

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

**LEC Committee Meeting Minutes
June 7, 2012**

LEC Coordinator/Representative Attendees:

Greg Englar, Sonoma County Office of Education - Region 1
Merilee Johnson, 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
Margaret Roux, Kern County Superintendent of Schools - Region 8
Ken Gragg, 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
Octavio Castelo, Los Angeles County Office of Education - Region 11

Other Attendees:

Geri Baucom, Department of Health Care Services (DHCS)
Candace Banks, Department of Health Care Services (DHCS)
Isabel Fritz, Department of Health Care Services (DHCS)
Robert Lucia, Department of Health Care Services (DHCS)
Tony Teresi Department of Health Care Services (DHCS)
Janice DiCroce, LGA Co-Chair
Lynda Lindsay, LGA Co-Chair
Laura Baynham, Mendocino County Office of Education
Sheri Coburn, San Joaquin County Office of Education
Sherry Purcell, Los Angeles Unified School District

Absent:

1.0 Introductions

Each individual stated his/her name and agency affiliation.

2.0 Additions to the Agenda

LEA collaborative meetings and MAA activities (item #6.4.2)

3.0 Approval of Minutes

The April 5, 2012 LEC Committee Meeting Minutes were approved.

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

4.1 Staffing

Recruitment is under way to fill the SMAA Chief position vacated by Barbara Schultz. A Staff Services Analyst (Andrew Smith) is now in the SMAA unit. One Program Specialist is now assigned to SMAA and a new Office Technician will be aboard soon.

4.2 New SMAA Contracts

- There are currently 6 contract renewals in process (2012/13); 2 LGAs (Alameda & Fresno) and 4 LECs (Sonoma, Santa Cruz, Stanislaus, and Orange). These contracts are all in their final steps of completion.
- There are 5 contracts up for renewal in 2013/14; 2 LGAs (Imperial & San Francisco) and 3 LECs (Glenn, Sutter, and San Bernardino). Letters (of intent) will be sent out on September 1, 2012.

4.3 Status of DHCS Desk/Site Reviews

- There are 3 desk reviews being conducted currently (Santa Cruz LEC, Imperial LGA and Inyo LGA)
- There are 3 Corrective action plan (CAP) reviews in process (San Bernardino LEC, Fresno LGA, and Sacramento LGA).

4.4 Time Survey Samples

- DHCS reminded the LEC Committee that time survey participants must use the current DHCS time survey form (located on the DHCS Web site).
- DHCS will look for documentation if the hours claimed on a time survey form do not match the regular work hours of the time survey participant.

4.5 CMS (Centers for Medicare and Medicaid Services) Audit

- CMS site visits to Turlock USD, Tulare COE, and Santa Barbara COE are now complete.
- CMS requested information relative to 16 additional claiming units.
- CMS requested MAA vendor information (statewide).
- DHCS is expecting a DRAFT report from CMS by June 30, 2012. Branch Chief Geri Baucom stated that she does not know what information will be included in the report.

- Branch Chief Geri Baucom stated that her office received notification from the Office of Inspector General (OIG) that they will be coming to meet with the Department of Health Care Services on June 11, 2012.

4.6 Medicaid Agency Written Policy on E-signatures

DHCS was asked if the supervisor's signature requirement could be eliminated. Geri Baucom replied that the supervisor's signature is still required as part of the time survey process.

4.7 General Education Teachers

DHCS is in the process of reviewing MAA invoices that include large amounts of general education teachers in the time survey cost pool. DHCS staff is still in the gathering phase of their research. When DHCS completes their gathering and initial review, they will bring the issue to the committee for further discussion.

4.8 2012/2013 SBMAA Manual Changes

4.8.1 Release data & status of changes

The (2012/13) SMAA Manual is almost ready for posting on the DHCS Web site. There will be one more review of the proposed changes. DHCS hopes to post the 2012/13 SMAA Manual before the June training Webinar.

4.9 Random Moment Time Study (RMTS) Updates

4.9.1 Release of DHCS Key Components

Robert Lucia, DHCS Analyst reported that DHCS is working on a plan for statewide RMTS implementation. Once the plan is developed, DHCS will create a workgroup to include LEC & LGA members. The workgroup should be formed by the end of August 2012.

4.9.2 Provide Update on LAUSD Implementation

LAUSD's first RMTS MAA invoice (Q3 of 2010/11) is being submitted to the State by Region 11 LEC Coordinator Cathy Bray today. DHCS has reviewed samples from the second (RMTS) LAUSD invoice (Q4 of 2010/11) and found no errors

4.9.3 Provide Update on CMAA Implementation/CMS Approval

- The County-based MAA (worker log) methodology is still being reviewed by CMS.
- One concern identified by CMS is the activity of completing the time survey form as a MAA Code 15.

4.10 Branch Chief Report

- Branch Chief Geri Baucom discussed Policy & Procedure Letter (PPL) 12-012 regarding clarification of contingency fees. LEAs cannot claim reimbursement for fees that are based on a contingency of their (MAA or Direct Medical Services) claim. Fees must be based on actual cost and not on budget or contingencies. A public entity (not-for-profit) organization that balances yearly to actual costs is the exception.
- Host contracts have been approved by the Department of General Services and the State Contract Unit. LECs will be receiving an invoice from DHCS in June and at the end of every quarter thereafter.

- Region 10 asked about the status of invoice payments. Invoices have been with DHCS for an unusually long period. DHCS Analyst Candace Banks reported that many of the Region 10 invoices are awaiting the Branch Chief's approval. Geri is signing off on all invoices in the absence of the SMAA Chief (vacant position). In addition, DHCS staff are now asking more clarifying questions of the LECs & LGAs as they review and approve MAA invoices for payment. This may slow down the process.
- The LEC Committee discussed the MAA invoice review process at the State level. Chief Baucom reported that DHCS is not just "approving" invoices without thorough review.
- A LEC Committee member asked about an invoice with an "unreasonable" amount of Code 8 and whether or not it should be submitted to the State (without LEC approval) given that an "unreasonable" amount of Code 8 was recently approved (by the State) above the protest of the Regional LEC. Chief Baucom responded that the invoice that was reviewed (by DHCS) was found to have enough supporting documentation to allow the amount of Code 8 (as reported) in the MAA invoice. Chief Baucom stands by her staff's analysis in this particular case.
- DHCS staff can review the next "unreasonable" Code 8 invoice (at the LEC's request) and provide guidance to the LEC. Each invoice and each claiming unit stands on its own for review. Just because DHCS approved one invoice with (what might be considered unreasonably) high Code 8 does not necessarily mean that DHCS will approve another invoice with the same amount of Code 8.
- A LEC Committee member asked if the rationale DHCS used in approving the high Code 8 claim was that there is nothing in the regulations that says "you can't have high Code 8 claimed?" Chief Baucom responded that she does not know if that was the deciding factor. Chief Baucom stated that we all share the same goal to make this a stronger program that is audit-safe.

5.0 Review of April 5, 2012 LEC Committee Meeting Items

No discussion

6.0 LEC Committee Business

6.1 California Virtual Academy (CAVA)

- LEC Co-Chair Margie Rollins received no response from CAVA administration regarding questions from the LEC Committee and arranging for a CAVA representative to attend a LEC Committee meeting to provide information about CAVA and how they would participate in the MAA Program.
- Committee members agreed that there is not sufficient information at this time to recommend that CAVA participate in the MAA Program. Research will continue in this area.

6.2 Status of DHCS Desk/Site Reviews

See item #4.3

6.3 New DHCS SMAA Contracts

See item #4.2

6.4 Time Survey Samples

The LEC Committee discussed the use of the word “initial” in Code 4 samples.

6.4.1 Time Survey Form

- The LEC Committee discussed the implementation of e-signatures on the MAA time survey form. DHCS still expects to see a hard copy of the time survey in the MAA audit file (during site reviews). Co-Chair Margie Rollins provided a hand out of a draft e-signature policy prepared by the Northern California Medi-Cal Administrative Services (NMAS) JPA. The NMAS JPA is ready to move forward with e-signatures (at the discretion of the member LECs that use NMAS JPA services). Region 1 is also prepared to move forward with e-signatures for the time survey participants, with a “wet” signature of the supervisor on the time survey form.
- The LEC Committee discussed the hours claimed on the time survey form and if those hours deviate from the “normal work hours” reported on top of the time survey form, an explanation must be provided.
- The Committee also discussed signature requirements on extra narrative pages of the time survey form.

6.4.2 LEA Collaborative Meetings & MAA Activities

The LEC Committee discussed mental health services shifting from counties to schools, and how many collaborative meetings involve discussing strategy & planning around providing mental health services to students. The committee discussed the importance of stressing who/what/why when preparing time survey narratives about program planning and policy development. The location of where the discussions/meetings take place is not the focus of the activity.

6.5 Draft of ideas for 2012/13 DHCS Presentation - handout

The LEC Co-Chairs provided a hand out with draft suggestions for the upcoming DHCS training. Items of discussion included the following: State updates, MAA activities, the time survey form, required source/supporting documentation, and identifying programs that are Medi-Cal programs.

6.6 Community College

6.6.1 Indirect Cost Rate (PPL)

PPL guidelines allow colleges to use a 10% ICR as of 7/1/2012

6.6.2 Student Fees – Trailer Bill

No discussion.

6.6.3 CPE (Certified Public Expenditure)

A LEC Committee member stated she has been researching whether or not college health center fees qualify as CPE. Although DHCS previously indicated that the health center fees do qualify, this area may need to be revisited. In addition, the Fresno LGA is researching the appropriateness of categorical funds as CPE. This includes programs such as Cal Works (California Work Opportunity and Responsibility to Kids) and EOPS (Extended Opportunity Program and Services).

6.7 General Education Teachers

No discussion.

6.8 Random Moment Time Study (RMTS) Update

6.8.1 Release of DHCS Key Components

See item #4.9.1

6.8.2 Provide Update on LAUSD (Los Angeles Unified School District)

See item #4.9.2

6.8.3 Provide Update on CMAA Implementation/CMS Approval

See item #4.9.3

6.9 LEC Bylaws – Potential Amendments

Legal counsel in Region 8 reviewed the LEC Bylaws, and suggested some minor changes. LEC Committee members Annette Jewell, Monica Morgan, and Margaret Roux will review the suggestions from legal counsel and prepare a draft copy of the revised LEC Bylaws for the committee to review and discuss.

6.10 Co-Chair Nominations and Elections

The LEC Co-Chair term of Margie Rollins ends on June 30, 2012. Committee member Janice Holden nominated Margie Rollins to serve another 2-year term as LEC Co-Chair. Merilee Johnson seconded the nomination and expressed appreciation for the work that both Margie and Annette do on behalf of the LEC Committee. A vote was taken and Margie Rollins was unanimously re-elected to the Co-Chair position.

6.11 LEC Lunch Fund

New lunch fund invoices will be sent out to all regions after July 1, 2012.

7.0 Business and Administration Steering Committee (BASC) Report

Nothing to report

8.0 Invoice News

Nothing to report

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

- The 2006/07 CRCS (Cost and Reimbursement Comparison Schedule) audit is complete. A&I provided an update on letters sent out relative to the 06/07 CRCS forms.
- The 2009/10 CRCS form is the only CRCS form that may be re-submitted to the State by the LEA.
- 315 people attended the recent State PPA (Provider Participation Agreement) & AR (Annual Report) Webinar. The Webinar PowerPoint is posted on the State Web site. The questions/answers portion of the Webinar will be posted soon.
- The 2010/11 CRCS is due November 30th.
- The 2011/12 AR and the 2012/13 PPA are due on October 10th (extended due date to November 30th).
- CDE has a representative (Renzo Bernales) attending the Ad-Hoc Workgroup regularly.
- The Ad-Hoc Workgroup continues to discuss ways to identify and reach out to LEAs that currently do not participate in the LEA Billing Option Program.

- Sherry Purcell provided a handout to the LEC Committee and discussed SB231, now known as AB2608. This Bill mandates that DHCS work with stakeholders to grow the LEA Program. With the original Bill scheduled to sunset on January 1, 2013, passage of AB2608 will provide re-authorization and eliminate the sunset date.
 - DHCS submitted a Trailer Bill which proposes to remove the 1.5M cap for consultants and increase the withhold for audits from a “not to exceed” amount of \$650K to a “not to exceed” amount of \$820K.
 - The latest status on AB2608 and the Trailer Bill is that they are moving forward.
 - The Ad-Hoc Workgroup does not necessarily agree with the Trailer Bill cap removal and withhold increase amount, but does not want this legislation to go away. The Ad-Hoc Workgroup wants improved State accountability in the LEA Billing Option Program

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 August 9, 2012 @ YOLO COE