

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

**LEC Advisory Committee Meeting Minutes
October 3, 2013**

LEC Coordinator/Representative Attendees:

Sharon Battaglia, 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
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:

Carolyn Cain-Smith, Department of Health Care Services (DHCS)
Tony Teresi, Department of Health Care Services (DHCS)
Jedidiah Warren, Department of Health Care Services (DHCS)
Janice DiCroce, LGA Co-Chair
Lynda Lindsay, LGA Co-Chair
Bill Cornelius, Sutter County Superintendent of Schools
Randy Jones, Glenn County Office of Education
Laura Baynham, Mendocino County Office of Education
Cathy Bennett, Sacramento City Unified School District
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

- MAA reimbursement payments from DHCS (item #4.9)
- Location of LEC Advisory Committee Meetings (item #6.11)

3.0 Approval of Minutes

The August 1, 2013 LEC Advisory Committee meeting minutes were approved.

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

4.0 Staffing

- Geri Baucom is no longer Branch Chief for the Administrative Claiming, Local & School Services Branch. She transferred to a special assignment in Managed Care.
- The DHCS MAA Unit is undergoing an assessment to determine internal staffing needs. Jennifer Brooks, Acting Division Chief, Safety Net Financing Division will be responsible for the Branch Chief position in the interim.
- There are two new DHCS School-based MAA Analysts (Daniel Miller and Jedidiah Warren).

4.1 2013/2014 Interim Claiming - Status

4.1.1 2013/2014 DHCS Guidance for Time Surveys

DHCS reported that they requested 2013/14 interim claiming (using the quarterly time survey methodology) from the MAA Program federal oversight agency (CMS-Centers for Medicaid and Medicare Services). DHCS asked that only continuing participants survey during 2013/14. They also requested a (time survey) training waiver from CMS for 2013/14. The 2003 CMS Medicaid School-based Administrative Claiming Guide, the 2012/13 California SMAA Manual, and additional requirements would apply. Informal approval was given by CMS; however, formal approval from the CMS Director must be received before DHCS can move forward. The CMS Director is currently on furlough due to the government shut down.

4.1.2 2012/2013 DHCS Guidance for Invoices

- All 2012/13 MAA invoices will be subject to the “Reasonableness Test Criteria - RTC” once formal approval of the RTC is received from CMS.
- DHCS reported that the 2012/13-1 MAA invoice filing deadline would be extended to March 31, 2014. This information would be posted on the DHCS website soon.

4.2 CMS Deferral Certification Process

4.2.1 Status of Reasonableness Test Criteria (RTC)

- DHCS reported that they received informal approval of the RTC that was submitted to CMS. However, formal approval would be necessary before DHCS could move forward with the process.
- Once formal approval is received, DHCS will provide web-based statewide training on the RTC process. The RTC process will supersede all previously submitted deferral certification documents.

- A LEC Committee member asked DHCS about past technological problems with the State receiving electronic certification files. Deferral certifications were sent by LECs and not received by DHCS. It would be imperative that moving forward with the new RTC process, the LECs have some form of assurance that submissions are received by DHCS. Chief Cain-Smith reported that she would review these concerns and work with the State's information technology department to resolve any problems.

4.3 Implementation Plan - Status

- DHCS reported that the School-based MAA RMTS (Random Moment Time Study) workgroup (comprised of DHCS staff, 2 LECs, 2 LGAs, and 2 school districts) met on 9/18/13 and 10/1/13. The meetings went well and another meeting was scheduled for 10/16/13. DHCS reported that they intend to submit a new implementation plan to CMS by 10/21/13.

4.4 CMS Financial Management Review (FMR) Report – Update

4.4.1 DHCS Response to FMR Report

DHCS would not share the State response to the draft FMR report until they received a reply from CMS.

4.4.2 Final CMS FMR Report

DHCS requested the status of the final FMR Report from CMS. As of today, there has been no response from CMS.

4.5 OIG (Office of Inspector General) - Update

- DHCS reported that OIG would be scheduling an exit interview with Chino Valley Unified School District and the San Bernardino LGA later this month.
- Carolyn Cain-Smith was notified by OIG (in September) that Stockton Unified School District would be reviewed. The Region 6 LEC reported that OIG began their review of Stockton USD on 9/11/13 and the review is in process.

4.6 SMAA Program Updates on DHCS Website

4.6.1 Comments/Questions to DHCS

- DHCS reported that as of today, they had received 10 questions on their SMAA website
- A LEC Committee member asked if all LECs forwarded the DHCS website information (link) to their claiming units and all LECs responded in the affirmative.

4.6.2 Questions/Answers

DHCS reported that they try to answer all questions within 48 hours.

4.7 Community College - Update

Nothing to report

4.8 Branch Chief Report

- Chief Carolyn Cain-Smith thanked Region 8 for their assistance in working on the "Reasonableness Test Criteria – RTC" process.
- Region 8 stated that they provided the LEC Advisory Committee established RTC to DHCS for review and submission to CMS for approval.

- Chief Carolyn Cain-Smith stated that once formal approval is received from CMS to use the RTC process, the invoice re-certification will go back to the LEA level.

4.9 MAA Reimbursement Payments from DHCS

A LEC Committee member asked DHCS about claiming units that had been cleared from deferral and had not received invoice payment. Chief Cain-Smith stated that the payments for units cleared from deferral were not being held, but may have been delayed due to State workload concerns. Chief Cain-Smith further reported that DHCS would try to provide the most up-to-date invoice status (to the LECs) through quarterly invoice status reports.

5.0 Review of August 1, 2013 LEC Advisory Committee Meeting Items

No discussion

6.0 LEC Advisory Committee Business

Review DHCS Agenda Items

6.1 2013/14 Interim Claiming

- The committee discussed how claiming units are losing interest in MAA participation as a result of having no interim claiming plan in place for 2013/14.
- The committee discussed how MAA invoice amounts would be decreasing in 2012/13 as a result of the code 15/16 changes to the interim plan.
- The committee discussed community college participation in MAA and absent any guidance from DHCS, colleges would continue to participate. A Committee member stressed the importance of explaining the MAA Program to the college MAA Coordinator and explaining what is “reasonable” as far as time survey coding and amounts of time spent performing MAA claimable activities.

6.2 CMS Deferral Certification Process

6.2.1 Reasonableness Test

- The LEC Advisory Committee discussed that time survey coding and review is much tighter as far as what is considered “reasonable” and “acceptable” in 2012/13 as we await an official State reasonableness test.
- The committee discussed the unfortunate timing of the government shutdown, and the fact that the deferral process had reached a standstill as the State awaited approval of the RTC from CMS. The committee discussed how school district and county office of education jobs are affected by the MAA reimbursement deferral.
- A committee member asked about a 50% settlement discussion to move the deferral process forward and asked if anyone knew anything about this. Sutter Superintendent Bill Cornelius stated that DHCS mentioned the possibility (in January) of withholding 50% of the MAA claims until audit findings were released.
- A LEC Committee member thanked Bill Cornelius for his involvement and asked that he convey the committee’s gratitude to the County Superintendents for their support of the MAA Program.
- Bill Cornelius stated that a common message coming from the LEC Advisory Committee would be a valuable tool in keeping everyone involved in the deferral

certification process on the same page. He further stated the importance of sharing the same information at the same time throughout the State.

- The Region 8 LEC representative suggested that the LEC Committee establish a website as a sole source for LEC information and MAA Program common messages. Region 8 offered to host the site. This could allow stakeholders to have real time access to LEC information, common MAA messages from LECs, BASC (Business & Administration Steering Committee), COFS (County Office Finance Subcommittee), as well as MAA meeting agendas and meeting minutes.
- LEC representatives from Region 1 (Sharon Battaglia) and Region 10 (Jennifer Alvarado) volunteered to work with Region 8 (Margaret Roux) to develop the LEC Advisory Committee official website.
- The committee discussed that prior to June 2012 there was not a need for DHCS to post MAA updates and for the LEC Committee to have a website to provide common messages. Regional representatives provided their claiming units with information regularly and there were no complaints about LEC transparency. In addition, the LEC Advisory Committee has had an appeals process in place for several years to address claiming unit concerns with LEC policy and MAA invoice processing.

6.3 Implementation Plan

See item #4.3

6.4 CMS Financial Management Review (FMR) Report

6.4.1 DHCS Response to FMR Report

- See item #4.4.1
- The committee discussed concern about not having access to the DHCS rebuttal to the draft FMR report. Regional information was provided to DHCS to use in their rebuttal; however, it is not clear that the regional information was forwarded to CMS. The committee should be provided with the DHCS rebuttal when CMS issues their final FMR report.

6.4.2 Final CMS FMR Report

See item #4.4.2

6.5 OIG (Office of Inspector General)

- LGA Co-Chair Janice DiCroce stated that OIG was concerned with statewide issues as they reviewed Chino Valley USD. The issue around “extension of a direct service” and the appropriate coding of code 2 and code 8 activities seemed to be one of the items focused on by OIG auditors.
- Region 6 LEC representative Janice Holden stated that OIG is in the data gathering phase of their investigation/review of Stockton Unified School District.

6.6 SMAA Update on DHCS Website

The LEC Committee discussed the fact that the State had received very few questions about the status of the MAA Program from the link on their SMAA update page. It would be interesting to know the number of hits the DHCS (SMAA update) website received.

6.7 Community College

The LEC Committee discussed allowing community colleges to use the 10% indirect cost rate per Policy & Procedure Letter (PPL) 12-003. The committee discussed that the PPL (as written) allows for 10% of the direct salary and wage costs, but does not address applying 10% to the college's other costs (identified on line 56J of the invoice). Therefore, if LECs allow the 10% indirect cost rate on the college MAA invoice, an invoice adjustment would be necessary to offset the 10% applied to the other costs portion of the invoice. This would be a fairly simple offset to page 4 of the MAA invoice. Co-Chair Margie Rollins stated that she would research the issue and provide instructions for the offset.

6.8 Branch Chief Report

See item #4.8

6.9 NAME (National Alliance for Medicaid in Education) Conference

- The (2013/14) annual NAME conference will be held in Grand Rapids, Michigan from October 8 through October 11, 2013.
- Committee members that plan to attend the NAME conference include representatives from regions 1, 3, 5, 6, 9, 10 and 11. Regions 2, 4, 7 and 8 will not be attending the conference.

6.10 LEC Lunch Fund

Nothing to report

6.11 Location of LEC Advisory Committee Meetings

- The committee discussed the possibility of changing the location of the LEC Advisory committee meetings. A venue closer to an airport with direct flight service from the Bakersfield/Madera area would make attendance easier for Regions 7 and 8.
- The committee discussed the possibility of holding the Co-Chair meetings on the day prior to the LEC Advisory Committee meeting.
- A committee member stated that reorganization of DHCS staff may affect future LEC Committee and Co-Chair meetings.
- The committee agreed to consider meeting location possibilities and bring this item back for discussion at a future date.

7.0 Business and Administration Steering Committee (BASC) Report

7.1 CCSESA Update

- Sutter County Superintendent Bill Cornelius reported that the MAA Program had been a topic of discussion at the quarterly County Superintendents' meetings.
- Superintendent Cornelius (along with Superintendent Tom Changnon and CCSESA representatives) attended a meeting with DHCS Chief Deputy Director Mari Cantwell to address concerns about the MAA Program status.
- In addition, Superintendent Cornelius was involved in conference calls with the 11 County Superintendents (that administer Regional LECs) to discuss and address some misinterpreted and inaccurate information about the MAA Program. He stated that the 11 LEC County Superintendents expressed support for the LEC Advisory Committee holding meetings/sessions where only LEC Committee

members discuss LEC business. It is understood that brainstorming discussions can be very productive and lend value and efficiency to program administration.

- Superintendent Cornelius reiterated the importance of a common message (from the LEC Advisory Committee) regarding program status, and he believed that a LEC website would assist in quickly disbursing the common message to program stakeholders.

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

- The LEA Ad-Hoc Workgroup met on October 2, 2013. The workgroup discussed that this was the year to establish program integrity for the LEA Billing Option Program.
- The Annual Report (AR) is due 10/10 every year. The Provider Participation Agreement (PPA) is due every 3 years. The Cost and Reimbursement Comparison Schedule (CRCS) is due every year on 11/30. The Data Use Agreement (DUA) is due every 3 years, but if the LEA has a change to the DUA, an amendment is required. Instructions for form completion are available on the LEA Billing Option website and questions may be sent to the LEA mailbox.
- LEAs that did not submit their AR and CRCS for 06/07 and 07/08 will lose all reimbursement for those years.
- The IRUS (Interim Reimbursement and Units of Services) is now called the “reimbursement report”, and will be available on the DHCS website.
- The LEA Billing Option Webinar was a success. Five hundred people registered and four hundred forty two actually attended. FAQs from the webinar are being reviewed by DHCS and their consultant (Navigant) prior to being posted on the website.
- The Ad-Hoc Workgroup discussed posting an audit self-check list for LEAs on the State website as well as an audit tool box. This would assist LEAs in understanding State requirements and expectations in the event of an LEA Billing Option Program audit.
- Navigant facilitated a round table meeting for LEAs in Oakland on 9/29/13 to discuss LEA Billing Option Program issues/concerns.
- A LEC Committee member asked if LEAs should consider claiming TCM (Targeted Case Management) through the LEA Billing Option Program as the State moves toward the Random Moment Time Study methodology in the MAA Program.

9.0 LGA Report

LGA Co-Chair Janice DiCroce reported that the LGAs spent a good portion of their last meeting discussing the SMAA Program and the current state of deferral.

10.0 Items for December Committee Meeting

Common message approvals by LEC vote through outlook or email (to include DHCS) immediately following each LEC Advisory Committee meeting.

11.0 Adjourn

**The next LEC Advisory Committee Meeting will be on
Thursday December 5, 2013 @ YOLO COE**