

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

**LEC Committee Meeting Minutes  
December 1, 2011**

**LEC Coordinator/Representative Attendees:**

Greg Englar, Sonoma County Office of Education - Region 1  
Merrilee Johnson, Glenn County Office of Education – Region 2  
Marjorie Rollins, Sutter County Superintendent of Schools, **Co-Chair** - Region 3  
Monica Morgan, Santa Cruz County Office of Education - Region 5  
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  
Julian Weaver, San Bernardino County Superintendent of Schools - Region 10  
Cathy Bray, Los Angeles County Office of Education - Region 11

**Other Attendees:**

Geri Baucom, Department of Health Care Services (DHCS)  
Barbara Schultz, Department of Health Care Services (DHCS)  
Tonya Corral, Department of Health Care Services (DHCS)  
Isabel Fritz, Department of Health Care Services (DHCS)  
Janice DiCroce, LGA Co-Chair  
Lynda Lindsay, LGA Co-Chair  
Anysia Drumheller, Butte County Office of Education  
Sheri Coburn, San Joaquin County Office of Education  
Sherry Purcell, Los Angeles Unified School District

**Absent:**

Michelle Cowart, Contra Costa County Office of Education - Region 4  
Janice Holden, Stanislaus County Office of Education - Region 6

## **1.0 Introductions**

Each individual stated his/her name and agency affiliation.

## **2.0 Additions to the Agenda**

None

## **3.0 Approval of Minutes**

The October 6, 2011 LEC Committee Meeting Minutes were approved.

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

### **4.1 Staffing**

There is one vacancy in the School-based MAA Unit. The Division Chief position has been filled by Pilar Williams.

### **4.2 New SMAA Contracts**

- Intent to Participate Letters were sent out to 4 LECs and 2 LGAs, as their contracts with DHCS will expire on June 30, 2012. All LEC “Intent to Participate” forms were completed and returned to DHCS.
- DHCS also sent out the 2011/2012 Participation Host Contracts.

### **4.3 Status of DHCS Desk/Site Reviews**

- Due to State travel restrictions, planned site reviews for this year will become desk reviews.
- Branch Chief Geri Baucom identified several outstanding CAPs (Corrective Action Plans) from prior desk/site reviews. DHCS is working to complete/finalize past reviews.

### **4.4 Time Survey Samples**

A LEC Committee member asked if DHCS would accept “see attached” on the time survey sample page with an unsigned (plain sheet of paper) with a typed sample. This was done in 2008/09, as sample length exceeded the electronic time survey sample field provided by a MAA vendor. DHCS responded that this would NOT be acceptable.

### **4.5 TCM, Code 8, and Code 2**

The LEC Committee will discuss this item under 6.4.

### **4.6 CMS (Centers for Medicare and Medicaid Services) Audit - Update**

- DHCS staff met with CMS staff to discuss the upcoming CMS Audit. CMS selected three claiming units with high dollar reimbursement amounts and one claiming unit in a managed care county (for review).
- CMS will request preliminary documentation from DHCS and then spend one week at each (selected) claiming unit (or LEC) location.
- The audit will focus on “oversight”.
- CMS plans to conduct the site reviews in January/February 2012, with a completed report by June 2012.

- DHCS will inform LECs of specific site review dates, as well as what specific documentation CMS will be reviewing.

#### **4.7 Virtual Charter Schools & Charter Schools**

To participate in the MAA Program, school personnel must have one-on-one physical contact with students. A brick and mortar site would be necessary if a charter school were to participate in the MAA Program.

#### **4.8 Community College**

##### **4.8.1 Indirect Cost Rate**

- Branch Chief Geri Baucom stated that a PPL (Policy & Procedure Letter) will be issued to cover all programs in the branch regarding OMB-A87 guidelines of a 10% Indirect Cost Rate in lieu of a cognizant rate provided by the agency. This would apply to Community Colleges.

##### **4.8.2 Community College participants**

- DHCS stated that there is no federal guidance to restrict MAA participation. MAA claim activity must be reasonable, necessary, and in support of the State Medicaid Plan. In addition, MAA activities must be a regular part of a MAA participant's job.
- If an individual was not hired to do MAA activities and if the individual does not perform MAA activities regularly, then the individual should not be participating in the time survey process.
- The Committee discussed LEC oversight and the fact that "reasonable and necessary" is not defined. A Committee member asked DHCS if it would be possible for the LEC Committee (as a group) to submit certain MAA participation restrictions to DHCS for review. After review, DHCS could state whether or not the LEC Committee restrictions are acceptable/reasonable. Branch Chief Geri Baucom responded that this is a possibility.

#### **4.9 Family PACT**

DHCS staff will continue to research the Family Pact Program to determine if referrals to Family PACT are MAA reimbursable activities.

#### **4.10 Medicaid Agency E-signatures - Update**

DHCS has nothing new to report. Original signatures are still required. DHCS will provide an update to the E-signature issue as more information becomes available.

#### **4.11 Regular Education Teachers**

DHCS stated that there is no federal guidance to restrict MAA participation. See item 4.8.2.

#### **4.12 2012/2013 SBMAA Manual Changes**

##### **4.12.1 2012/2013 SBMAA Manual Deadlines**

The DHCS deadline for suggested manual changes is February 14, 2012.

#### **4.13 Hellan Dowden Convening Meeting**

See item 6.13.

#### **4.14 Random Moment Time Study (RMTS Updates)**

##### **4.14.1 SBMAA Manual Change**

- RMTS will be included in the School-based MAA Manual 2012.

##### **4.14.2 LEC Plan Update**

- The LEC RMTS plan is being reviewed by DHCS.

##### **4.14.3 RMTS Plans Received Status**

- DHCS currently has 5 (RMTS) plans for review. DHCS has determined that there will be similar and/or required components in all RMTS plans. Therefore, DHCS is developing a “shell” RMTS plan listing core components that must be included in all RMTS plans.
- Rather than reading through each plan, DHCS is first developing a “boiler plate” plan. Once a boiler plate is developed, DHCS will determine if each of the already-submitted plans have the required components and/or determine what additional information is necessary.
- The Committee discussed the fact that many districts throughout the state (in conjunction with MAA vendors) are preparing RMTS plans and if DHCS does not place a “moratorium” on plan acceptance, additional plans will be submitted to LECs/LGAs per PPL 11-007. Branch Chief Geri Baucom will send an email to the LEC Co-Chairs regarding suspending acceptance of proposals for participation in the RMTS process.

##### **4.14.4 Provide Update on LAUSD Implementation**

- DHCS stated that the first quarter report (10/11-3) was submitted to CMS. CMS had some questions and a revised report was created. The second quarterly report (10/11-4) will be submitted to CMS in January 2012.

##### **4.14.5 Provide Update on CMAA Implementation/CMS Approval**

- The County-based MAA (worker log) methodology will be submitted (by DHCS) to CMS next week. The LGAs are awaiting (CMAA) worker log methodology approval before submitting RMTS methodology to DHCS.

#### **4.15 Branch Chief Report**

- Branch Chief Geri Baucom thanked the LEC Committee for their continued support throughout the year.
- A LEC Committee member asked Chief Baucom if RMTS could be implemented by school claiming units (as early as) next year (2012/13). Chief Baucom responded that it is a possibility.

#### **5.0 Review of October 6, 2011 LEC Committee Meeting Items**

No discussion

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

##### **6.1 New DHCS SMAA Contracts**

- See item 4.2
- One LEC received a call from a claiming unit that was participating in School-based MAA through an LGA. The LGA was no longer providing SMAA services, so the claiming unit wanted to begin claiming through the LEC. LEC representatives should be reminded to check with DHCS for outstanding site/desk reviews before contracting with a claiming unit that is moving from an LGA to a LEC.

## **6.2 Status of DHCS Desk/Site Reviews**

See item 4.3.

## **6.3 Time Survey Samples**

The LEC Committee discussed recent site/desk review findings from DHCS relative to repeating samples on the time survey forms. DHCS requires that the sample be written out twice rather than have a sample say “same as above” or “times 2”.

6.3.1 The Committee discussed whether or not additional sample pages require signatures. DHCS indicated that all additional pages should be signed. The LEC Committee suggested that this new guidance be placed in the 2012/13 SMAA manual and on the time survey form.

## **6.4 TCM, Code 8, and Code 2**

- Claiming units need guidance around Targeted Case Management (TCM), MAA Code 8, and MAA Code 2 activities. If a school district does not claim TCM (through the LEA Direct Billing Option), what specific TCM activities can be claimed as Code 8 in the MAA Program, and what activities are considered an extension of a direct (Code 2) service?
- An extension of a direct service limits Code 8 claiming. The term “extension of service” must be defined. The LEC Committee discussed definitions and will continue to work on further clarifications in this area.

## **6.5 CMS Audit - Updates**

See item 4.6.

## **6.6 Managed Care Plan**

- The LEC Committee discussed “managed care plans”. The principle of managed care is to manage and integrate the entire range of services that a patient needs. It is unclear how “managed care” affects MAA participation.

## **6.7 Virtual Charter Schools and Charter Schools**

### **Virtual Charter Schools**

- Per DHCS, MAA participation at virtual charter schools is not allowed.

### **Charter Schools**

- The LEC Committee discussed where charter schools should submit their MAA claims. The MAA claim would be submitted through the LEC (or LGA) representing the county in which the charter school’s fiscal data is housed. The (fiscal) oversight agency for the charter school is the district/county that holds the charter. If a district/county turns down a charter, and the charter school appeals to the State Board, the State Board may assign the charter to a specific county. The assigned county would then have fiscal oversight of the charter school.
- A LEC Committee member recommended that a statement be included in the MAA manual, affirming that LEC responsibility is determined by where fiscal data is housed.
- A LEC Committee member brought up the fact that many charter schools have multiple sites and transferring reimbursement money would be extremely difficult if each site wished to be a claiming unit.

- The LEC Committee further discussed the fact that charter schools go in and out of business. The handling of audit exceptions (in the event that a charter school was no longer in business) presents an additional challenge. Region 11 will be researching how to best prepare MAA participation agreements with charter schools and adhere to all federal and state requirements.

## **6.8 Community College**

### **6.8.1 Indirect Cost Rate PPL**

- According to DHCS, Community Colleges will be allowed to use an ICR of 10% and a PPL will be forthcoming. The LEC Co-Chairs will ask DHCS for an effective date and/or the date of the PPL.
- A Committee member suggested that perhaps the 10% ICR could be written on the MAA invoice and/or incorporated into the SMAA Manual.

### **6.8.2 Participants**

- See item 4.8.2. The LEC Committee will continue working on reaching a consensus as to what is appropriate (reasonable) MAA participation within Community College claiming units.

## **6.9 Family PACT**

DHCS is investigating this issue. The LEC Co-Chairs stressed the urgency of resolution.

## **6.10 State Medicaid Agency Written Policy on E-Signatures**

See item 4.10.

## **6.11 Regular Education Teachers**

The LEC Committee discussed the appropriateness of regular education teachers participating in the MAA Program. Some regular education teachers perform MAA activities on a regular basis, while others have very limited opportunities to perform MAA. The Committee will work on developing guidelines for appropriate MAA participation based on what is reasonable, necessary, and in support of the State Medicaid Plan.

## **6.12 2012/2013 SBMAA Manual Changes/Clarifications/Deadlines**

- DHCS set February 14, 2012 as the deadline for suggested manual changes.
- The LGAs are working on suggestions/input to the SMAA Manual.
- The LEC Co-Chairs have a running list of suggested changes and areas for clarifications.
- All LEC Committee members should review the manual. Suggested manual changes will be discussed at the next LEC Committee meeting (2/2/12).

## **6.13 Hellan Dowden Convening Meeting**

- Hellan Dowdan of HR Dowden & Associates in partnership with Serena Clayton and Alice Ricks of California School Health Centers Association held a meeting on November 17, 2011 to discuss improving the reach and effectiveness of the LEA Billing Option and the School-based MAA Program. The LEC & LGA Co Chairs, LEA Billing Ad hoc Workgroup Co-Chairs, DHCS Branch Chief and a

representative from the California Department of Education (CDE) were in attendance.

- The following items were discussed:
  - Increasing the number of districts that participate in MAA & LEA Billing
  - Maximizing the role of schools in health insurance & health outreach
  - Simplifying/streamlining MAA & LEA Billing Program processes
  - Improving collaboration between DHCS and CDE
  - Ensuring sustainability of school Medicaid in California
  - Developing a manual for RMTS, Cost Reconciliation & CRCS
  - Funding a CDE position to assist both the LEA Billing Ad hoc Workgroup and the LEC Committee
  - SB231 and AB114

**6.14 CDE Proposed Partnership**

The LEC Committee discussed funding a CDE position which was brought up at the Hellan Dowden Convening meeting. The LEC Committee agreed that more information would be required before a decision could be made to support the position. The LEC Committee is open to hearing more information and having additional discussions on this item.

**6.15 LEC RMTS Plan**

The LEC Co-Chairs have not received specific questions about the LEC RMTS plan from DHCS.

**6.16 LAUSD RMTS Report**

- Sherry Purcell reported that LAUSD is carving out “lessons learned” while operating RMTS. RMTS methodology is easier for participants (than was the prior methodology), but not easier for central office personnel. Defining work schedules, identifying individuals on leave, and capturing the right group of people within the right timeframe proves to be challenging.
- LAUSD currently uses vendor software to select random moments. However, the district is in the process of building their own software – to be completed within the next 2 years.

**6.17 CMAA RMTS Report**

- CMAA cannot move forward with RMTS until their worker log methodology proposal is approved by CMS.

**6.18 Vendor Materials Review**

No discussion

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

No discussion

**8.0 Invoice News**

No discussion

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

The Ad-Hoc Workgroup Meeting will be on December 7, 2011.

**10.0 LGA Report**

The LGAs are awaiting time survey methodology approval from CMS.

**11.0 Adjourn**

**The next LEC Committee Meeting will be on Thursday, February 2, 2012 @ YOLO COE**