available prior to LEAs leaving for winter break on December 18th.**
- Chief Tony Teresi stated that DHCS is finalizing the training slides and has a goal of distributing/posting this information by December 18, 2015.

4.4 Recoupment PPL and Demand Letter(s)

4.4.1 Status of letter and PPL

- Chief Tony Teresi stated that the PPL is in final stages of internal DHCS review. As soon as the review is complete, DHCS will issue the PPL and post to their website.

- Chief Stacy Fox stated that DHCS executive management and Agency has been involved so the timeframe for review has taken longer than normal.

4.4.2 Previous request was made for a list of the other DHCS programs in deferral

- Chief Stacy Fox stated that DHCS executive management has been having bi-weekly calls with CMS to resolve these issues. She explained that there is no global response to how each program is handling their portion of the deferral and is dependent on their individual negotiations with CMS.

4.5 Marketing Materials - status

- Chief Tony Teresi stated that the marketing materials are in final stages of internal DHCS review. As soon as that review is complete, DHCS will distribute it. A request was made to incorporate charter schools and community colleges and DHCS is looking into available options.

4.6 Backcasting Proposal - status

- Chief Tony Teresi stated that DHCS is awaiting CMS approval.

4.7 DHCS Meeting with CCSESA and other Stakeholders

- Chief Tony Teresi explained that there was a meeting with CCCSESA, LEC co-chairs, and members of the LEA Workgroup. Topics of discussion included the proposed Backcasting calculation including data provided by CTA and the projected negative impact that the proposal will have on districts. Another meeting is going to be scheduled to review the data presented.
- Chief Stacy Fox stated that if an alternate solution is developed that is a strong, well thought out proposal that is supported by upper executive management at DHCS and Agency that they would probably consider going back to CMS.

4.8 Tape Match Follow-up – Possibility of using one DUA for both Medi-Cal programs

- Chief Tony Teresi explained that DHCS's new process for Tape Match is department-wide and as a result has taken longer than originally anticipated. Once the process is complete, DHCS will issue a PPL.
- Chief Tony Teresi stated that he would ask about utilizing one DUA for both the SMAA program and the LEA Medi-Cal Billing Option program and report back to the committee.

4.9 DHCS Appeals Board

- Chief Tony Teresi explained that there is no appeals *board* in regards to random moments and coding. He clarified that there is the DAB which is a state function not specific to DHCS. There is an appeals *process* for random moments and coding. The committee suggested that DHCS clarify this process on the next weekly RMTS conference call.

5.0 LEC Committee Business

5.1 CCSESA Update

- CCSESA Project Coordinator Amanda Dickey was not able to attend the meeting but provided the co-chairs with an update to share with the LEC Committee. The co-chairs shared that she feels SB123 is not going to pass due to timing, CTA has several other issues being discussed and no interest by CDE.

- CCSESA will be keeping an eye on the bill come January once the legislature is back in session and should any forward movement happen she will discuss with the committee.
- The other issue Ms. Dickey was interested in getting feedback/input on is the LEA Medical Billing Option Program audits with respect to the potential effects on COEs. She has heard about auditors retroactively applying new requirements and disallowing a substantial amount of money. If any members have additional information, co-chair Sharon Battaglia asked committee members to email her any details to be shared with Ms. Dickey.

5.2 PCG (Public Consulting Group) - Calling in at 11:00am - Lisa Pavelek, Jaime Harrison, Florie Wong and Aaron McCalmont

5.2.1 LEC list of concerns

- *Filtered Reports/ Dumps* – All reports provide the requested data. PCG realized that manipulating the data may be challenging for some of the LEAs. A Change Request Form has been submitted for the LEA Coding Review Report by Region 8. PCG is awaiting more information.
- *All quarterly data should stand on its own* – PCG: Developers are in the process of adding start and end dates for an agency.
- *Moments tab visibility* – PCG: Effective with the January-March 2016 quarter, the view will be 5 student attendance days
- *Unannounced system updates/changes* – PCG: Not aware of any system outage/maintenance. Asked if PCG was notified. PCG stated that they have asked developers about only performing system updates in the evenings. PCG asked if anymore instances occur to also call the toll free number. LEC member explained that changes need to be communicated to contractors in advance of changes/updates.

5.2.2 Paper Moments Process – the icon in the system currently only appears 5 calendar days not 5 student attendance days prior to the moment. PCG: confirmed and is working with development to change to 5 student attendance days. No exact timeframe.

5.2.3 Inactive RMTS sites – LEAs no longer participating (current work-around)

- PCG: Developers are in the process of adding start and end dates for an agency. It has been asked to be included on the next update, but no estimated time is available.
- Current workaround is certifying the entire region, then uncertifying those agencies not continuing and then approving the universe.
- LEC members voiced concern that the system currently shows less than 100% of the universe as being certified. Could this potentially be an audit finding? No response given from PCG.

5.2.4 Deleting TSPs from the system – Do *not* use the red X

- Functionality is only available when preparing for an upcoming quarter. If a TSP is added in error and needs to be removed because they shouldn't have been there to begin with, then you can use the red X. The red X removes all historical references to that TSP in the system.
- The appropriate way to remove a TSP is to enter an end date.

5.2.5 Cost Reporting – procedures/instructions?

- PCG: Developers are working on creating a report that will capture all the data needed. No current timeline.
- LEC member: Informed all members that a set of instructions was being circulated by an LGA was verified by PCG as being incorrect.

- PCG: There has been some initial discussion about utilizing the PCG system's cost reporting functions as an optional service. Details are still being discussed and waiting for the DHCS template to be approved.

5.3 Regional LEC Updates

5.3.1 Request for draft RMTS Results – Margaret

- Margaret is asking for LECs to email her their draft regional RMTS results for the first 2 quarters of RMTS by cost pool for a preliminary analysis she wants to create. Results would be displayed anonymously and only shared among the LEC Committee for discussion purposes.

5.3.2 LEA Staff Pool Lists – Are LECs monitoring the ratio of “clerical” or support staff? Has anyone had to address the issue of “loading up” the participant pool with DHCS? – Margaret

- Most committee members responded no, this is not something that we are monitoring.

5.4 Other LEC business/discussion items

5.5 LEA Medi-Cal Billing Option Ad-Hoc Workgroup – Update (Janice)

- Program Participation documents were due to DHCS by November 30, 2015 along with the CRCS and DUA.
- The next meeting is scheduled for Wednesday, February 3, 2016 from 10:30am – 3:30pm at the Natomas USD.

5.6 LEA Medi-Cal Billing Option Program RMTS Committee (IAG) – Update (Rosalee/Margaret)

- The Random Moment Time Study (RMTS) Implementation Advisory Group (IAG) Meeting Summaries are posted on the *RMTS* page under the *Program Information* heading of the LEA website.
- IAG meetings have been extended until June 2016.

6.0 Adjourn

*The next LEC Committee Meeting is **Thursday, February 4, 2016** at:*

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