

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

**LEC Advisory Committee Meeting Minutes
October 4, 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
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
Julian Weaver, San Bernardino County Superintendent of Schools - Region 10
Octavio Castelo, Los Angeles County Office of Education - Region 11

Other Attendees:

Geri Baucom, Department of Health Care Services (DHCS)
Carolyn Cain-Smith, Department of Health Care Services (DHCS)
Janice DiCroce, LGA Co-Chair
Lynda Lindsay, LGA Co-Chair
Laura Baynham, Mendocino County Office of Education
Cathy Bray
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. Branch Chief Geri Baucom introduced new School-based MAA Chief Carolyn Cain-Smith. Julian Weaver (Region 10) introduced new Region 10 LEC Coordinator Jennifer Alvarado.

2.0 Additions to the Agenda

None

3.0 Approval of Minutes

The August 9, 2012 LEC Advisory Committee Meeting Minutes were approved.

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

4.0 Staffing

Applications for the current SMAA Analyst vacancy are being screened. Applicants for the two administrative support positions are being screened. The two vacant analyst positions in TCM are in the process of being filled.

4.1 Analyst Assignment List

There are no changes to the Analyst Assignment List.

4.2 New SMAA Contracts

4.2.1 Outstanding Contracts

DHCS reported that there are no outstanding contracts. The Region 2 LEC Coordinator asked about a contract renewal coming up in November. DHCS replied that they would check the status of the Region 2 contract.

4.3 Electronic Signatures

- The LEC Committee discussed which regions are accepting E-signatures and how various regions are handling the E-signature process. The LGA is allowing E-signatures this year on a trial basis. The Region 1 LEC is allowing E-signatures for the MAA participant, but will require a “wet” signature for the participants’ supervisor. Region 9 is asking districts for written confirmation that district policies are in place to meet DHCS and Region 9 LEC E-signature requirements. Region 9 will accept both participant & supervisor signatures in E-signature format. However, the process must allow for local and LEC Coordinator review of the time survey form and the district must be able to print out the time survey form.
- No other LECs are accepting E-signatures on MAA time survey forms this year (2012/13).

4.4 Implementation Plan - Update

- The SMAA Implementation Plan will be sent to CMS (Centers for Medicare & Medicaid Services) today with a cover letter signed by the DHCS Executive Office. The entire plan/SMAA manual will be sent to CMS with revisions to sections 4, 6, and 7. The SMAA Implementation Plan will include both RMTS (Random Moment Time Study) and worker log methodologies. Changes were made to the worker log methodology to make it statistically valid (and acceptable to CMS).

- The length of the (worker log) survey period will depend upon the number of participants included in the MAA time survey process. In addition, the Claiming Unit Function Grid will now be required at the beginning of the year, listing all MAA participants.
- A LEC Committee member stated that since most districts have fewer than 100 MAA participants, if CMS accepts the implementation plan (proposed by DHCS) then many of our districts will either have a perpetual worker log or they will join consortiums to participate using RMTS methodology.

4.4.1 General Education Teachers

- There were no changes regarding general education teachers included in the new SMAA Implementation Plan.
- A LEC Committee member asked about annual training which she had pushed back in anticipation of a changed methodology this year. Branch Chief Geri Baucom stated that we are operating using an interim approval, so everything this year is the same as it was last year. When the new implementation plan is approved by CMS, back casting (if necessary) will take place.
- A LEC Committee member asked if general education teachers are trained and participate in MAA this year, would back casting involve removing the general education teachers from the MAA invoice? Branch Chief Geri Baucom said she does not know the answer to this question at this time.

4.5 CMS Deferral Certification Process

4.5.1 Status of Invoice Supporting Documentation Forms

- Approximately 200 deferral certification forms have been received by DHCS. DHCS is in the process of reviewing the certification forms, identifying discrepancies, and requesting additional information when necessary.
- A LEC Committee member asked if claiming units should be describing all coded time or just time coded to “reimbursable” activities. Some LECs are requiring a description of all activities; other LECs are requiring descriptions of MAA reimbursable activities. Branch Chief Geri Baucom stated that Regional LECs should be asking if there is enough information to show what a claiming unit is doing and enough information (and outreach material) to support claimed MAA activities as the LEC reviews the MAA deferral certification forms. Keep in mind that the issue that was raised during the CMS Financial Management Review was: Are claiming units being overpaid because MAA participants are only doing reimbursable activities during the time survey week and being paid (by CMS) as if they were doing these same reimbursable activities for all 12 weeks in the quarter?
- A LEC Committee member asked DHCS what should be done if a participant over stated their code 4 activities? Should the time survey be pulled out of the MAA invoice, or can the claiming unit lower their code 4 time before revising the MAA invoice? Branch Chief Geri Baucom stated that (as in all site reviews) if something is wrong with the time survey form, it must be pulled from the MAA invoice unless it meets the 80% sample accuracy standard. A Committee member argued that this deferral

process is unprecedented, so it seems unfair to say because a participant claimed code 4 incorrectly, they must be removed from the invoice even though they may have accurately claimed time to other MAA reimbursable codes. Geri Baucom said she would discuss this issue with CMS and get back to the committee.

4.6 CMS Financial Management Report - Update

DHCS has nothing new to report. DHCS has not yet received the official CMS Financial Management Review Report.

4.7 OIG (Office of Inspector General) - Update

- DHCS does not have an update on OIG. OIG has not yet provided their “scope of work” to DHCS.
- The Region 8 LEC reported on the recent OIG visit to the Santa Barbara COE. OIG interviewed MAA participants, the LEA MAA Coordinator and the LEC Coordinator, asking questions about the MAA Program and the MAA invoice process. These interviews assisted OIG in learning the basics of the MAA program and helped them to understand the various relationships within the County Office of Education (i.e. Health Linkages, Special Education, LEC structure)

4.8 Time Survey Documentation – When to Survey?

- DHCS read section 6-4 of the SMAA Manual regarding when to time survey. The question was asked about a claiming unit that is in session on the first day of the time survey period (12/21/12), and then is out of session for 2 weeks. Would the claiming unit begin their time survey period on 12/21/12 and then continue time surveying (with day #2 of the time survey period) when students return to session.
- DHCS’ interpretation is that if 5 consecutive days cannot be surveyed, then you would begin the survey period according to the rules listed in section 6-4. So in the case of a claiming unit that is in session 12/21/12, but out of session for the next two weeks, the claiming unit would not begin the survey period on 12/21, but would begin the survey period on the first day students are back in session.
- The LEC Committee explained to DHCS that this has not been the position of the State on past survey dates. LECs/claiming units were told that if students are in session on the first day of the time survey period, then they must begin the time survey period on that day.
- DHCS and the LEC Co-Chairs will discuss this issue further.

4.9 Branch Chief Report

- Branch Chief Geri Baucom stated that DHCS is ready to invoice the LECs for the 2011/12 year. From now forward, DHCS will invoice the LECs on a quarterly basis beginning with first quarter 2012/13.
- DHCS staff is behind in conducting site reviews and will begin scheduling 2012/13 visits soon.
- Branch Chief Geri Baucom was asked if DHCS will be providing the LECs with a list of claiming units that are in the second deferral period. Geri said she will look into this possibility.

4.10 LEC Coordinators – Additional Items

4.10.1 Behavioral Health Claiming

A LEC Committee member brought up behavior therapy and the fact that in the past the word “behavior” was not allowed on time survey forms. However, a new law effective July 1, 2012 mandates health insurers to cover behavioral health treatment for autism. Therefore, it would seem that time survey participants should be able to use the word “behavior” in their time survey samples when discussing Medi-Cal covered services. DHCS was not present during this discussion. The LEC Co-Chairs will request clarification from DHCS regarding including behavioral health in time survey samples. This issue will affect both the MAA Program and the LEA Billing Option Program.

5.0 Review of August 9, 2012 LEC Advisory Committee Meeting Items

No discussion

6.0 LEC Advisory Committee Business

6.1 Analyst Assignment List

See item #4.1

6.2 New SMAA Contracts

6.2.1 Outstanding Contracts

See item #4.2.1

6.3 Electronic Signatures

- A LEC Committee member stated that he has concerns about moving forward with accepting E-signatures on the word of the claiming unit and/or vendor saying that they have the proper procedures in place.
- Sherry Purcell, LAUSD explained how E-signatures work and offered to send an independent audit too that would be used for an E-signature system. A LEC Committee member asked if an E-signature system prevents anyone other than the time survey participant from making changes to the time survey form. Sherry Purcell responded that the system tracks the user with password protection.

6.4 DHCS Implementation Plan - Update

During the Co-Chair meeting, the LEC Co-Chairs asked DHCS if the Co-Chairs could view the implementation plan. Branch Chief Geri Baucom told them that she would rather wait until the first review is completed by CMS.

6.5 CMS Deferral Certification Process

A LEC Committee member asked the LEC Co-Chairs to request additional clarification from Branch Chief Geri Baucom regarding adjustments to MAA time as part of the deferral certification process. One region was told that if a participant’s time is overstated on the original time survey form or if there is any error on the form, the entire form must be pulled and the time survey participant must be excluded from the invoice. Another region was told that deletions and adjustments can be made to time originally claimed without pulling the individual from the MAA invoice.

6.5.1 Status of Invoice Supporting Documentation Forms

The LEC Advisory Committee members each shared the number of supporting documentation forms that they have submitted in their region.

6.6 OIG (Office of Inspector General)

- See item #4.7
- During their recent visit to the Santa Barbara COE, OIG asked MAA participants about how changes are made to their time survey forms once they are filled out. Participants were also asked if they ever miss a time survey week.
- OIG asked about the Medi-Cal percentage and how it is determined.
- The Region 8 LEC felt that OIG's visit to the Santa Barbara COE gave OIG an idea of the amount of time that schools invest in addressing student health needs.

6.7 Time Survey Documentation – When to Survey?

See item #4.8

6.8 Branch Chief Report

See item #4.9

6.9 Bylaws Potential Amendments

This item is tabled until the next LEC Advisory Committee Meeting.

6.10 LEC Lunch Fund

Lunch fund invoices have been sent out to all regions.

6.11 Community Colleges

6.11.1 CPE – In legal review @ DHCS

6.11.2 Health Care Center Fees – To be addressed by DHCS @ later date

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

- There was a DHCS LEA Billing Option Webinar on 9/19/12. The PowerPoint presentation is available on the LEA Billing Web site.
- The 2010/11 CRCS (Cost & Reimbursement Comparison Schedule) is due (to the State) November 30th.
- The 2011/12 AR and the 2012/13 PPA are due (to the State) on October 10th (extended due date to November 30th).
- The Data Use Agreement is due (to the State) 11/30. The Data Use Agreement is for LEA Billing only (not MAA) and deals with Medi-Cal eligibility verbiage for secure data transmissions.
- The release date of the IRUS (Interim Reimbursement and Units of Services) will be sometime in October. This will be the last time this report will be provided.

- There is a problem with the HIPAA 5010 conversion. DHCS is assuming it will be fixed by 12/31/12. The 5010 conversion must be in place in order to allowing billing. LEAs can no longer use the 4010 system. This affects all billers of Medi-Cal.
- The Ad Hoc Workgroup is working toward solidifying services for a SPA revision.
- Senate Bill 946 regarding behavioral health took effect July 1, 2012.
- SB231, now known as AB2608 has been signed. The legislation that established the Ad-Hoc Workgroup has been re-authorized.

10.0 LGA Report

The LGAs are awaiting time survey methodology approval from CMS.

11.0 Adjourn Regular Session

12.0 Closed Session (LEC Coordinators Only)

The LEC Advisory Committee discussed the following items during closed session:

- MAA Deferral Certification Process
- Moving forward with the MAA Program using RMTS

**The next LEC Advisory Committee Meeting will be on
Thursday December 6, 2012 @ YOLO COE**