

**Yolo County Office of Education
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**LEC Advisory Committee Meeting Minutes
June 4, 2015**

LEC Coordinator/Representative Attendees:

Sharon Battaglia, Sonoma County Office of Education – Region 1
Randy Jones, Glenn County Office of Education - Region 2
Tonja Kutz, 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
Susan Ellyson, Madera County Office of Education - Region 7
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:

Stacy Fox, Department of Health Care Services (DHCS)
John Mendoza, Department of Health Care Services (DHCS)
Tony Teresi, Department of Health Care Services (DHCS)
Amanda Dickey, California County Superintendents Educational Services Association (CCSESA)
Lisa Pavelek, Public Consulting Group (PCG)
Krystle Schmidt, Public Consulting Group (PCG)
Florie Wong, Public Consulting Group (PCG)
Janice DiCroce, San Diego County LGA

Absent:

Ken Gragg, Kern County Superintendent of Schools - Region 8
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

- Item 4.0 (DHCS Staffing Report)
- Item 7.4 (Coding Report)

3.0 Approval of Minutes

The April 9, 2015 LEC Advisory Committee meeting minutes were approved, with a correction to item 6.10.

4.0 Department of Health Care Services (DHCS) Report

4.0 DHCS Staffing Report

- Chief Tony Teresi stated that a new Program Analyst (Ashley Schmidt) recently joined the DHCS SMAA team. Ashley has a background in both health care and education.
- Chief Stacy Fox announced that the department recently relocated staff and all telephone numbers were changed. The new telephone numbers would be posted on the DHCS website.
- Chief John Mendoza stated that Deputy Director Pilar Williams was leaving her position in Health Care Financing as of tomorrow and Mari Cantwell would be the acting Director of both “Health Care Financing” and “Health Care Programs” until further notice. Chief John Mendoza stated that DHCS would keep the LEC Advisory Committee updated on future staffing changes.

4.1 RMTS Implementation

4.1.1 Updated School-based MAA (SMAA) Manual – Status

The SMAA Manual Review Workgroup completed their review of the SMAA Manual and provided suggested revisions to DHCS. DHCS would review the suggested revisions and would submit the revised manual to the Centers for Medicare & Medicaid Services (CMS) soon. A committee member reminded DHCS that Chief Michelle Kristoff previously stated that the revisions would be posted on the DHCS website for one week (for stakeholder comments) before DHCS would submit the revised manual to CMS.

4.1.2 CMS 85% Compliance Rate Guidelines – Revised Manual Language (Is the compliance requirement by “universe” or by “claiming unit”?)

- Chief Tony Teresi stated that the 85% compliance rate would be at the “universe” level. The SMAA Manual was revised to clarify the 85% compliance requirement.
- Chief Tony Teresi stated that DHCS would continue to discuss sanctions at the claiming unit level for low compliance.
- The committee discussed the need to recognize extenuating circumstances that could occur at the claiming unit level that could affect participation performance and compliance. The committee also discussed the need for DHCS (rather than the LECs/LGAs) to provide guidelines relative to claiming unit sanctions. Chief Tony Teresi stated that this would be discussed with DHCS administration.
- Chief Tony Teresi stated that it was the intent of DHCS to have the SMAA Manual be an all-inclusive document and DHCS administration

was working toward that goal. Once DHCS reaches a comfort level with the SMAA Manual being all-inclusive, they would use “Policy & Procedure Letters (PPLs)” approved by CMS to identify manual changes and update/clarify manual language.

- A committee member suggested that an ongoing “Question/Answer” (Q&A) document be posted on the DHCS website related to the MAA Program. This would be helpful in providing program guidance and manual language clarification. This was something that the LEA Billing Option Program found to be successful.

4.1.3 Vacated Positions

- The committee discussed that from a CMS perspective, every moment that does not receive a valid response is considered an “invalid” moment. This would include vacated positions and all invalid moments would count against compliance. If a universe were to run out of oversampling moments, the invalid moments would be moved into code one.
- The committee discussed the need for guidance around vacated positions, positions that were on the roster in error, and moments that were “missed”. What counts against compliance and what does not count against compliance?
- The committee further discussed the movement of “invalid” moments into code 1 at the end of the quarter if a universe did not meet statistic validity.
- Chief Tony Teresi said DHCS would need to get clarification from CMS before providing guidelines around vacated positions and the effect on both compliance rates and the calculation of time survey results.

4.1.4 Define: No Response and Invalid Moments

Chief Tony Teresi stated that if a time survey participant does not respond to their selected moment in time, that moment would be considered an invalid moment.

4.1.5 DHCS Guidance on the Process and Deadline to Submit the 10% LEC Review of Moments for 14/15 Q3 and Q4

Chief Tony Teresi stated that he sent out the final draft documents for the 10% LEC/LGA review process (RMTS Quality Assurance Report and the RMTS Coding Appeal Review Report). DHCS requested comments on these documents by close of business today (6/4/15). DHCS intends to finalize the draft documents during the 6/5/15 RMTS implementation conference call.

4.1.6 Change Codes when the Quarter is Open (on-going)

Currently, senior coders may request a change to coding assignments by submitting a request form to software vendor Public Consulting Group (PCG). In the future, senior coders will be allowed to make coding assignment changes based upon their user type/user rights. Also, in the future, local coordinators will have the ability to view coding in real time (if this feature is acceptable to CMS).

4.1.7 RMTS 2014/15 Invoice – Status

- Chief Tony Teresi stated that DHCS would work with LECs and LGAs to develop a revised SMAA invoice template to use with the RMTS methodology. The proposed invoice template was sent to the LEC and LGA Co-chairs for comments and suggested changes. Invoice template suggestions are due to DHCS by COB Monday June 8, 2015.

- Co-Chair Margie Rollins stated that the LECs were encouraging DHCS to create one invoice (including both cost pools) for each claiming unit rather than creating two invoices (one for each cost pool) for each claiming unit.
- A committee member asked DHCS about the claiming units that began participating in the MAA Program in the 4th quarter of 14/15. These claiming units did not participate in the 3rd quarter when RMTS began. Chief Tony Teresi stated that he was not sure adding claiming units was allowed in Q4, but would talk with CMS and DHCS administration and provide a response at a later date. A committee member reminded DHCS that there was nothing in the MAA regulations prohibiting a claiming unit from starting in Q4. Chief Tony Teresi stated that there were two issues to consider (1) how increasing claiming units (in Q4) would affect backcasting and (2) how new claiming units should be added moving forward.

4.2 DHCS/LEC/LGA/PCG Summit – Update

Chief Tony Teresi stated that DHCS would be hosting the 2014/15 RMTS Summit at DHCS headquarters on July 16 and July 17. He requested that LEC Advisory Committee members provide agenda items to him before close of business on June 17, 2015. DHCS will determine the length of the summit meeting based upon the number of agenda items.

4.3 Status of 2014-130 California DHCS SMAA and LEA Billing Option Program – Audit Requested by Senator Liu

- DHCS stated that the audit was on going and that DHCS staff had several meetings with auditors. The final report from the auditors is due in September.
- Several LECs were contacted by audit staff and were asked questions about their regional MAA participation agreements and the number of LEAs participating in the program, etc.

4.4 Update of RMTS Implementation Advisory Group (IAG) Meetings (Is DHCS on target to submit a report to CMS in September 2015?)

The IAG continues to meet regularly working toward the submission of a SPA (State Plan Amendment) to move toward a “blended” rate process for the LEA Direct Billing Option Program and the SMAA Program (using RMTS methodology). Chief Tony Teresi stated that DHCS was on target to submit a report to CMS in September 2015.

4.5 Final Deferral Resolutions – Update

- Chief Tony Teresi stated that the deferral netting process was completed and he handed out a “final” deferral netting spreadsheet to each LEC. Chief Tony Teresi said DHCS did their best to get as many claiming units out of the “red” and into the plus side through the netting process. He further stated that checks would be issued sometime this month (June). Any LEC that does not receive a deferral reimbursement check by July 15, 2015 should contact Tony Teresi.
- As the LEC committee members reviewed the “final” deferral netting spreadsheet (handed out by DHCS), Chief Tony Teresi explained that any claiming units in “the red” would need to return the indicated dollar amount to DHCS. It would be

up to the LECs to collect from the claiming unit, as the dollar amount that each LEC would receive (from DHCS) would be lessened by any claiming units that were negative.

- A committee member asked what a LEC should do if they could not collect the dollars owed to the state from the claiming unit. The committee discussed the possibility of allowing the 14/15 claims to offset any dollar amounts owed back due to the deferral. DHCS stated that they did the best they could and went as far out as the 2013/14 claims to offset money owed by claiming units.
- A committee member asked about the vendor fee calculation form and the reconciliation of money owed back by claiming units due to vendor overcharges. Chief Tony Teresi stated that the process for the return of vendor overcharges (that were claimed on MAA invoices) had not been determined and he would need to speak with CMS about this issue and would provide direction at a later date.
- A committee member stated that some of the LGA districts that moved from the LGA to the LEC were not included on the “final” deferral spreadsheet handout. Chief Teresi stated that each LEC should provide a list of any LGA districts that do not appear on their final spreadsheet to him and he would research why these districts were omitted from the LEC spreadsheet.
- A committee member asked about the LEAs that submitted checks to DHCS previously as part of the RTC (Reasonable Test Criteria) process and why the final deferral spreadsheet did not reflect these payments. The amount owed by the claiming unit should be less the amount that they already returned. Chief Teresi stated that he would look into this.

4.5.1 Invoices Received by LECs

LECs recently received invoices from DHCS with a total amount due to DHCS for paid deferred invoices. Chief Tony Teresi stated that these were “recoupment memos” and no course of action was required by the LEC because the netting process would account for all money owed. The recoupment memo is a record of the internal netting process that DHCS is applying to the deferred invoices.

5.0 CCSESA (California County Superintendents Educational Services Association) Update

- CCSESA Project Coordinator Amanda Dickey introduced herself and explained that she works directly with CCSESA Director Peter Birdsall. Her role at CCSESA includes policy, legislation, and legal issues surrounding K-12 general education and special education programs. She will be involved in monitoring the SMAA Program on behalf of CCSESA and she is attending the LEC meeting to learn more about the SMAA Program.
- The committee discussed SB123 and how it was moving forward through the legislative process. Amanda Dickey stated that CCSESA would adopt an “opposed” position on this legislation. She further stated that she would appreciate the LEC Advisory Committee input regarding potential costs associated with SB123.

6.0 DHCS/PCG – 2 Handouts

6.1 Appeal Report Parameters

PCG reported that DHCS approved the report parameters for the LEA Coding Report in May. This item was now with PCG developers.

- 6.2 No Response and Invalid Moments / Code 18 and Code 19**
PCG was awaiting a decision by DHCS in defining valid and invalid moments. This should be resolved soon.
- 6.3 Vacated Positions – If positions are vacated (without replacements), and a moment is assigned to the vacated position, will this affect the response rate compliance? PCG indicates these moments will not be coded until the end of the quarter. Please provide guidance.**
PCG stated that they would assume there would be a correction process for the first two quarters of RMTS, once DHCS provides definitions of valid and invalid moments.
- 6.4 85% Compliance Rate - When and how will the system software accommodate moving moments to comply with the 85% compliance rate? Code 18 - Invalid/No Response/Inaccurately Coded?**
PCG stated that they were awaiting a directive from DHCS regarding this item.
- 6.5 How do we change codes if the LECs or DHCS do not agree with the code provided? Can this process be ongoing?**
PCG developed a short-term solution to allow LECs/LGAs to request that PCG make coding changes in the system using a template. The long-term solution would allow for automated coding changes based on the user type or user rights of the individual.
- 6.6 The Senior Coder needs to have the ability to change a code anytime during the quarter.**
This item is with PCG developers and PCG anticipates that the code change functionality will be available in Q2 of 2015/16.
- 6.7 Is the final time survey results report included in the software user’s license? Please provide the instructions for this report.**
PCG stated that the final time survey results report was included in the software user’s license. PCG was awaiting DHCS directive regarding splitting codes 18/19. PCG would manually create the report (for 14/15-3 and 14/15-4) once they receive this directive.
- 6.8 Procedure for providing the LEAs a report of the time survey results for purposes of the 30-day appeal period – Status**
- PCG stated that the LEA report was in development. The procedure for providing the report to LEAs was up to DHCS. However, the LEC can create a report using the moments export feature.
 - A committee member suggested that PCG provide LECs with step-by-step instructions to manually create the time survey results report using a pivot table. PCG agreed to provide the instructions.
 - A committee member asked PCG if the time survey results report could be on the LEA user’s dashboard either in a PDF or Excel format so that a LEC could instruct LEAs to view their results on their dashboard. PCG responded that they would run this idea by their developers. PCG also stated that this would be a good topic for the upcoming DHCS “Summit” meeting.

6.9 Moving forward – Will the PCG system accommodate the input of schools’ calendars for the entire fiscal year (starting with 15/16)? If so, will that potentially eliminate the five student attendance day issues (versus five calendar days)?

PCG stated that this was in development and should be ready for the next quarter of RMTS. PCG further stated that clients in other states typically use five calendar days for moment notifications and responses.

6.10 Moving forward – Will the PCG system allow for LECs to respond to a moment (for a participant on leave) before the actual moment arrives?

PCG stated that this would not be allowed due to program integrity issues.

6.11 When providing SSP guidance or tips, please include all CALEC contractors

PCG stated that they would make every effort to notify all LECs of software issues/fixes, etc. PCG recently (6/1) released a (RMTS) bulletin with tips and information regarding system updates to all LECs/LGAs.

7.0 LEC Committee Business

7.1 Software Development (Andrea Tennyson)

- The committee discussed software issues and problem resolutions with PCG as identified on a list compiled by Andrea Tennyson. Some of these issues would be brought forward to the upcoming DHCS hosted “Summit” meeting where LECs/LGAs, PCG, and DHCS would discuss what was working in the software system, what was not working in the system, and what (software) functionalities could be improved.
- PCG requested that the LEC Advisory Committee prioritize the list of system enhancements that were previously identified by committee members.
- The committee discussed clarifying questions (CQ) in the RMTS process. What type of options could be available as far as the sequence of asking a clarifying questions (coder and senior coder). A committee member suggested the use of a pull down menu for clarifying questions might be something to consider. The committee agreed that this item should be discussed at the upcoming RMTS Summit meeting.
- A committee member asked about removing a district from RMTS participation before the (next) quarter begins. When a district was inactivated (before Q4 began), they still showed up on the claiming unit list and required “certification” before the LEC could certify all other LEAs in the Q4 universe. The LEC Coordinator had to certify the inactive LEA so that the Region could move forward. There appeared to be no way to exclude an LEA from the quarter. PCG stated that they would research this issue.

7.1.1 A report that can be run that will show individual LEA compliance rates.

PCG stated that a LEC could view each LEA’s individual home page to review compliance or a combination of all individual screens is available as the LEA Compliance Report.

7.1.2 A report to show the percentages in each code at any given point

The development of this report is pending DHCS directive. PCG is waiting for DHCS to define what constitutes an “invalid” moment.

7.1.3 For the compliance report, it would be great to have the expiration date of the moments.

PCG will need to communicate with developers regarding this report addition.

7.2 Regional LEC Updates/RMTS Implementation

The committee discussed how RMTS implementation was progressing in each region and the committee shared best practices.

7.3 Status of 2014-130 California DHCS SMAA and LEA Billing Option Program – Audit Requested by Senator Liu. LEC Discussion.

The committee discussed the ongoing audit of DHCS by the Bureau of State Audits (BSA). Regions 2, 5, 8, and 11 were contacted by BSA Auditors and asked a series of questions about MAA program participation. The auditors requested copies of the LEA MAA participation agreements from each of the LECs that were contacted.

7.4 Coding Report

The committee discussed the importance of having a time survey coding report available for the LEA to review at the end of each quarterly RMTS period. Per item 6.8 (above), PCG has this report in “development”.

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

There was no report on the LEA Medi-Cal Billing Option Ad-Hoc Workgroup

9.0 RMTS Implementation Advisory Group for the LEA Medi-Cal Billing Program – Update (Rosalee Hormuth and Margaret Roux)

The RMTS Implementation Advisory Group (IAG) held their sixth meeting on 6/3/15. The meetings are considered “confidential”. LEC members were reminded to review the IAG meeting summaries on the DHCS website for discussion at future LEC meetings (http://www.dhcs.ca.gov/provgovpart/Pages/LEA_RMTS.aspx). This website provides a link for “stakeholder feedback”.

10.0 Adjourn

*The next LEC Committee Meeting is **Thursday, August 6, 2015** at:*

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