

**Local Education Agency Medi-Cal Billing Option Program
Ad Hoc Workgroup Meeting
June 5, 2013 Meeting Minutes**

Location: Natomas Unified School District (USD)

- | | | |
|-----|------------------|--|
| 1. | Geri Baucom | DHCS, Safety Net Financing Division (SNFD) |
| 2. | Rick Record | DHCS, SNFD |
| 3. | Cheryl Ward | DHCS, SNFD |
| 4. | Angelia Johnson | DHCS, SNFD |
| 5. | Renzo Bernales | CDE, Special Education Department |
| 6. | Tom Herman | CDE, Coordinated School Health |
| 7. | Martin Alvarez | DHCS, A&I Financial Audits Branch (FAB) |
| 8. | Cori Miglietto | DHCS, A&I Financial Audits Branch (FAB) |
| 9. | Von Chitambira | DHCS, A&I Financial Audits Branch (FAB) |
| 10. | Anne Heard | DHCS, A&I Medical Review Board (MRB) |
| 11. | Michelle Cowart | Contra Costa County Office of Education (COE) |
| 12. | Christine Mott | Fresno USD |
| 13. | Diane Torna | Fresno USD |
| 14. | Sherry Purcell | Los Angeles USD |
| 15. | Margie Bobe | Los Angeles USD |
| 16. | Andrea Coleman | Los Angeles USD |
| 17. | Barbara Mahoney | Los Angeles COE |
| 18. | Laura Baynham | Mendocino COE |
| 19. | Tracy Cole | Natomas USD |
| 20. | Jeremy Ford | Oakland USD |
| 21. | Cathy Bennett | Sacramento City USD |
| 22. | Angela Jones | San Bernardino City USD |
| 23. | Marlene Burruel | San Joaquin COE |
| 24. | Janice Holden | Stanislaus COE |
| 25. | Patti Cassinerio | Stanislaus COE/California School Nurses Organization |
| 26. | Kevin Harris | Navigant Consulting, Inc. |
| 27. | Gloria Eng | Navigant Consulting, Inc. |
| 28. | Kerry Chang | Navigant Consulting, Inc. |

Handouts

Each participant was emailed an electronic copy of the following: Workgroup Meeting Agenda, April 2013 Meeting Minutes, June DHCS Status Update Summary, and LEA Workgroup Breakout Group Instructions and prep materials. In addition, copies of the draft FY 2012/13 LEA Program Annual Accounting of Funds Report and examples of nursing and trained health care aide protocols and documentation from Los Angeles USD, Fresno COE and Stanislaus COE were distributed to Workgroup members.

Purpose

The meeting was convened by DHCS. The purpose of the Workgroup is to improve the Local Educational Agency (LEA) Program. The emphasis of the meeting is to strategize various

**Local Education Agency Medi-Cal Billing Option Program
Ad Hoc Workgroup Meeting
June 5, 2013 Meeting Minutes**

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 Workgroup reviewed the April meeting minutes and the minutes were approved as written. The minutes will be posted on the LEA Program website.

California Department of Education (CDE) Updates

- Janet Radding has replaced Shalonn Woodard and is the new CDE contact person that LEAs will submit their completed PPA/ARs.
- The AB 114 Workgroup is reconsidering the need to hold quarterly meetings. Currently discussing what the meeting format will look like and if the group will meet on a semiannual basis. Currently the work flow appears to be moving towards the provision of technical assistance rather than the production of deliverables.
- The AB 114 Workgroup is still working to finalize the IEP modules that will eventually be posted on the CDE website.

Department of Health Care Services Audits & Investigations Updates

- FY 2006/07 and 2007/08 CRCS audit update: A&I FAB will follow-up with the 40 LEAs that have not submitted a CRCS report, but have received reimbursement for LEA claims.
- FY 2008/09 CRCS audit update: A&I FAB has completed all CRCS audits and is starting to mail the 15-day letters and issue the audit reports to LEAs. A&I FAB will follow-up with the 80 LEAs that have not submitted a CRCS report, but have received reimbursement for LEA claims. A&I will also expand the scope to limited desk audits for 60 providers.
- FY 2009/10 CRCS audit update: A&I will begin conducting approximately 20-30 field audits.
- Dr. Anne Heard is the lead medical consultant at A&I MRB who oversees 17 medical consultants who conduct audits and claim reviews for all Medi-Cal programs.
- A&I MRB performs both medical and financial audits and federally mandated post service and post payment utilization reviews for Medi-Cal providers. MRB is charged with performing Medi-Cal Payment Error Study (MPES) audits and random claim reviews to determine if services meet medical necessity and are in compliance with Medi-Cal regulations and provider manual requirements.
 - Random claims are selected by the fiscal intermediary for the claim reviews performed by auditors.
- The Workgroup discussed random claims reviews and the concern that MRB auditors are requesting medical documentation to support LEA services that may not include

**Local Education Agency Medi-Cal Billing Option Program
Ad Hoc Workgroup Meeting
June 5, 2013 Meeting Minutes**

general school-based documentation standards. In addition, the terminology used by auditors and schools may not be the same.

- The Workgroup and MRB discussed setting up a general “standard” for documentation requests so that auditors can receive the correct information to support LEA services. Dr. Heard will obtain more information about the current procedures and feasibility of developing standards given the variety of codes that could be audited.
- The Workgroup also requested to review the [MRB Training](#) for the LEA Program and with MRB’s participation discuss potential updates to the presentation.

DHCS SNFD Status Updates

2011/12 PPA / 2010/11 Annual Report Process

- DHCS has received 537 PPA/Annual Reports to date. Of these, 7 require corrections and 23 are new LEAs to the program. The LEA Program has received 100 percent of the PPA/ARs.

RAD Code 9921/9922 (Annual Assessment) EPC

- Phase 2 (dates of service 7/1/09 – 6/30/10).
 - Test results are under review. Installation will be before 6/30/13.

FY 2011/12 Rate Inflation EPC

- Installation has been completed. The retroactive rate adjustment EPC is RAD code 0875.
- The Workgroup also discussed the FY 2012/13 rate inflation. SNFD has recently submitted the FY 2012/13 rate inflation table to Xerox to be implemented. The Workgroup requested that SNFD post the FY 2012/13 rate table on the LEA Program website so LEAs can adjust internal systems. SNFD will consider posting the rate table prior to implementation in the paid claims system.

TCM Claims Denied with RAD Code 033 EPC

- Installation has been completed. The EPC is expected on 6/3/13 checkwrite (RAD code TBD).

SB 231 2.5 Percent Withhold

- The 2.5 percent withhold cap (\$1.5 million) reached with the 5/27/13 checkwrite. SNFD issued a memo to stop the 2.5 percent withhold for FY 2012/13. The anticipated stop date is 6/10/13.
- Over collections will be returned to LEAs.

LEA Medi-Cal Billing Option Program – Annual Accounting of Funds Report

- The Workgroup discussed three potential options to collect fair share withholds to fund the administrative, CRCS audit and SB 231 functions to support the LEA Program.

**Local Education Agency Medi-Cal Billing Option Program
Ad Hoc Workgroup Meeting
June 5, 2013 Meeting Minutes**

- The Workgroup voted in consensus to establish the fair share methodology and collect withholds based on total fiscal year reimbursement (by date of payment).
 - At the end of each fiscal year, SNFD will obtain paid claims data generated from Xerox to determine reimbursement by LEA and calculate the LEA percentage of total claims paid for the fiscal year.
 - This LEA specific percentage will be applied to the total LEA Program expenditures to determine the fair share of costs by each LEA.
 - SNFD will determine the total LEA Program expenditures every fiscal year to determine if each LEA contributed over or under their fair share withhold throughout the year.
 - SNFD intends to have the fair share withhold reconciliation completed by December 31 of each year.
- SNFD distributed a draft of the Annual Accounting of Funds Report for FY 2012/13, which summarizes the amounts collected from withholds for the 1 percent administrative and the combined 2 percent A&I and SB 231 withhold starting July 1, 2013.
 - This report will also include total claims paid, the total withhold amount caps for A&I audit and SB 231 functions, total administrative expenditures, total withhold amounts over and under collected, total amount returned to the LEAs, and total amount due from LEAs.

Model 4 Delivery of Service

- The Workgroup discussed the Model 4 services delivery (mix of employed and contracted practitioners).
- DHCS drafted a PPL to inform LEAs that Model 4 is an allowable model to deliver LEA services effective July 1, 2013. This model allows LEAs to have a mix of employed and contracted practitioners and provide some services directly and contract out entire service types without directly employing a single practitioner in a service category. Under the new Model 4, LEAs must obtain the contracted practitioner's NPI and submit the NPI on the claim form in order to be reimbursed under the LEA Program.
 - The Workgroup recommended that the PPL language clarifies that Model 4 is a new option (in addition to the existing three models of service delivery). The other models of service delivery have not changed.
 - The Workgroup also recommended that the LEA Provider Manual billing example also reflects a sample claim form for Model 4 contracted service.

Telehealth

- SNFD attended follow-up Telehealth Expert Stakeholder Meeting 5/17/13.
- Medi-Cal Provider Manual AB 415 Telehealth update to be published in near future.
- Medi-Cal Telehealth website launch is tentatively scheduled in June 2013.
- Medi-Cal Telehealth Billing Webinar is tentatively scheduled in June 2013.

**Local Education Agency Medi-Cal Billing Option Program
Ad Hoc Workgroup Meeting
June 5, 2013 Meeting Minutes**

LEA Site Visits

- SNFD has conducted five general LEA site visits: Sacramento City USD, Los Angeles USD, San Bernardino City USD, San Joaquin COE and Yolo COE (including NCI).
- SNFD/NCI has conducted a site visit to Valley Mountain Regional Center and Walton Special Center to observe psychological services delivered via telehealth.

LEA Program FAQs

- SNFD will finalize, create separate documents by topic and post on related LEA Program website pages (FAQs needing further clarification/edits will be posted at a later date).

Xerox Claims Issues

- SNFD will meet with Information Technology Management Branch (fiscal intermediary contact) and Provider Relations regarding Xerox customer service issues on 6/4/13.

Medical Review Board (MRB) Audits

- SNFD contacted MRB to determine protocols for LEA documentation review, and provided a sample of documentation review and denial.

San Francisco Free Care Ruling

- DHCS' Legal Office is reviewing the ruling regarding Free Care and Other Health Coverage Requirements.

Underutilizing Schools Intro Letter

- NCI mailed initial wave of letters and initiated follow-up phone calls.

Guest Speakers - Panel on Trained Health Care Aides (THCA) Services

The Workgroup invited a panel of nursing representatives to discuss and address questions regarding the role of trained health care aides in schools. The panelists included Patti Cassinerio (CSNO-President Elect/Stanislaus COE nurse), Andrea Coleman (Los Angeles USD Medi-Cal Specialist/Compliance), and Diane Torna (Fresno USD Health Services Director). The experts discussed and presented information about typical trained health care aide services and duties, training and supervision, clinical standards and protocols, examples of services that are billed and documentation requirements.

Breakout Session: Trained Health Care Aides (THCA) Services

After the panel, the Workgroup collectively shared their insights and experiences regarding trained health care services and how they are utilized in LEAs to perform specialized physical health care services and LEA Program billing.

- SNFD is in the process of updating the nursing LEA Provider Manual section to clarify the scope of service for THCA's. The LEA Provider Manual will include examples of

**Local Education Agency Medi-Cal Billing Option Program
Ad Hoc Workgroup Meeting
June 5, 2013 Meeting Minutes**

specialized physical health care services such as tube feeding, suctioning, oxygen administration, catheterization, and nebulizer treatments. The Workgroup discussed that diabetes care tasks should also be added as an example.

- THCA's may only render medically necessary LEA services if supervised by a physician, credentialed school nurse, or registered or certified public health nurse. These supervising practitioners hold the responsibility of treatment and level of care even if the THCA is performing the service.
 - The physician or nurse typically conducts assessments and initially determines the level of care required by a student. The licensed practitioner assigns a case load to the THCA and determines the level of supervision required based on their clinical judgment. THCA's may require direct or indirect supervision, depending on their experience. Indirect supervision is typically available by phone or email.
 - In many LEA's, THCA's obtain general training for common specialized health care procedures. Once assigned to a student, THCA's may receive student specific training on the specialized health care procedures required for the individual student during the school day.
- The Workgroup also discussed THCA's that are assigned one student only versus multiple students. In addition, there are instances where THCA's are assigned to students for behavioral issues that are more related to educational needs as opposed to medical necessity.
 - LEA's must be able to separate and account for medical necessity and educational related THCA time and bill the LEA Program for the medical necessity component only.
- The Workgroup also discussed documentation of observation and monitoring for a student with a medical issue for an entire school day on a continuous basis. The Workgroup discussed that documentation should, at a minimum, identify what the THCA is observing, the timeframe, intervention/outcome and status at the end of each day. Treatment logs and notes must be maintained by the THCA and reviewed by the supervising practitioner.
 - SNFD will contact MRB to determine what is sufficient and adequate documentation for several continuous hours of THCA observation and monitoring for a specific medical issue, such as seizures.
 - SNFD will determine documentation standards and prepare an FAQ and have the Workgroup, A&I MRB and CSNO review.
- The Workgroup also discussed the definition of medical necessity per California Code of Regulations (CCR), Title 22, Sections 51184(b) and 51340(e)(3). SNFD will discuss with A&I FAB and MRB the definition of medical necessity that should be applied to the LEA Program.

Next Meeting

- Wednesday, August 7, 2013 10:30am-4:00pm at Natomas USD