

**Region 2 Migrant Education – Woodland Office
1210 Commerce Avenue
Woodland CA 95776**

**LEC Advisory Committee Meeting Minutes
February 5, 2015**

LEC Coordinator/Representative Attendees:

Sharon Battaglia, Sonoma County Office of Education – Region 1
Randy Jones, 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
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)
Tony Teresi, Department of Health Care Services (DHCS)
Bill Cornelius, Sutter County Superintendent of Schools
Lisa Pavelek, Public Consulting Group
Krystle Schmidt, Public Consulting Group
Florie Wong, Public Consulting Group
Debbie Geer, Glenn County Office of Education - Region 2
Paula Ikerd, Glenn County Office of Education - Region 2
Tonja Kutz, Glenn County Office of Education - Region 2
Margaret Parisio, Glenn County Office of Education - Region 2
Susie Tierney, Glenn County Office of Education - Region 2
Jen Minton, Sutter County Superintendent of Schools - Region 3
Maureen Carl, Contra Costa County Office of Education - Region 4
Leanne Esguerra, Stanislaus County Office of Education - Region 6
Peggy VandenEnden, Stanislaus County Office of Education - Region 6
Janice DiCroce, San Diego County LGA

Absent:

Ken Gragg, Kern County Superintendent of Schools - Region 8

1.0 Introductions

Each individual stated his/her name and agency affiliation.

2.0 Additions to the Agenda

None

3.0 Approval of Minutes

The December 4, 2014 LEC Advisory Committee meeting minutes were approved.

4.0 Department of Health Care Services (DHCS) Report

4.1 RMTS Implementation

4.1.1 LEC and PCG Contracts – CMS/DHCS Review and Feedback

Chief Tony Teresi stated that the LEC/PCG contracts were reviewed for contingency fee arrangements and all contracts appeared to be in order. There was no feedback from the federal oversight agency CMS (Centers for Medicare and Medicaid Services) regarding the contracts.

4.1.2 Will DHCS/CMS be reviewing LEC/LEA contracts?

Chief Tony Teresi stated that DHCS would like a sample of each regional LEC/LEA contract for review and to keep on file at the DHCS office.

4.1.3 When will the “final” 2014/2015 SMAA Manual be posted?

Chief Tony Teresi stated that the current approved manual is on the DHCS website. Revisions to the manual are with DHCS management. After management review, the revisions will be submitted to CMS for approval. Chief Tony Teresi stated that he anticipates it will be some time before the final manual is available.

4.1.4 CMS 85% Compliance Rate guidelines

- Chief Tony Teresi stated that the way the manual currently reads is incorrect regarding the 85% compliance rate. The 85% does not apply to LEAs; it applies to the LEC or Consortia or Regional level. The manual is currently being revised relative to the 85% compliance rate guidelines.
- The committee discussed how to define an “invalid” moment. Chief Tony Teresi stated that DHCS is working on providing clarifying language. The committee discussed how school district personnel vacate positions throughout the quarter and this should not affect a claiming unit’s RMTS (Random Moment Time Survey) compliance rate.
- A committee member mentioned how claiming units must prepare quarterly rosters in advance of each quarter (to allow for LEC and DHCS review) and by the time the quarter begins, some of their participants have already left the LEA. Chief Tony Teresi stated that DHCS would work with software vendor PCG (Public Consulting Group) to possibly tighten the Q4 timeline relative to the approval of participant rosters and generation of moments.

4.1.5 District Sanctions/Warning letters – DHCS Review and Approval

Chief Tony Teresi stated that it is the opinion of DHCS that the warning letter should come from the LECs/LGAs. DHCS would issue general guidelines regarding sanctions, but the ultimate responsibility of issuing warnings/sanctions would be that of the LEC/LGA. Guidelines regarding

LEA warnings/sanctions would be incorporated into the current SMAA (School-based Medi-Cal Administrative Activities) Manual revisions.

4.2 2013/2014 SMAA Claiming Unit Participant Universe Grids – Conditionally Approved

4.2.1 2013/14 Claiming Unit Functions Grids must have positions what were included on the 13/14 conditionally approved Universe Grids. Why not positions approved for the RMTS methodology?

- Chief Tony Teresi stated that the 2013/14 invoice grids must match the conditionally approved universe grids that were submitted last year. If additional positions or additional codes were added to the invoice grid, a letter of explanation/justification must be provided by the LEA. This was part of the “interim claiming” agreement between DHCS and CMS.
- A committee member asked why this is required when the invoices are subject to backcasting using the RMTS methodology. Chief Tony Teresi stated that he would check with CMS to see if there was any leeway in this area and he would report back to the committee.

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

- DHCS recently met with BSA (Bureau of State Audits) personnel. During the entrance conference, BSA staff provided information to DHCS about what specifically would be reviewed. The main focus of the review will be the RTC (reasonable test criteria) process - how it was developed, the foundation for development, the benchmark criteria, the vendor fee cap, etc. BSA staff will review how claims were reviewed and why there was initially such a high denial rate of claims.
- DHCS has been providing BSA staff with documentation over the last few weeks and BSA staff may or may not go to the LEC level for additional information. LECs/LEAs could be contacted by BSA personnel in the future.
- A committee member asked why the RTC process was being reviewed when in fact the process had been discontinued. Chief Tony Teresi responded that the BSA review was in progress when the RTC process was in place.
- A committee member asked DHCS if both programs (SMAA and LEA Billing Option) were being reviewed by the BSA. DHCS Chief Stacy Fox replied that questions were asked about both programs during the entrance conference with BSA.

4.4 Backcasting Methodology

4.4.1 Update on DHCS Backcasting Proposal Submitted to CMS on January 30, 2015

- Chief Tony Teresi reported that the backcasting proposal was currently with DHCS management for review. The proposal is due to CMS this Friday. Chief Tony Teresi further stated that DHCS would not entertain a backcasting proposal based on one percentage rather than replacing all codes on page one of the MAA invoice with RMTS data.

- DHCS was moving forward with the backcasting plan they have because it meets CMS guidelines. However, DHCS encourages ongoing discussions and comments regarding backcasting. If Stakeholders want to contact CMS directly, they are encouraged to do so.

4.4.2 Status of “Backcasting and Reconciliation Guidelines” with the ability to net backcasted invoice totals (paybacks to DHCS/amounts due to LEAs) in order to minimize the potential impact of LEAs having to write checks back to DHCS.

- All placeholder claims and all paid deferred invoices must be settled by March 31, 2015.
- DHCS will issue checks to LECs or receive money owed (by LEAs) from LECs.
- DHCS is working out the details of reconciliation guidelines. The plan was originally for placeholder invoices to be netted against deferred paid claims allowing LEAs with money owed back to DHCS (from previously paid invoices) to pay back from the unpaid placeholder invoices.
- Accounting procedures must be in place to reconcile against the original CMS 64 report. DHCS will approach CMS with the idea that money owed could be netted against 13/14 and 14/15 claims for LEAs that are still negative after netting placeholder claims with paid deferred claims.

4.5 2010/2011 and 2011/2012 – Final Deferral Resolutions – March 31, 2015 CMS-64 submission

4.5.1 Guidelines for distribution of the \$25,001 - \$50,000 amounts. Is the process finalized with your internal legal and accounting departments?

DHCS is working out the details for the distribution of claims between \$25,001 and \$50,000. LEAs must select an option of either an interim payment of 75% with backcasting (using RMTS data), or a 75% settlement (or \$25,000 settlement) whichever is higher.

4.5.2 Deadline to submit the option(s) that the district accepted.

DHCS is compiling a spreadsheet to list all paid deferred invoices and all placeholder invoices (through 2011/12). LEAs will be asked to make a selection based on data on the spreadsheet. DHCS will provide LECs/LGAs with a settlement summary invoice to complete as soon as possible. All deferred and placeholder invoices must be processed by DHCS by 3/31/15.

4.6 CMS Financial Management Review (FMR) Report – Update

4.6.1 DHCS Response to FMR Report. Has the report been sent to the affected LECs/LGAs and LEAs?

Chief Tony Teresi stated that this report had not yet been made available to affected LECs/LGAs and LEAs. However, he recalled that DHCS Chief John Mendoza previously stated that the report would be made available.

4.6.2 Final CMS FMR. Has the report been sent to the affected LECs/LGAs and LEAs?

Chief Tony Teresi stated that this report had not yet been made available to affected LECs/LGAs and LEAs. However, he recalled that DHCS Chief John Mendoza previously stated that the report would be made available.

4.7 Miscellaneous

4.7.1 Advisory Committee or future Stakeholder Forums

- Chief Tony Teresi stated that there were no planned future stakeholder forums. However, DHCS would consider holding a stakeholder forum should the need arise.
- Superintendent Bill Cornelius stated that it would be most beneficial if DHCS would provide information regarding the deferral process and the development of the backcasting methodology on their website. It is important that all stakeholders hear/see a standard/common message.
- Superintendent Cornelius thanked DHCS for their continuing efforts in moving forward with deferral settlement and resolution. Superintendent Cornelius stated that he appreciates the fact that DHCS must work with many stakeholders throughout this process and he realizes that it is a difficult task to keep things moving forward.

5.0 CCSESA Update

- Superintendent Bill Cornelius reported that he (along with CCESA personnel) continues to attend stakeholder meetings. He is pleased that DHCS is moving forward with deferral resolution and is hopeful that MAA interim payments will begin soon.
- Superintendent Cornelius stated that he is aware of proposed legislation (Senate Bill 123, introduced by Senator Liu) regarding MAA program oversight and the CCSESA legislative team will keep this on their radar.

6.0 DHCS – Updated Coder Training – Tony Teresi

This item was moved to the end of the agenda. DHCS Chief Tony Teresi presented RMTS coder training to all LEC Committee meeting attendees.

7.0 DHCS/PCG

7.1 PCG System converting to five student attendance days for the 14/15 Q4 period
PCG stated that all notifications in Q4 would be based on five “student attendance” days.

7.2 85% Compliance Rate - If applicable how will the SSP accommodate moving moments to comply with the 85% compliance rate?

A committee member asked about an LEA that does not meet the 85% compliance rate and what happens with “invalid” moments at the end of the quarter. PCG responded that this is something DHCS must decide on before software can be configured. DHCS must define valid and invalid moments and how that translates and aligns to the system. PCG and DHCS are currently working on this issue.

7.3 Vacated positions, without replacements (and have a moment assigned) affect response rate compliance? PCG indicates these moments will not be coded until the end of the quarter. Please provide guidance.

- Positions may be vacated at any time prior to their moment. The LEC/LGA can go into the “moments tab” and select “mark as vacant” for an individual that was assigned a random moment. By marking the participant that was selected for a moment as “vacant” under the moments tab, the LEA’s compliance rate will not be affected. PCG also has the capability of coding the vacated moments at the end of the quarter.

- A committee member asked about the LEC having the ability to mark a participant on “paid leave” in advance of their moment instead of waiting for the moment to happen before being able to respond. PCG stated that if this capability is something that the committee would like to have and if the State agrees, the software could be configured.
- A committee member asked PCG about the possibility of having a software user group comprised of PCG personnel and end users (LECs/LGAs) to discuss software system enhancements. PCG stated that they do not currently allow their clients to have direct access to their software system developers.

7.4 Is the final time survey results report included in the software user’s license?

7.4.1 The 2014/2015 “Draft” manual (6-19) under *DHCS Review Process* it talks about “...statistical compliance reports will be generated to serve as documentation that the sample results have met the necessary statistical requirements.”

Yes, the final time survey results report is part of the user license and part of the contract. PCG will need decisions (from DHCS) on items 7.2 and 7.3 (above) to develop the rules for the time survey results report.

7.5 Procedure for providing the LEAs a report of the TS results for purposes of the 30-day appeal period

- PCG stated that this report would be available on the LEA dashboard.
- A committee member asked how long the LEA has to submit an appeal and Chief Tony Teresi responded that the LEA would have 30 days to submit an appeal.

7.6 What is PCG’s process to submit development requests and time frame for response/quote/implementation?

- The software development life cycle (SDLC) has various phases. If a user provides a “formal” request for a change/development/addition to the system, the PCG team will review the request to determine the effects of the change and to determine if the change will alter current methodology. PCG will then decide if the requested change requires reconfiguration of the system and bring it to their developers for review. The developers will provide a time/cost estimate and this will be given to the user (or group of users). If the cost is agreeable to the user, PCG will move forward with development, testing, and deployment of the change.
- PCG stated that the RMTS system continues to change based on feedback from PCG customers. Some items that are considered “universal enhancements” are provided at no charge to clients.
- A committee member asked PCG if they are considering redesigning their software in the near future with perhaps a different program language. It appears that the software may be based on “old” programming language. PCG responded that they are currently talking about a visual facelift (of their system) within the next year. If the LEC committee would like to provide PCG with a list of suggested improvements/enhancements to the software system, PCG would be willing to review the list (and provide feedback). Region 10 LEC Representative Andrea Tennyson volunteered to compile a list on behalf of the LEC Committee.

8.0 LEC Committee Business

8.1 Software development proposals – discuss to see if there are any other ideas and if there are other consortiums interested in splitting the cost.

8.1.1 A report that can be run that will show individual LEA compliance rates.
This item will be added to the list of software enhancements being compiled by the Region 10 LEC.

8.1.2 A report to show the percentages in each code at any given point.
This item will be added to the list of software enhancements being compiled by the Region 10 LEC.

8.1.3 For the compliance report, it would be great to have the expiration date of the moments.
This item will be added to the list of software enhancements being compiled by the Region 10 LEC.

8.2 Regional LEC Updates/RMTS Implementation

No discussion – due to time constraint and DHCS coder training.

9.0 Items for April 2015 Committee Meeting

No Discussion

10.0 Adjourn

*The next LEC Committee Meeting is **Thursday, April 9, 2015** at:*

**Yolo County Office of Education
1280 Santa Anita Court
Woodland, California 95776-6127
Phone: (530) 668-6700**