

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

**LEC Advisory Committee Meeting Minutes
February 6, 2014**

LEC Coordinator/Representative Attendees:

Sharon Battaglia, Sonoma County Office of Education - Region 1
Randy Jones, 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
Octavio Castelo, Los Angeles County Office of Education - Region 11
Phillip Downing, Los Angeles County Office of Education - Region 11

Other Attendees:

Michelle Kristoff, Department of Health Care Services (DHCS)
Carolyn Cain-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
Bill Cornelius, Sutter County Superintendent of Schools
Keith Crafton, Los Angeles County Office of Education
Cathy Bennett, Sacramento City Unified School District
Andrea Coleman, Los Angeles Unified School District
Rosalee Hormuth, Orange County Department of Education

Absent:

1.0 Introductions

Each individual stated his/her name and agency affiliation.

2.0 Additions to the Agenda

Item# 7.14 (LEC Committee Website Update) was added to the agenda.

3.0 Approval of Minutes

The December 5, 2013 LEC Advisory Committee meeting minutes were approved.

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

4.0 Staffing

Tony Teresi is now acting County-based MAA (CMAA) Chief. However, he will also be involved with School-based MAA, but in a lesser capacity.

4.1 LEC RFP (Request for Proposal)

4.1.1 Panel Members

- DHCS offered to provide one or two staff members to serve on the LEC RFP panel. In addition, DHCS would attempt to contact subject experts from other states to also serve on the LEC RFP panel. Carolyn Cain-Smith stated that she hoped to have a reply from possible out of state panel members by next week.
- LGA Co-Chair Janice DiCroce reported that the LGA RFP had been published and is available on the San Diego County on-line procurement system (BuyNet) website. Janice will send the BuyNet link to the LEC Co-Chairs. The LGA RFP was sent to all known MAA vendors. Although the RFP is for San Diego County only, there would be piggyback possibilities for other counties allowing them to utilize the selected MAA software vendor.

4.1.2 Update and Timeline

The LEC RFP process timeline is in sync with the DHCS/CMS timeline.

4.2 DHCS Contractor Meetings – February 11, 2014 & February 12, 2014

4.2.1 Agendas

- Agendas were posted on the DHCS website for the 2/12/14 SMAA Stakeholder Forum. DHCS is looking for a location to accommodate the anticipated attendees. The Stakeholder Forum will also be available via Webinar.
- There will be a Contractor Meeting between DHCS and the LECs/LGAs on 2/11/2014. This meeting will be hosted by Pilar Williams, Safety Net Financing Chief. Ms. Williams has expressed a desire to hear the concerns of the LECs/LGAs relative to the SMAA Program.

4.3 SharePoint Update

- A SharePoint training Webinar was held on 2/3/14 to assist LECs/LGAs with the transmittal of Interim Claim (IC) and Reasonableness Test Criteria (RTC) documentation. DHCS stated that SharePoint would provide better tracking and would make it easier (for LECs/LGAs) to submit documentation to DHCS.
- A committee member asked DHCS to confirm that they wanted RTC documentation sent electronically, but required that invoice packets be mailed as original signatures are required on all revised, corrected, and original invoices. DHCS stated that was correct. DHCS further stated that the RTC (even though

electronically submitted) should also be attached to revised/corrected/original invoice packets.

- A few committee members stated that they did not yet have access to SharePoint. Chief Tony Teresi responded that everyone should have access by Friday (2/7/14). The DHCS Analyst would provide a link to each LEC/LGA to set up a SharePoint account. Each LEC/LGA may have two SharePoint accounts, allowing two people to upload documents at one time.

4.4 Interim Claiming Status

4.4.1 2012/2013 RTC or Back-casting?

The committee asked DHCS if the RTC process would take care of clearing the 2012/13 MAA claims or if back-casting would be necessary once we move to the new time survey methodology. Carolyn Cain-Smith stated that she would be checking with the federal SMAA oversight authority (CMS-Centers for Medicare and Medicaid Services) to answer this question. Back-casting was originally intended for 2012/13 if the new state plan was implemented in 2013/14.

4.4.2 2013/2014 (2nd Qtr.) SMAA Claiming Unit Participant Universe (Grids) – status

DHCS stated that they were working on approval of the 2013/14 Q2 Universe Grids and LECs/LGAs would be receiving notification of approval (or requests for clarification) within a couple of weeks.

4.4.3 2013/2014 (2nd Qtr.) Conditional Approval Process

The committee asked DHCS how claiming units would be notified that Grids and job classifications had been officially approved. DHCS stated that they anticipate sending out a letter to each LEC/LGA listing which claiming units were approved (in batches). The LECs/LGAs would then notify their respective claiming units. DHCS further stated that the exact process of notification has not yet been determined.

4.4.4 2013/2014 (3rd Qtr.) IC (Participant GRID) Deadline (February 24, 2014)

DHCS stated that Participant Universe Grids would be due 30 days prior to the quarterly time survey period. The third quarter time survey period is 3/24/14; therefore the Participant Universe Grid is due to DHCS by 2/24/14.

4.4.5 2013/2014 (4th Qtr.) PPL (Policy & Procedure Letter)

DHCS stated they would be releasing a PPL by February 14, 2014 to announce the 4th quarter time survey period.

4.5 2013/2014 Benchmarks

4.5.1 Will Code 8 Benchmark be increased?

The committee asked DHCS if the code 8 benchmark would be increased since all referrals are now considered a code 8 activity. Chief Carolyn Cain-Smith stated that she would ask CMS for guidance in answering this question.

4.6 Reasonableness Test Criteria (RTC)

4.6.1 2009/2010 Deferred Invoices

DHCS stated that some LECs do have 2009/2010 MAA invoices in deferral. There were some 2009/2010 MAA invoices that were paid on CMS 64 for the quarter ending 12/31/2011 and those invoices are deferred.

4.6.2 Status of Reasonableness Test Criteria (RTC)

- DHCS stated that SharePoint was now in place and DHCS staff would move forward in reviewing RTC documents as they were posted to SharePoint. DHCS would notify LECs/LGAs of approval or denial of documentation.
- DHCS Analysts would process approved invoices as soon as possible and forward to DHCS Accounting Department for payment. Invoices that meet all RTC requirements and have no changes should move through the process quickly. Chief Carolyn Cain-Smith stated that the DHCS Accounting Department was aware of the process and would process reimbursements, once RTC approvals were granted. The normal processing time by DHCS Accounting is approximately 30 days.
- DHCS would continue to file early claims on MAA invoices as they approach their 24 month deadline. 2011/12-3 early claim invoices must be in by February 24, 2014.

4.7 Implementation Plan – status

4.7.1 CMS Communication and Response

DHCS submitted the second plan revision to CMS on 1/24/14. On 2/4/14 DHCS received a request from CMS for additional information. DHCS hopes to respond to CMS as soon as possible. A committee member asked DHCS if they could post their response to CMS on the SMAA website. Chief Carolyn Cain-Smith replied that once she has management approval, she will post the DHCS response to CMS' request for additional information.

4.8 CMS Financial Management Review (FMR) Report – update

4.8.1 DHCS Response to FMR Report

DHCS responded to CMS' draft findings of the Turlock and Tulare audit. DHCS is waiting for a final report from CMS. A committee member asked DHCS if they could share the response that was provided by DHCS to CMS and Chief Carolyn Cain-Smith replied that she would check with her administration.

4.8.2 Final CMS FMR Report

DHCS has not received a final CMS FMR Report.

4.9 OIG (Office of Inspector General) – update

A committee member asked if OIG was still reviewing claiming units in California. OIG has not provided any written reports relative to their ongoing review in Region 6 and in Stockton. Chief Carolyn Cain-Smith stated that she would inquire about when to expect the OIG final report on Chino Valley.

4.10 SMAA Program Updates on DHCS Website

4.10.1 Comments/Questions to DHCS

DHCS reported that they receive questions (from various stakeholders) about the MAA Program, the RTC process, and the Interim Claiming process, and they respond to these questions as they receive them.

4.10.2 Could DHCS post a Q&A?

A committee member suggested that perhaps DHCS could provide an aggregate list of all questions that they answer and post the list on the DHCS website. Chief Tony Teresi stated that this could be done, but it would take some time.

4.11 Community College – update

Carolyn Cain-Smith stated that she would be taking a lead role on Community College issues and should have an update by the next LEC Advisory Committee meeting.

4.12 Responsibilities – State, Regional, County, Local

The committee discussed how roles and responsibilities surrounding the MAA Program would be changing in the future. Some responsibilities are delineated in the draft plan, and it is important to communicate this with LEAs as we move forward.

4.13 Branch Chief Report

- Branch Chief Michelle Kristoff reiterated that Tony Teresi has moved to CMAA.
- Sutter County Superintendent Bill Cornelius expressed his appreciation for all that Tony Teresi has done for the SMAA Program. He commended Tony for his willingness to listen to concerns and help develop solutions.
- Branch Chief Michelle Kristoff reported that John Mendoza is the new Division Chief of the Safety Net and Finance Division. John will be attending the Stakeholder Forum and will try to attend future LEC Advisory Committee meetings

Additional Questions to DHCS

- A committee member asked for clarification from DHCS regarding rural school districts with fewer than 600 ADA. DHCS was asked if LECs could move forward in training new teachers in the MAA time survey process. These new teachers were replacing teachers in small rural school districts. The teacher job classification had been submitted on 2013/14 MAA Universe Grids with justification, but had not been officially approved to participate. Chief Carolyn Cain-Smith stated that she could grant tentative approval, but would need to review all explanations and documents before granting final approval of teacher participation.
- A committee member stated that since we are using the 2012/13 SMAA manual as our guide in 2013/14, and because initial referrals are code 4 in the 2012/13 SMAA manual, one of the claiming units in his region does not want to use code 8 for initial referrals. DHCS responded that as a result of the Chino Valley audit, OIG made it clear that all referrals should be claimed as code 8 activities. DHCS cannot mandate that all referrals be code 8 at this time, however they strongly recommend that all referrals be claimed as code 8 activities per OIG guidance. Chief Tony Teresi stated that a claiming unit could continue to use code 4 for initial referrals, but they would be placing their district at risk in the event of an audit.

5.0 Business and Administration Steering Committee (BASC) Report

5.1 CCSESA (California County Superintendents Educational Services Association) Update

- Sutter County Superintendent Bill Cornelius reported that he and Stanislaus County Superintendent Changnon (representing CCSESA) along with other county Superintendents had a conference call with Mari Cantwell (DHCS) to

discuss the importance of meeting the CMS 1/24/14 deadline to submit a revised SMAA plan. Superintendent Cornelius stressed the point that CCSESA was concerned that if the revised plan was not sent to CMS, CMS might decide to pull the MAA program from California. If CMS were to shut down the program, California school districts would take a huge financial hit. Districts could owe money and not be able to net money owed with future claims. There was a lot riding on having DHCS submit the revised plan by the CMS due date.

- Superintendent Cornelius thanked DHCS staff for ultimately submitting the revised plan and meeting the CMS deadline, even though there were other groups and factors to be considered in addition to the concerns expressed by the county superintendents group. Mr. Cornelius acknowledged that there was a great deal of work done by many individuals to meet CMS guidelines and he expressed his appreciation to DHCS for moving forward.
- Chief Carolyn Cain-Smith stated that CMS wanted California to move to the RMTS methodology two years ago. She further stated that DHCS was committed to moving forward. The first priority was to get invoices paid, clear up the backlog and transform the DHCS SMAA unit. DHCS made some internal changes and now has a new administration and a new unit in place. These changes helped to meet CMS guidelines. Chief Carolyn Cain-Smith stated that DHCS was making every effort to get things moving and keep them moving forward.
- Superintendent Cornelius stated that changes can be very good and we (as a group) should not stop pursuing other changes to the SMAA program and DHCS should continue to listen to all stakeholders. However, it is most important to move forward and comply with CMS guidelines to avoid having them shut down the MAA program in California.
- A committee member thanked Bill Cornelius and CCSESA for supporting the LECs through these difficult times.

6.0 Review of December 5, 2013 Committee Meeting Items

No discussion

7.0 LEC Committee Business (*Review DHCS Agenda Items*)

7.1 LEC RFP

7.1.1 LEC RFP Subcommittee Update

The San Bernardino (Region 10) Purchasing/Contracts Department continues to take the lead in the LEC RFP process. Although the timeline is tight, it is in sync with DHCS' timeline to meet CMS guidelines. The LEC RFP will be advertised February 13, 2014 and February 20, 2014; and the due date for proposals will be March 13, 2014.

7.2 DHCS Contractor Meetings (February 11, 2014 & February 12, 2014)

- The committee discussed the upcoming DHCS meetings. All regions would be represented at the February 11, 2014 contractor meeting. The LGA Co-Chairs would also be attending, but were not sure how many of the LGA representatives would be in attendance. All regional LECs would be attending the MAA Stakeholder forum on 2/12/14 either in person or via Webinar.

- Chris Cox (Region 10) would provide an update on the LEC RFP at the Stakeholders' meeting on February 12, 2014.

7.3 SharePoint Update

7.3.1 Invoice/RTC submission process (consistency among LECs)

The committee discussed the DHCS SharePoint site. Several LECs expressed frustration in not being able to access the site. A few LECs had limited access and were able to create folders, but were not able to upload documents. Access issues should be resolved by DHCS this week.

7.4 Interim Claiming – status

The committee discussed the amount of work and paper involved in the Interim Claiming and RTC processes. Revising and correcting past invoices to comply with benchmarks is labor intensive. The 2012/13 year was originally a year that would be subject to back-casting. DHCS explained that it was originally planned that way because it was assumed the new plan would be implemented in 2013/14.

7.4.1 2012/2013 RTC or Back Casting?

See Item# 4.4.1

7.4.2 2013/2014 (2nd Qtr.) SMAA Claiming Unit Participant Universe Grids

See Item# 4.4.2

7.4.3 2013/2014 (2nd Qtr.) Conditional Approval Process

See Item# 4.4.3

7.4.4 2013/2014 (3rd Qtr.) IC Deadline (February 24, 2014)

See Item# 4.4.4

7.4.5 2013/2014 (4th Qtr.) PPL

See Item# 4.4.5

7.5 2013/2014 Benchmarks

7.5.1 Will Code 8 Benchmark be increased?

The committee discussed whether there would be “benchmarks” once we move to RMTS.

7.6 Reasonableness Test Criteria (RTC)

7.6.1 2009/2010 Deferred Invoices

See item# 4.6.1

7.6.2 Status of Reasonableness Test Criteria (RTC)

See item# 4.6.2

7.7 Implementation Plan – status

7.7.1 CMS Communication and Response

See item# 4.7

7.8 CMS Financial Management Review Report (FMR) – update

7.8.1 DHCS Response to FMR Report

See item# 4.8.1

7.8.2 Final CMS FMR Report

See item# 4.8.2

7.9 OIG (Office of Inspector General)

See item# 4.9

7.10 SMAA Updates on DHCS Website

7.10.1 Comments/Questions to DHCS

See item# 4.10.1

7.10.2 Could DHCS post a Q&A

See item# 4.10.2

7.11 Community College - update

See item# 4.11

7.12 Responsibilities – State, Regional, County, Local

See item# 4.12

7.13 LEC Committee Bylaws

Committee members were reminded to review the suggested changes to the LEC Advisory Committee Bylaws. Finalizing the Bylaws would be on the April 3, 2014 LEC meeting agenda.

7.14 LEC Committee Website Update

- The LEC Website subcommittee was originally comprised of Regions 1, 8, and 10. Special thanks to Region 8 (Margaret Roux) for the initial work on developing the website. Region 10 (Jennifer Alvarado) announced that she had accepted another position at the San Bernardino COE and would no longer be a LEC Advisory Committee member.
- A website link has been sent out to all LEC committee members. Please provide ideas, feedback to Region 1 (Sharon Battaglia) as she will now take the lead in updating the LEC website.

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

- The LEA Ad-Hoc Workgroup was informed by DHCS that CMS wants RMTS to be in place for the LEA Billing Option Program by the 2015/16 year.
- LEC members Michelle Cowart (Region 4) and Janice Holden (Region 6) were informed by the Ad-Hoc Workgroup Co-Chairs that they would no longer be allowed to attend the Ad-Hoc Workgroup meetings. The LEC members were told that because they serve as board members to the NMAS (Northern California Medi-Cal Administrative Services) JPA, and the NMAS JPA is a vendor, it would not be appropriate for them to continue attending Ad-Hoc Workgroup meetings.
- The committee discussed how the Ad-Hoc Workgroup was originally formed and how it remained appropriate for the Region 4 & 6 LEC members to attend the workgroup meetings.
- A LEC Advisory Committee member suggested that DHCS and the Ad-Hoc Workgroup Co-Chairs read the definition of a JPA to understand that the JPA is in fact not a vendor. There is a document available from the California State Legislature Senate Local Government Committee entitled “Governments Working Together – A Citizen’s Guide to Joint Powers Agreements” that may be helpful.

9.0 LGA Report

- Janice DiCroce reported that the LGA RFP had been published.
- The LGA Co-Chairs reported that County-based MAA (CMAA) personnel look forward to working with new Chief Tony Teresi.

10.0 Items for April 2014 Committee Meeting

- LEC Advisory Committee Bylaws
- LEC Advisory Committee Elections

11.0 Adjourn

The next LEC Advisory Committee Meeting will be on
Thursday, April 3, 2014 at:
Yolo County Office of Education
1280 Santa Anita Court
Woodland, CA 95695