

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

**LEC Advisory Committee Meeting Minutes
June 5, 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
Annette Jewell, Orange County Department of Education, **Co-Chair** - Region 9
Andrea Tennyson, San Bernardino County Superintendent of Schools - Region 10
Octavio Castelo, Los Angeles County Office of Education - Region 11

Other Attendees:

Michelle Kristoff, Department of Health Care Services (DHCS)
Tony Teresi, Department of Health Care Services (DHCS)
Janice DiCroce, LGA Co-Chair
Lynda Lindsay, LGA Co-Chair
Cathy Bennett, Sacramento City Unified School District
Bill Cornelius, Sutter County Superintendent of Schools
Rosalee Hormuth, Orange County Department of Education

Absent:

Margaret Roux, Kern County Superintendent of Schools - Region 8
Phillip Downing, Los Angeles County Office of Education - Region 11

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 April 3, 2014 LEC Advisory Committee Meeting Minutes were approved.

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

4.1 DHCS Update

4.1.1 Interim contact for SMAA Unit Chief

Branch Chief Michelle Kristoff reported that Tony Teresi would be the Interim SMAA (School-based MAA) & CMAA (County-based MAA) Unit Chief.

4.1.2 LEC/LGA Quarterly Reports

Branch Chief Michelle Kristoff reported that quarterly (SMAA invoice status) reports would resume soon.

4.1.3 SMAA Forums

SMAA stakeholder forums would be scheduled sometime after DHCS receives approval of the draft SMAA plan from CMS (Centers for Medicare & Medicaid Services).

4.2 SMAA Program Implementation

4.2.1 Safe to say pending CMS acceptance, the LECS software platform?

- DHCS had no update on draft plan approval by CMS.
- Region 10 updated the committee on the status of the RFP (Request for Proposal) for the LEC RMTS (Random Moment Time Study) software award. The terms of the RFP denoted the “selected” vendor would be awarded the contract within 90 days (from 3/13/14). Region 10 would request an extension from the vendor (Public Consulting Group) to keep the RFP submittal open for an additional 120 days.

4.3 RMTS Implementation

4.3.1 CMS Communication and Response

Branch Chief Michelle Kristoff reported that she had no information on the communications between DHCS and CMS relative to the RMTS implementation. This communication would be at a higher administrative level (within DHCS).

4.4 CMS Financial Management Review (FMR) Report – update

4.4.1 DHCS Response to FMR Report

- Branch Chief Michelle Kristoff reported that the DHCS response to the FMR Report and the final CMS FMR Report would be posted on the DHCS website as soon as it was approved for posting by DHCS management.

- Region 6 requested that the LEC/LGA and the LEAs involved in the CMS FRM Report receive the information contained in the DHCS response and the final CMS FMR Report before it is posted on the website.

4.4.2 Final CMS FMR Report

See above

4.5 OIG – standing item

DHCS had no information to report.

4.6 SMAA Program Updates on DHCS Website

4.6.1 Comments/Questions to DHCS

Branch Chief Michelle Kristoff will check on the status of this item and report back to the committee.

4.6.2 Q&A Posting

Branch Chief Michelle Kristoff will check on the status of this item and report back to the committee.

4.7 2013/2014 Benchmark Percentages

4.7.1 Will the Code 8 benchmark be increased due to all referrals being Code 8 activity?

Branch Chief Michelle Kristoff reported that benchmarks would not be increased per CMS. LGA Co-Chair Janice DiCroce asked what the rationale was for not increasing the benchmarks. Branch Chief Michelle Kristoff stated that she did not have the details at this time.

4.8 Reasonableness Test Criteria (RTC)

4.8.1 Status of RTC Approval Process

4.8.1.1 Any CMS Concerns

- Branch Chief Michelle Kristoff reported that CMS (Brian Burdullis) would be coming to DHCS today @ 1pm to review the RTC approval/denials prepared by DHCS.
- A committee member asked if any LECs were notified as far as what was approved/denied by DHCS. Branch Chief Michelle Kristoff was not sure if any LECs were notified, but would find out.
- A committee member asked the committee if anyone had received any official approvals/denials. Region 8 stated that they had not received any official approval/denial letters from DHCS, but they had received payment for approximately 15 claiming units, indicating that approval had taken place. The payments were for 11/12 invoices.
- Interim Chief Tony Teresi stated that the RTCs would be sent in batches to DHCS accounting. Once an RTC was approved by CMS, a letter would be generated to the LEC.
- A committee member asked DHCS the approximate number of RTCs being reviewed by CMS weekly. Interim Chief Tony Teresi stated that during the last visit, CMS reviewed everything that DHCS had ready for review (approximately 100 RTCs). Interim Chief Tony Teresi further stated that DHCS had approximately 100 more RTCs ready for CMS to review today.

4.8.1.2 Vendor Fee Worksheet

The committee requested clarification from DHCS regarding completion of the vendor fee worksheet. Would it be acceptable to turn in one quarter at a time or would DHCS look at the vendor fee worksheet when all 4 quarters were completed? Would it be acceptable (to DHCS) if a claiming unit turned in a vendor fee worksheet with more than one quarter completed? Branch Chief Michelle Kristoff stated that she would research this and get back to the committee with clarification.

4.8.1.3 New instruction regarding the payback of deferred invoices – status

- Branch Chief Michelle Kristoff stated that she would be meeting with internal accounting staff today to finalize the process relative to payback of deferred invoices. Once the process is finalized, DHCS will provide guidance to the LECs.
- A committee member asked if invoices would be processed without an accompanying check and Branch Chief Michelle Kristoff answered in the affirmative.

4.9 DHCS Communication with LEC and LGA Coordinators and Committees

- Branch Chief Michelle Kristoff stated that it was the intention of DHCS to transition the current LEC Committee meetings to a more transparent format; a format similar to the recently held RMTS forums. Branch Chief Michelle Kristoff further stated that she understood the concerns of LECs/LGAs regarding the necessity (for DHCS) to continue meeting with the LEC/LGA Coordinators in addition to hosting stakeholder forums. DHCS would like to be cognizant of stakeholder inclusion in the SMAA program, so at this time, Branch Chief Michelle Kristoff stated that she was not prepared to say yes or no regarding continued DHCS attendance at LEC Committee meetings.
- Superintendent Bill Cornelius stated that stakeholder meetings are important. However, the state must also realize the importance of meeting with their contractors (LECs/LGAs).
- Branch Chief Michelle Kristoff stated that the intent of DHCS to move the LEC Committee meeting to a stakeholder forum was not unique to SMAA. The State would like to open meetings up to stakeholders throughout various DHCS branches and programs. In addition, whether RMTS moves forward or not, we might have a different make-up of SMAA stakeholders creating a more collaborative, more inclusive environment.

4.10 Activities Affecting the SMAA Program

- Superintendent Bill Cornelius asked DHCS to clarify a few items for upcoming CCSESA (California County Superintendents Educational Services Association) and ACSA (Association of California School Administrators) meetings that he would be attending.
 - Past claims are starting to be paid – Kern received MAA reimbursements.
 - DHCS responded that this was correct.
 - Does DHCS have a time estimate for other reimbursements to be paid?
 - DHCS responded that there was currently no time estimate.

- All RTCs must be completed by October 31st and it may take up to 6 months after RTC approval before payment is received.
 - DHCS responded that it could take up to 6 months, but they are working toward improving and expediting the process.
- The RMTS implementation should begin on July 1, 2014 – where is DHCS as far as meeting this implementation date?
 - Branch Chief Michelle Kristoff stated that the draft RMTS plan was currently with the Governor’s office and she did not have information about the status of the plan. This information is currently at a higher level of administration within DHCS.
- Superintendent Bill Cornelius stated that it would be in the best interest of our students and supportive of student services to move forward with the RMTS plan.
- A committee member stated concern that LEAs would be dropping from SMAA participation because of the delay in implementing RMTS and because of the frustrations surrounding the RTC process.

4.11 Community College – standing item

This issue is on “hold” per DHCS until the RTC process is running smoothly.

4.12 Branch Chief Report

- Branch Chief Michelle Kristoff reported that Chief Carolyn Cain-Smith recently retired and DHCS was moving forward in advertising to fill the vacant position.
- DHCS staff would be required to work mandatory overtime to review RTC documentation. Volunteer staff within the branch would assist in the RTC review process.
- DHCS discussed the RTC process and gave examples of what would be acceptable justification and what would be conditionally denied. Factors to consider (when justifying) SMAA claims include:
 - The Medi-Cal eligibility percentage of the claiming unit
 - The number of participants performing MAA billable codes
 - The number of students served, the needs of the students, the demographics of the participating claiming unit
 - The number of clerical/admin MAA participants from quarter to quarter
 - What is reasonable & necessary? – Why is a particular person performing MAA activities? Is there no one else available to perform the MAA activity?
- A committee member stated that some DHCS Analysts were requiring proof of PPS (Pupil/Personnel Services) credentials for participating counselors. The committee member asked if this was necessary. Branch Chief Michelle Kristoff stated that she would check on what was required and get back to the committee.
- A committee member asked DHCS if there was a red flag number as far as exceeding the benchmark percentages. Interim Chief Tony Teresi replied that .49 over the benchmark would be acceptable; any excess over .49 would require justification.
- A committee member asked DHCS what we (LECs/LGAs) could do to expedite the RTC process. Interim Chief Tony Teresi stated that listing the approved job classification (i.e. 1F, 2E) on the GRID would be helpful. A committee member

reminded DHCS that the GRID is not required with 2010/11 and 2011/12 RTC documentation.

- LGA Co-Chair Janice DiCroce asked DHCS to clarify what RTC documentation was required to be uploaded to SharePoint and what was required to be mailed to DHCS. DHCS responded that the 2010/11 and 2011/12 RTC documents (certification form, vendor fee sheet, time survey coding by individual, and justification backup) should be uploaded to SharePoint. Any “corrected/revise” invoices associated with the 2010/11 and 2011/12 RTC documents must be mailed to DHCS (blue ink original signatures required).

5.0 CCSESA Update

- Superintendent Bill Cornelius stated that CCSESA would not be partnering with CSBA (California School Boards Association) relative to SMAA program advocacy at this time. The county superintendents would be discussing the SMAA program in detail at future CCESSA meetings.
- The county superintendents had not heard negative comments (from LEAs) about moving forward with RMTS, instead they had heard frustrations/concerns expressed about not having the RMTS plan in place as we approach the July 1 deadline.
- Superintendent Cornelius would continue to advocate for the RMTS implementation to begin on July 1, 2014, but he expressed concern about whether or not there was enough time (before July 1) to voice the importance of moving forward with RMTS to the right people at the state level. If we move forward with RMTS, we will have a mechanism in place to continue claiming SMAA reimbursements in 2014/15.
- Superintendent Cornelius encouraged the LEC representatives to continue advocating for RMTS implementation on 7/1/2014. He offered to bring any issues/concerns about the SMAA program from the LEC representatives to the County Superintendents meeting.

6.0 Review of April 3, 2014 Committee Meeting Items

No discussion

7.0 LEC Committee Business

7.1 Review DHCS Agenda Items

- The committee discussed the idea of continued DHCS stakeholder forums and how it would be important for DHCS to continue attending LEC Advisory Committee meetings in addition to hosting stakeholder forums. The LEC/LGA Co-Chairs explained to DHCS (at the Co-Chair meeting) why it was important to continue meeting with their contractors (LECs/LGAs) to discuss program issues and program administration.

7.2 Review LEC Bylaws

- The LEC bylaws were reviewed and discussed. The committee (by consensus of the membership) approved the bylaws with the previously recommended changes.

7.3 MAA LEAs Appeals Process

- The LEC Advisory Committee discussed the “MAA LEC Appeals Process” document. Now that DHCS has an appeals process in place, it is no longer necessary for the LEC Advisory Committee to have a duplicative process. The committee (by consensus of the membership) voted to retire the MAA LEC Appeals Process.

8.0 LEA Medi-Cal Billing Option Ad-Hoc Committee Report – Janice Holden

- “Inclusion” was the new focus of DHCS at the recent Ad-Hoc Committee meeting. DHCS and Branch Chief Michelle Kristoff would now facilitate the LEA Ad-Hoc Committee meetings. DHCS wants to encourage all LEAs to participate in the Ad-Hoc Committee meetings. There would no longer be Ad-Hoc Committee bylaws and no longer be an application to join the workgroup.
- The LEA Ad-Hoc Committee is working toward posting a new LEA manual to assist LEAs that are new to the LEA Medi-Cal Billing Option Program. The manual will have examples to provide guidance on proper procedures and processes. Everything is currently in draft form. However, once the manual is completed, it should assist new LEAs in better understand the program and it will provide them with the information they need to successfully participate in the LEA Medi-Cal Billing Option Program.

9.0 LGA Report

- LGA Co-chairs reported that the LGA conference in May went well. There were no DHCS representatives at the conference other than from the Audits/Investigations Department, due to the RTC process and backlog.
- Lynda Lindsay’s Co-Chair term has ended and the incoming LGA Co-Chair is Teresa Zimny from Napa County.

10.0 Items for August 2014 Committee Meeting

Complete revised LEC Advisory Committee By-laws for Co-Chair signature

11.0 Adjourn

*The next LEC Committee Meeting is **Thursday, August 7, 2014** at:*

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