

**Local Educational Agency (LEA) Medi-Cal Billing Option Program (BOP)
Advisory Workgroup (AWG) Meeting
December 13, 2017 Minutes**

Location: Natomas Unified School District (USD)

Attendees: Rick Record, SNFD; Betty Lai, SNFD; Cheryl Ward, SNFD; Dmitry Terlesky, SNFD; Stephanie Magee, SNFD; Michelle Kristoff, SNFD; Tony Teresi, SNFD; Martin Alvarez, A&I Financial Audits Branch (FAB); Olga Barajas, A&I FAB; Renzo Bernales, California Department of Education (CDE); Andrea Pederson, Navigant Consulting; Dennis Finnegan, Navigant Consulting; Marna Metcalf, Navigant Consulting; Alest Walker, California School Board Association; Amanda Dickey, CCSESA; Amy Yribarren, Modesto Junior College; Andrea Celio, Black Oak Mine USD; Andrea Coleman, LAUSD; Aurelei Alvarez, LACOE; Belinda Brager, Calveras COE; Beth Hoffman, Santiago Canyon College; Brenda Rios, Ontario-Montclair SD; Cathy Bennett, Sacramento City USD; Cecilia Argaza Chester, Corona Norco USD; Cristina Guillen, Napa Valley USD; Christine Wilhite, Butte COE; Coreen DeLeon, Glenn COE; Cremilde Rollicheck, Los Banos USD; Debbi Wood, Bakersfield City SD; Deborah Still, Monterey COE; Diana Reed, Newport Mesa USD; Diana Romeri, Rocklin USD; Elizabeth McAnnally, William Hart UHSD; Francisca Montes, Manteca USD; Heather Plahn, Palmdale SD; Helen Frederickson, Palmdale SD; Irma Roche, Clovis USD; Janice Holden, Stanislaus COE; Jeanne Harris-Caldwell, Saddleback College; Jeanne Tso, Montebello USD; Jen Minton, Sutter County Superintendents of Schools; Jennifer Wood-Slayton, Lamont SD; Jeremy Ford, Oakland USD; Julie Ferebee, Palmdale SD; Julienne Degeyter, UC Davis; Karol Castillo, Folsom Cordova USD; Kristie Kobayashi, Montebello USD; Laura Missimer, San Joaquin COE; Leslie Agostini, Manteca USD; Margarita Blumberg, Galt Joint Union HSD; Margarita Bobe, LAUSD; Maria Parra, Ontario-Montclair SD; Maricela Martin, San Bernardino County; Marta Cuevas-Ortega, Galt Joint Union ESD; Melissa Locketz, Rocklin USD; Melissa Nguyen, San Diego COE; Michelle Cowart, Contra Costa COE; Nancy Gilko, Nevada Co Superintendents of School; Natalya Dovbush, Natomas USD; Octavio Castelo, LA COE; Patrice Breslow, San Diego USD; Phil Downing, LA COE; Randy Nakamura, HUSD; Rebecca Santos, Elk Grove USD; Rebeka Smith, San Bernadino Co Superintendent of School; Rhonda Yohman, Madera County Superintendent of Schools; Rosalee Hormuth, Orange County COE; Shannon Cooper, Cosumnes River College; Sharon Battaglia, Sonoma COE; Tammy Jones, Ventura COE.

Handouts

Each participant was emailed an electronic copy of the following: December AWG Meeting Agenda; December Department of Health Care Services (DHCS) Status Update Summary; a summary for the afternoon group discussion on NPI and Medi-Cal enrollment requirements for Ordering, Referring, and Prescribing (ORP) Providers; and October 2017 Meeting Minutes.

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Purpose

The meeting was convened by DHCS. DHCS welcomed all participants to the meeting and briefly reviewed the purpose of the AWG, which is to improve the LEA BOP. The emphasis of the meeting is to strategize various goals and activities aimed at enhancing the Medi-Cal services provided on school sites and access by students to these services, while increasing federal reimbursement to LEAs for the cost of providing these services.

Review of Meeting Minutes

- The AWG reviewed the October meeting minutes. There was one question about the recoupment process for LEAs with delinquent Cost and Reimbursement Comparison Schedules (CRCS) and when DHCS will start to utilize the Third Party Liability Recovery Division (TPLRD) for their recovery efforts. DHCS stated they are still finalizing the schedule, but they anticipated TPLRD involvement to be in the next fiscal year.
- There were no edits to the minutes and DHCS will post the October 2017 minutes on the LEA website as is.

California Department of Education (CDE), Special Education Division Updates

- CDE reported that the California Accountability Model & School Dashboard is now live and recommended LEA stakeholders to review the Dashboard. While not an exhaustive list, CDE noted that one subgroup is 'Students with Disabilities' and chronic absenteeism is one indicator that an LEA can drill down in. CDE recommended that attendees go to the Dashboard and if they have questions, they can request technical assistance.
- The Dashboard can be accessed from the following link:
<https://www.cde.ca.gov/ta/ac/cm/>
- Available Funding, the CDE has a web page posting requests for applications, proposals, and other data now available. Search available funding by fiscal year, type, topic, keyword(s), or any combination for available grants. The web page is searchable by using the "[Search Available Funding](#)" option. LEAs can join the funding electronic mailing list by sending a blank e-mail to join-funding@mlist.cde.ca.gov to be notified by e-mail when funding becomes available. The web page can be found at <https://www.cde.ca.gov/fg/fo/af/>
- The Special Education Division of CDE tracks grants that are specific to the IDEA. For more information, please use the following link at <https://www.cde.ca.gov/sp/se/as/leagrnts.asp>

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DHCS A&I Updates - FAB

- A representative from A&I provided an update on the status of the Cost and Reimbursement Comparison Schedule (CRCS) audits by Fiscal Year End (FYE) date:
 - FYE 2013 – Most audits have been completed; approximately 526 audit reports issued to date, three audits in process of being finalized.
 - FYE 2014– 249 audits have been completed; most of remaining audits will be limited scope audits.
 - FYE 2015 – Limited audits should be started in about two to three months. Beginning with audits in FYE 2015 forward, LEAs will only receive the submittal letter and summary page, not the full audit report for minimal audits that are accepted as submitted. If an LEA wants the full audit report, they can request it from FAB.
- There are seven formal appeals in process. A stakeholder asked for clarification on what issues are being formally appealed. FAB reported that:
 - Six appeals are due to insufficient documentation for school health aide services provided by THCAs
 - One appeal is related to the reporting of Total Hours on CRCS worksheet A-3/B-3.
- DHCS noted to the group that the recent audits are for dates of service over three years old and the LEAs have made significant improvements in retaining documentation; however, LEAs need to continue to retain and review documentation that supports paid claims. FAB noted that they audit to written requirements (i.e. laws and regulations and use the Provider Manual as a guide), and LEAs should follow those standards. DHCS stated that State Plan Amendment (SPA) 15-021 includes a Random Moment Time Survey (RMTS) for the LEA BOP and LEAs will need to retain sufficient documentation to substantiate a moment; those standards will be published upon approval of the SPA.
- A stakeholder asked why an audit of the CRCS involves reviewing program notes and other “non-financial” components. FAB told the AWG that the CRCS audit reviews everything that goes into the CRCS and reviewing claim documentation helps to substantiate billing and related costs.
- A stakeholder asked if there were any updates on finding a new Medical Review Branch (MRB) auditor for the LEA Program. DHCS reminded the group that they have not been assigned a new auditor and that they are unsure if that position will be fulfilled.
- A stakeholder noted that LEAs should ensure that practitioners are aware that they need to maintain documentation for at least five years, not only three years, due to the CRCS reporting timeline. Other LEAs noted that practitioners need to maintain documentation of services, including progress notes, well past five years since this information should remain part of the student record. DHCS reminded LEAs that the

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five-year timeline is related to the CRCS audit, but LEAs must also be aware of CDE requirements, which extend past the audit timeline.

DHCS Safety Net Financing Division (SNFD) Status Updates

- **FY 2016-17 Annual Report (AR) Submissions**
 - The FY 2016-17 AR was due from all participating LEAs on November 30, 2017.
 - As of December 5, 2017, approximately 350 LEAs have submitted the FY 2016-17 AR.

- **Cost and Reimbursement Comparison Schedule (CRCS) and Certification of Zero Reimbursement Reports Update (including past years)**
 - The FY 2015-16 CRCS was due from all participating LEAs on November 30, 2017.

- **FY 2015-16 Annual Reimbursement Report**
 - The FY 2015-16 Annual Reimbursement Report posted on the LEA website November 8, 2017.

- **LEA Website Updates and E-blasts**
 - E-blast October 24, 2017: Explanation of Benefits Letter and Meeting Summaries
 - E-blast November 8, 2017: FY 2015-16 Annual Reimbursement Report; Outreach Webinar
 - E-blast November 13, 2017: CPT Codes 92521, 92523 and 92557 Claims Denials
 - E-blast November 15, 2017: PPL 17-016; Adjustment of LEA Claims
 - E-blast December 5, 2017: Updated FAQs; E-mail Notifications; IAG Meeting Summary
 - Website Updates October and November: FAQs section now will include Archived FAQs; New E-mail Notifications section
 - DHCS stated that e-blasts are now posted to the LEA website as well sent via the email distribution list. The e-blasts can be found by visiting: <http://www.dhcs.ca.gov/provgovpart/Pages/E-Mail%20Notifications.aspx>
 - A stakeholder asked if an LEA could translate the Explanation of Benefits (EOB) fact sheet that is posted into Spanish and update it with the LEA's letterhead. DHCS will follow-up on this topic and report out at a future AWG meeting.

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- **Fair Share Reimbursement/Collections for FY 2014-15**
 - The FY 2014-15 Fair Share Reimbursements/Collections began appearing on warrants with the November 6, 2017 check-write cycle.
 - Remittance Advice Detail (RAD) 728 “Payment to provider of an amount resulting from other than a cost settlement” to refund LEAs”
 - RAD 720 “Amount withheld as a result of provider debt other than a cost settlement and claims overpayment” to recoup from LEAs”

- **FY 2016-17 Rate Inflation**
 - The FY 2016-17 Rate Inflation implemented October 26, 2017.
 - An Erroneous Payment Correction (EPC) has been initiated to reprocess claims submitted by LEAs, for dates of service (DOS) July 1, 2016 through June 30, 2017, using the updated reimbursement rates (180 day EPC).

- **EPC 38960 – CPT 92507 and 92508 Claims Denials**
 - There were erroneous claims denials of CPT Codes 92507 and 92508 for claims with DOS prior to July 1, 2016.
 - This EPC was fully implemented in October 2017, with a \$2,407,482 payout to providers.

- **EPC 42455 - RAD 0008 Claims Denials**
 - Some LEAs received denial code 0008 “The provider of service is not eligible for the type of services billed, for the speech assessments with service dates after July 1, 2016” with denials for certain codes for claims with dates of service after July 1, 2016.
 - An EPC has been initiated with an expected implementation date during the first quarter of 2018.

- **CPT Codes 92521, 92523, and 92557 Claims Denials**
 - Certain claims submitted October 27, 2017 and after were denied incorrectly for CPT codes 92521, 92523 and 92557, and may have included a request for Resubmission Turnaround Documents (RTD).
 - Conduent fixed the claims processing error in November.
 - LEAs were instructed via e-blast to either resubmit claims or disregard the RTDs and the claims will deny, and be included in an EPC with no further action required by the LEA.

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- An EPC will be initiated, but there is no expected implementation date at this time.

- **PT and OT Assessment CPT Codes 97001-97004**
 - DHCS initiated implementation of code changes (delete existing codes and replace with new codes) with a projected implementation date of July 1, 2018. Until July 1, 2018, CPT codes 97001 – 97004 will continue to be used to bill OT and PT assessments.

- **Transportation Policy**
 - An OIL has been initiated to update the claims processing system tables to remove the Non-IEP/IFSP Medical Transportation and Non-IEP/IFSP Mileage procedure codes (T2003 and A0425, respectively) with no modifier.
 - Upon implementation of the Transportation OIL, the LEA Provider Manual will be updated and a PPL will be issued.
 - A stakeholder asked if there will be an effective date for this policy. DHCS stated that this will be effective April 1, 2016. DHCS is determining how to address the very small amount of non-IEP transportation reimbursement paid after April 1, 2016.

- **PT and OT Prescription Policy**
 - On December 1, 2017, the FAQs for Prescriptions, Referrals, Recommendations and Protocol were updated to clarify Physical Therapy and Occupational Therapy prescription requirements (Q5) and to clarify “annual” prescription requirements (Q6).

- **SPA 15-021 (New Services and RMTS Implementation)**
 - On October 6, 2017, DHCS submitted to CMS the informal responses to all outstanding Requests for Additional Information (RAI), along with the edited SPA pages.
 - On November 6, 2017 DHCS resubmitted to CMS the proposed SMAA Manual, which incorporates information about the LEA BOP joining the existing RMTS process (edits mainly to Sections 5 and 6 of the existing SMAA Manual).
 - DHCS has a conference call scheduled with CMS on December 11, 2017 to discuss implementation dates and back-casting.
 - DHCS provided a summary of the December 11 phone call with CMS. CMS committed to reviewing the SMAA Manual, response to the RAIs, and SPA

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pages by the end of December 2017. Additionally, CMS and DHCS discussed potential scenarios regarding an RMTS effective date. CMS and DHCS are working together to find the best solution that keeps the LEA BOP in compliance with the SMAA deferral agreement and addresses the unique technical challenges of implementing RMTS.

● **RMTS Outreach Informational Webinar**

- On October 24, 2017, DHCS conducted an informational webinar directed to LEAs that participate in the LEA BOP and do not participate in the School-Based Medi-Cal Administrative Activities Program.
- The webinar PowerPoint and FAQs are located on the LEA website at http://www.dhcs.ca.gov/provgovpart/Pages/LEA_RMTS.aspx
- A stakeholder asked DHCS for feedback on how the training was received. DHCS stated that they did not receive any feedback, neither positive nor negative, but the targeted population was quite small as most LEAs participate in both school-based Medi-Cal programs. DHCS reminded the stakeholders that the presentation and follow-up questions from the training have been posted to the LEA BOP website.

● **Explanation of Benefits (EOB) Informational Letter**

- The Explanation of Benefits Letter is posted on the LEA website at <http://www.dhcs.ca.gov/provgovpart/Pages/LEAFYI.aspx>
 - Informational letter for LEAs regarding Medi-Cal and Private Health Insurance
 - LEAs may print and distribute this letter to parents and guardians

● **Policy and Procedure Letter (PPL) 17-016**

- PPL 17-016 titled “Notification of Compliance Process for LEAs That Do Not Submit the Provider Participation Agreement by the Mandated Due Date” is posted on the LEA website at http://www.dhcs.ca.gov/formsandpubs/Pages/LEA_BOP_PPLs.aspx

● **Random Moment Time Survey (RMTS) Implementation Advisory Group (IAG)**

- 31 IAG meetings have taken place in Sacramento to date.
- The IAG met on December 12 and discussed three new stakeholder feedback submissions, reviewed a recent New Jersey OIG audit about the school-based rate methodology, reviewed an RMTS training presentation for Time Study Participants (TSPs), and discussed Frequently Asked Questions (FAQs) that were grouped by topical areas.

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- This was the last in-person IAG meeting and follow-up conference calls will take place as necessary.

- **Subcommittees – Report Out**
 - **Documentation** – The subcommittee provided DHCS with edits and feedback on the LEA Program Administration Checklist (formerly the Self-Audit Checklist), which was reviewed during the October 2017 AWG. The subcommittee received comments from four participants. DHCS stated that their goal is to post the updated checklist before the February 2017 AWG meeting.
 - **Terminology Crosswalk** – The subcommittee previously sent their draft of the terminology crosswalk to DHCS, but after the earlier discussion from A&I FAB, they would like to review what was submitted, as some terms that were mentioned in today’s meeting are missing (some items noted as missing were treatment log, attendance log and billing log). The subcommittee will review, update, and send the crosswalk document to DHCS after the meeting.
 - **Community Colleges** – There will be a subcommittee forming to support the unique structure and participation of community colleges in the LEA BOP. The subcommittee will be formulating questions and submitting them to DHCS for discussion. One topic the subcommittee would like to address is around Certified Public Health Nurses, many whom have a master’s degree or higher, and the need to be supervised by a Registered Credentialed School Nurse.

- **Name Alliance for Medicaid in Education (NAME) Conference Review**
 - Many stakeholders attended the NAME Conference in Fort Lauderdale, Florida. The conference provided attendees with an opportunity for professional development through breakouts focusing on research, experiences, and best practices for Medicaid in education. The attendees stated that there were three hot key topics: specialized transportation, other health insurance (OHI) coverage, and National Provider Identifier (NPI) numbers for practitioners.
 - Stakeholders continued to voice support for DHCS to attend the NAME conference in the future, even offering to pay for the transportation costs. DHCS stated that they will submit a travel request to the Governor’s Office; however, it is up the Governor to approve/deny the request to attend the NAME conference.

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- At the NAME conference, there was discussion about compliance plans and a stakeholder asked A&I FAB if they will review an LEA's compliance plan during their audit. FAB stated that they currently do not look for an audit or compliance plan as it is outside of the scope of their review.
- A stakeholder asked if A&I FAB will start auditing how LEA BOP funds are spent, since they are restricted. FAB stated they do not intend on auditing how the LEA BOP funds are spent; however, if CMS starts auditing this they may explore reviewing this area in the future.

AWG Discussion Session

The goal of the AWG discussion session is to brainstorm challenges and barriers, use combined expertise to provide guidance to DHCS and suggest planning and solutions. At this meeting, the group discussed the requirement for enrolling ordering, referring or prescribing (ORP) providers as Medi-Cal providers and requiring claims to include an NPI of the ORP who ordered the service.

In 2012, DHCS began development of policies and procedures to establish implementation of several provisions of the Affordable Care Act, including the requirement for the Medi-Cal program to enroll ordering, referring or prescribing providers in accordance with 42 Code of Federal Regulations (CFR) Section 455.410 (ORPs must be enrolled as participating Medi-Cal providers) and 42 CFR Section 455.440 (claims must include NPI of ORP who ordered the service). DHCS stated that the ORP requirements for the LEA BOP will be limited to practitioners ordering, referring or prescribing treatment services, and will not include assessments. LEAs that provide speech services under a speech protocol will report the NPI of the physician that approves the protocol.

The stakeholders and DHCS discussed that the NPI can be applied for online and is free of charge (<https://nppes.cms.hhs.gov/#/>) and LEAs can search for an ORP's license through Cal BreEZe (<https://search.dca.ca.gov/>). DHCS will provide updates through Policy and Procedure Letters (PPLs), Provider Manual updates, and additional supporting materials at a later date.

DHCS stated that they still need to finalize details about:

- Adjusting the UB-04 claim form;
- Auditing practices for A&I;
- Training materials;
- Applying for an NPI and enrolling in Medi-Cal.

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DHCS collected LEAs questions and concerns about implementing the new requirements. LEAs expressed concerns that this an additional barrier they need to overcome, but understood that this is a federal requirement that DHCS needs to adhere to. Some LEAs stated that this may become an issue with their unions and they anticipate challenges with the perception that this will increase someone's workload. Stakeholders asked if CDE could help with the messaging of this requirement and provide additional support as the LEAs implement this change. CDE stated that there is a Medi-Cal subgroup at CDE that could help with the messaging. DHCS encouraged all stakeholders to send additional questions or concerns to the LEA inbox (LEA@DHCS.CA.GOV).

Other Miscellaneous Topics

- Stakeholders asked about the potential for screening services recommended under the periodicity table and whether they will be allowable under SPA 15-021. DHCS stated that they would like for these screening services to be allowable that are pursuant to an IEP, IFSP, or IHSP; however, this is dependent upon CMS approval. DHCS reminded the LEAs that LEA BOP services are carved out from managed care's capitated rates, which means LEAs may need to coordinate with Managed Care Plans (MCPs). DHCS will provide more information as CMS reviews and comments on the SPA documents.
- DHCS announced that Michelle Kristoff, Section Chief of School-Based Claiming and Subacute Services Section Safety Net Financing Division, will be retiring at the end of December and stakeholders wished her well on her future endeavors.

Next Meeting

The next meeting will take place on Wednesday, February 7, 2018.