



BRADLEY P. GILBERT
DIRECTOR

State of California—Health and Human Services Agency
Department of Health Care Services



GAVIN NEWSOM
GOVERNOR

April 7, 2020

Sent via e-mail to: Genevieve.Valentine@countyofmerced.com

Genevieve Valentine, Director
Merced County Behavioral Health and Recovery Services
P.O. Box 2087
Merced, CA 95344

SUBJECT: Annual County Compliance Report

Dear Director Valentine:

The Department of Health Care Services (DHCS) is responsible for monitoring compliance to the requirements of the Drug Medi-Cal Organized Delivery System (DMC-ODS) Waiver and the terms of the Intergovernmental Agreement operated by Merced County.

The County Compliance Unit (CCU) within the Audits and Investigations Division (A&I) of DHCS conducted a review of the County's compliance with contract requirements based on responses to the monitoring instrument, discussion with county staff, and supporting documentation provided by the County.

Enclosed are the results of Merced County's State Fiscal Year 2019-20 DMC-ODS compliance review. The report identifies deficiencies, required corrective actions, new requirements, advisory recommendations, and referrals for technical assistance.

Merced County is required to submit a Corrective Action Plan (CAP) addressing each compliance deficiency (CD) noted to the Medi-Cal Behavioral Health Division (MCBHD), Plan and Network Monitoring Branch (PNMB), County Monitoring Unit (CMU) Analyst by 5/7/2020. Please use enclosed CAP plan form when completing the CAP. CAP and supporting documentation to be e-mailed to the CMU analyst at MCBHDMonitoring@dhcs.ca.gov.

If you have any questions regarding this report or need assistance, please contact me.

Sincerely,

BL Counter

Becky Counter
(916) 713-8567
becky.counter@dhcs.ca.gov

Audits and Investigations Division
Medical Review Branch
Behavioral Health Compliance Section
County Compliance Unit
1500 Capitol Ave., MS 2305
Sacramento, CA 95814
<http://www.dhcs.ca.gov>

Distribution:

To: Director Valentine,

CC: Mateo Hernandez, Audits and Investigations, Medical Review Branch Acting Chief
Lanette Castleman, Audit and Investigation, Behavioral Health Compliance Section Chief
Mayumi Hata, Audit and Investigation, County Compliance Unit Chief
Janet Rudnick, Audit and Investigation, Provider Compliance Unit Chief
Kamilah Holloway, Medi-Cal Behavioral Health Division, Plan and Network Monitoring Branch
Chief
MCBHDMonitoring@dhcs.ca.gov, County and Provider Monitoring Unit
Lidia Caza-Burdick, Merced County Division Director

Lead CCU Analyst: Becky Counter	Date of Review: 3/10/2020 - 3/11/2020
Assisting CCU Analyst(s): N/A	Date of DMC-ODS Implementation: 1/1/2019
County: Merced	County Address: 301 E. 13 th Street Merced CA 95341
County Contact Name/Title: Lidia Caza-Burdick / Division Director	County Phone Number/Email: (209) 381-6800 ext. 3283 Lidia.Caza-Burdick@countyofmerced.com
Report Prepared by: Becky Counter	Report Approved by: Mayumi Hata

REVIEW SCOPE

- I. Regulations:
 - a. Special Terms and Conditions (STCs) for California's Medi-Cal 2020 section 1115(a) Medicaid Demonstration STC, Part X: Drug Medi-Cal Organized Delivery System
 - b. Code of Federal Regulations, Title 42, Chapter IV, Subchapter C, Part 438; section 438.1 through 438.930: Managed Care
- II. Program Requirements:
 - a. State Fiscal Year (SFY) 2019-20 Intergovernmental Agreement (IA)
 - b. Mental Health and Substance Use Disorders Services (MHSUDS) Information Notices

ENTRANCE AND EXIT CONFERENCE SUMMARIES

Entrance Conference:

An entrance conference was conducted at 301 E. 13th Street Merced, CA 95341 on 3/10/2020. The following individuals were present:

- Representing DHCS:
Becky Counter, Associate Governmental Program Analyst (AGPA)
- Representing Merced County:
Lidia Caza-Burdick, Division Director
Cara Rupp, Program Manager
Maria Azevedo, Staff Services Analyst II
Manjit Kaur, Fiscal Manager
Brian Sterkeson, Automation Services Manager
Sharon Mendoca, Director-Administration
Dani Bohr, Staff Services Analyst Automation Services

During the Entrance Conference the following topics were discussed:

- Introductions
- DHCS Re-Organization
- Overview of Monitoring Process
- Overview of the County's System of Service

Exit Conference:

An exit conference was conducted at 301 E. 13th Street Merced, CA 95341 on 3/11/2020. The following individuals were present:

- Representing DHCS:
Becky Counter, AGPA
- Representing Merced County:
Lidia Caza-Burdick, Division Director
Cara Rupp, Program Manager
Maria Azevedo, Staff Services Analyst II
Manjit Kaur, Fiscal Manager
Brian Sterkeson, Automation Services Manager

During the Exit Conference the following topics were discussed:

- Review of Compliance Deficiencies
- Questions Regarding the Review Process
- Follow-Up Submissions Deadline

SUMMARY OF SFY 2019-20 COMPLIANCE DEFICIENCIES (CD)

Section:	Number of CD's:
1.0 Administration	0
2.0 Member Services	0
3.0 Service Provisions	0
4.0 Access	0
5.0 Coordination of Care	0
6.0 Monitoring	0
7.0 Program Integrity	1
8.0 Compliance	2

CORRECTIVE ACTION PLAN

Pursuant to the Intergovernmental Agreement, Exhibit A, Attachment I, Part II, Section EE, 2 each CD identified must be addressed via a CAP. The CAP is due within thirty (30) calendar days of the date of this monitoring report. Advisory Recommendations (AR) are not required to be addressed in the CAP.

Please provide the following within the completed SFY 2019-20 CAP:

- a) A statement of the CD.
- b) A list of action steps to be taken to correct the CD.
- c) A date of completion for each CD.
- d) The name of the person who will be responsible for corrections and ongoing compliance.

The CMU liaison will monitor progress of the CAP completion.

7.0 PROGRAM INTEGRITY

The following deficiency in quality regulations, standards, or protocol requirements was identified:

COMPLIANCE DEFICIENCY:

CD 7.46:

Intergovernmental Agreement Exhibit A, Attachment I, III, AA, 1-2 iv

1. In addition to complying with the subcontractual relationship requirements set forth in Article II E 8 of this Agreement, the Contractor shall ensure that all subcontracts require that the Contractor oversee and is held accountable for any functions and responsibilities that the Contractor delegates to any subcontractor.
2. Each subcontract shall:
 - iv. Ensure the Contractor monitors the subcontractor's performance on an ongoing basis and subject it to an annual onsite review, consistent with statutes, regulations, and Article III.PP.

Intergovernmental Agreement Exhibit A, Attachment I, III, FF, 4, i, c-f

- i. The CalOMS-Tx business rules and requirements are:
 - c. Electronic submission of CalOMS-Tx data shall be submitted by Contractor within 45 days from the end of the last day of the report month.
 - d. Contractor shall comply with data collection and reporting requirements established by the DHCS CalOMS-Tx Data Collection Guide (Document 3J) and all former Department of Alcohol and Drug Programs Bulletins and DHCS Information Notices relevant to CalOMS-Tx data collection and reporting requirements.
 - e. Contractor shall submit CalOMS-Tx admission, discharge, annual update, resubmissions of records containing errors or in need of correction, and "provider no activity" report records in an electronic format approved by DHCS.
 - f. Contractor shall comply with the CalOMS-Tx Data Compliance Standards established by DHCS identified in (Document 3S) for reporting data content, data quality, data completeness, reporting frequency, reporting deadlines, and reporting method.

Finding: The following CalOMS Tx report is non-compliant:

- Open Admissions Report

8.0 COMPLIANCE

The following program integrity deficiencies in regulations, standards, or protocol requirements were identified:

COMPLIANCE DEFICIENCIES:

CD 8.49:

Intergovernmental Agreement Exhibit A, Attachment I, III, F, 3, x

- i. Have a 24/7 toll free number for prospective beneficiaries to call to access DMC-ODS services and make oral interpretation services available for beneficiaries, as needed.

Finding: The Plan's access line is non-compliant. The DHCS test caller called at 3:45 pm on 3/3/20, was transferred to the Access Unit and told to leave a message.

CD 8.50

Intergovernmental Agreement Exhibit A, Attachment I, III, Y, 8, ii, v, a

- a. The Contractor agrees to cure transactions errors or deficiencies identified by DHCS, and transactions errors or deficiencies identified by an enrolled provider if the Contractor is acting as a clearinghouse for that provider. If the Contractor is a clearinghouse, the Contractor agrees to properly communicate deficiencies and other pertinent information regarding electronic transactions to enrolled providers for which they provide clearinghouse services.

Finding: The Plan has not resolved previous deficiencies identified by DHCS in SFY 18-19 CD # 7.50 CalOMS Treatment (Tx) Open Admissions.

TECHNICAL ASSISTANCE

Merced County did not request technical assistance for SFY 2019-20.