

LEC Advisory Committee Meeting Minutes

Thursday, June 8, 2017

Meeting Time: 10:00 am - 2:15 pm

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

LEC Coordinator/Representative Attendees:

Sharon Battaglia, Sonoma County Office of Education, **Co-Chair**, Region 1
Coreen DeLeon, Glenn County Office of Education – Region 2
Margaret Parisio, Glenn County Office of Education – Region 2
Randy Jones, Glenn County Office of Education – Region 2
Jen Minton, Sutter County Superintendent of Schools – Region 3
Michelle Cowart, Contra Costa County Office of Education – Region 4
Janice Holden, Stanislaus County Office of Education – Region 6
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, **Co-Chair** – Region 9
Rebekah Smith, San Bernardino County Superintendent of Schools – Region 10
Octavio Castelo, Los Angeles County Office of Education – Region 11

Other Attendees:

Andrea Coleman, Los Angeles Unified School District (LAUSD)
Amanda Dickey, California County Superintendents Educational Services Association (CCSESA)

Public Consulting Group (PCG) via phone:
Lisa Pavelek, Aaron McAlmont, Jamie Harrison

Absent:

Tony Teresi, Department of Health Care Services (DHCS)
Michelle Kristoff, Department of Health Care Services (DHCS)

1.0 Introductions

- Each individual stated his/her name and agency affiliation
- Rosalee advised that Michelle Kristoff presented written note responses to items on agenda, in lieu of her attendance.

2.0 Additions to the Agenda

- No additions

3.0 Approval of Minutes – Minutes from October 6, 2016 meeting

- October 6, 2016 meetings minutes were approved as presented

4.0 Department of Health Care Services (DHCS) Report/Update

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(Note: Written responses received from Michelle Kristoff will show in BLUE print)

4.1 Backcasting:

- **Alternative Plans** – Is DHCS accepting alternative plans? Please provide a meeting summary/recap of meeting with Hellan Dowden and David Neben; we are hearing about additional requests for more data? Is CMS open to re-negotiations?
DHCS will review any suggestions from any group or individual to improve the operation of any program. This includes alternative backcasting proposals. DHCS met with Hellan Dowden and David Neben on May 10 to discuss a specific alternative backcasting proposal. Additional data requests were to be made. Until such time that DHCS receives a viable alternative backcasting proposal, it is premature to approach CMS for possible discussions.

- **Instructions/Training** – status

Backcasting webinar occurred on Wednesday May 31, 2017. The PowerPoint is posted to the website.

- **VFW** – status, process needs clarification

DHCS has created two separate VFW documents – 1 for RMTS and 1 for backcasting. We have worked with stakeholders to revise and clarify the instructions for each version.

NOTE: Margaret, Rosalee & Sharon are working with Tony on this issue.

There was a conference call with Brian Berdulis, Margaret Roux, Rosalee Hormuth, Sharon Battaglia, Michelle Kristoff and Tony Teresi, to get clarification for DHCS regarding the information/directives they received from CMS on the calculation of the 15% cap. Margaret, Rosalee & Sharon will continue working on this process, the calculation of the 15% will be based on when the fees were incurred and not when they were paid.

- **Group 1 Deadlines** – Extended to August 31st
Correct.

4.2 RMTS Invoice deadlines - 2015/16-Q1 due July 31st and 2015/16-Q2 due August 31st **Correct.**

4.3 Data Match/MoveIt Process

- **Status of 15/16 uploads?** –We can't meet the invoice deadlines without this %
The technicalities preventing the processing of existing data match input files have been resolved and the 15/16 data submissions will be processed as soon as possible.

A LEC member advised that files that are in system for too long will disappear, between 30-45 days in system will disappear. Need this issue addressed.

Significant percentage decrease seen by Region 2 in the new (MoveIt) process,

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and Region 2 has continued using the old process, until unable to do so, and/or until confirmation received that all issues are resolved.

- **When do we upload 16/17 data?**
2016/17 data can be uploaded within the corresponding quarter and will be processed before the end of the same quarter.

Note: when asked about the submission format of the 16/17 data, it was suggested that we hold off until Tony/Emily can provide clarification.

- 4.4 **Update on PPL on RMTS TSP Funding Source Compliance – status**
The PPL 17-008 SMAA RMTS TSP Funding Source Compliance was posted on May 31, 2017.

When LEA's certify staff pool list for Q2, need this submitted. This needs to be received prior to moment generation.

- 4.5 **Integration of RMTS into LBO Program – status**
- Has CMS approved the SPA? Is the target start date still 7/1?
DHCS has informally submitted to CMS a response to the request for additional information (RAI) and State Plan Amendment (SPA) 15-021 related documents, including the Cost and Reimbursement Comparison Schedule (CRCS) and CRCS instructions. On 5/30/17, DHCS met with CMS to discuss the items submitted, and CMS informed DHCS that they will send follow-up questions within the next week. Currently, DHCS is considering the best options for implementation dates for RMTS, and new services and practitioners.
 - When will DHCS send out communications to districts?
DHCS continues to update stakeholders on the progress of SPA 15-021 as well as the implementation of RMTS, at the bi-monthly Advisory Workgroup meetings and at the monthly RMTS Implementation Advisory Group meetings. All meeting minutes are published on the LEA BOP website.
 - Have changes to Code 2 been finalized? When does DHCS anticipate submitting changes to SMAA Manual to CMS?
Changes to Code 2 are in the final stages of approval. DHCS anticipates submitting the LEA Billing Option Program DRAFT Implementation Guide to CMS for approval soon.

Issue of providers who bill for some services and not bill for others. LEA's need to be sure student healthcare plan is in place for them. A suggestion was made to send all questions and/or comments to the LEA billing comment link on their

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website. It was noted that there are currently 57 districts who do LEA billing, but not SMAA, DHCS will be contacting those LEA's. Margaret will send this list out to all LECs to confirm.

- When will trainings be available for Coders, LEA Coordinators and participants?
DHCS is currently working on RMTS training materials and expects to have those available once SPA 15-021 is approved.

4.6 Moment expiration for fourth quarter of RMTS.

This was an agenda item for the weekly conference call back in March 2016. The 7/15 date was agreed to by the group to accommodate that: 1) some districts whose calendars carried their student attendance days into June and as a result their TSP's were still getting moments into late June: and 2) the clarifying question process, which gives the coders up to 15 days to transmit a CQ. According to the SMAA Manual, Section 6-18, "all CQs must be transmitted...no later than 15 days after the moment expiration."

According to PCG, the issue is one of how the information is displayed in the system. The issue does not appear to be one of noncompliance. DHCS will follow up with PCG to ensure the issue is resolved before the sample is drawn for the 17/18 Q2.

☞ LUNCH BREAK ☞

5.0 LEC Committee Business

5.1 PCG Update – PCG via phone

- **Status on current items in development**
 - Email was previously sent out regarding update to moment expiration due to future quarter changes. LECs expressed concern that there are no student attendance days after moment goes out, no need to push expiration out to 7/15, can expire sooner.
 - CQ followup report for LEA coordinators to monitor will be deployed soon and instruction will be provided to all.
 - Time Study Summary Report – making more usable for dual coding – currently in QA
 - TSP cannot be assigned to inactive shift – in development
 - Customized view of dashboard resources – in development
 - Access to be changed to not allow the ability to export subsample without access to approve sample coding – in the works
 - Ability to mark as 'VACANT' or mark as 'NO RESPONSE' will auto code moments appropriately, at time of marking moment – in development

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- Process to make quarters “stand-alone” is in the works – PCG anticipates this to be available by the end of the summer.
- **Projected changes/updates/maintenance to the system**
 - Nothing has been communicated to PCG regarding LEA BOP implementation into RMTS.
 - No anticipated routine maintenance and none that would affect system functionality.
 - Question from LECs: for the LGA districts coming into LEC responsibility, how can we get those TSP’s into the system the most efficient way? Can these be uploaded? PCG: Yes. LECs: Will provide list.

5.2 Calculation of DHCS Fees

There was discussion about how DHCS should be allocating their fees amongst the regions. The group agreed that the calculation should be based on current data. Margaret will forward information she has from Margie for review.

5.3 CCSESA Update

- Amanda has spoken with David Neben regarding the meeting with DHCS on backcasting. DHCS was asked if a total renegotiation of the deferral settlement was an option and the answer from DHCS was NO. Currently David Neben is working on a change to the calculation of backcasting quarters for FY 12/13 forward, Based on the current testing results/data he is showing that by removing some people from the TSP list based on moment responses, results will increase revenue anywhere between 5-20%. Amanda explained that David has offered to call in to the LEC meeting to explain the calculation and process if the group was interested. The group agreed
- Amanda explained that a meeting on 6/8 was held based on input from various organizations (CDE and Community Schools Network) and a small workgroup was convened to discuss how LECs and LEAs might be able to work together in the future to help identify solutions to shared problems affecting the SMAA and LEA Billing Option (LBO) programs. The group included LEC co-chairs and several LEA representatives. Solution Based Workgroup (SBW) possible priority issues: Renegotiation of SMAA settlement agreement and backcasting, SMAA stakeholder meetings, LBO audit deferrals, missing \$15M from the settlement agreement, LBO transition to RMTS, coding appeals process. Michelle Cowart and Janice Holden will also be added to the SBW.
- Meeting 6/8 with CDE and Community Schools Network regarding LEA BOP & MAA implementation. It was strongly suggested that collaboration between LEA’s and LEC’s needs to occur. Solution Based Workgroup (SBW) has been formed, Possible Priority Issues for (SBW): Renegotiation of SMAA settlement agreement and backcasting, SMAA

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stakeholder meetings, LBO audit deferrals, Missing \$15M from the settlement agreement, LBO transition to RMTS, Coding appeals process. There has been a misrepresentation that LECs were specifically involved with backcasting settlement. [Michelle **Cowart** requested to be added to (SBW), as

- LEGISLATION: AB 481 no longer moving forward. AB 834 author O'Donnell and sponsor have made amendments, per info and direction received from CCSESA. These amendments are not yet in print. Funding for the new Office of School-Based Health Programs would be through the LBO program withhold. AB 254 - Thurmond bill – bill has changed significantly, now a mental health bill; no longer MAA related.
- AHCA to repeal ACA – Government relations director at CDE not optimistic about what will happen. Debra Brown – CDE GR director believes we are 1 vote off from killing. Under this repeal, Medicare would become a block program and California could lose around \$800M. CCSESA remains hopeful, but realistic.

Call with David Neben

David Neben explained that he and Hellan Dowden had a meeting with DHCS upper management to discuss the CMS backcasting settlement. He referenced the October 28, 2015 CMS letter, “(10) DHCS agrees to submit any changes to the approved backcasting methodology to CMS for review and approval prior to implementation.” Explaining that since the implementation of the calculation of claims for FY 12/13 through 14/15 Q2 had not begun, there should still be an opportunity to submit changes.

His proposal: Backcasting allocation should mirror the methodology implemented at the start of the deferral. 12/13 through 14/15 Q2 will have all unauthorized positions already removed. Go back into the RMTS data and remove positions that did not register a billable moment during 14/15 Q3 & Q4 or 15/16 Q2

DHCS pushed back a little at first but then he explained that his proposal is specific to backcasting and would in no way affect RMTS actual results. The process would be to try to remove unbillable positions to mirror worker log methodology, which should result in billable MAA time increasing. He stated that this comparison is more of an ‘apple to apples’ methodology. The data utilized in testing came from individual moments and what specific code was used for that moment. He stated that DHCS seemed interested but wanted to see more data.

Question: Did DHCS provide a timeline? David: DHCS advised they would try to look at data on their end, as well, and will compare to see if it’s something they can take back to CMS.

David advised, if you would like to be able to see how your data fares in this process, you can send your information anonymously via Amanda to see how your region looks in this proposal. David will work with Amanda for those who would like to proceed further.

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5.4 LEC Committee Meeting format and restructure – location, dates, format

- Request made to prepare calendar at beginning of each fiscal year for meeting dates and SMAA stakeholder meeting RSVP's to go through one person for tracking. Currently scheduled twice a year for October 5, 2017 and February 8, 2018.
- Sharon & Rosalee to provide dates to begin coordination of future LEC meetings. No longer at Yolo COE. August meeting to be held at Hilton Garden Inn, in Natomas. Amanda offered the SELF building downtown as an option for the LEC meetings. She will check on availability.

5.5 LEC Contracting Discussion (RFP Process)

- Per Octavio Castelo, Los Angeles County Office of Education – copies of all previous proposals are with leg analyst, in final stages, will keep all updated.
- Sub-committee volunteers from last LEC call were Margaret, Sharon, Rosalee and Octavio. Sub-committee to also include some LEA representatives chosen by LACOE. Group hopes to meet late-summer.

5.6 LEA BOP Ad-Hoc Workgroup update – no update, discussed in other topics of meeting.

5.7 IAG Workgroup update – no update

6.0 Adjourn