



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



GAVIN NEWSOM  
GOVERNOR

Date: October 13, 2021

**PPL No. 21-030**

To: Local Educational Agency (LEA),  
Local Educational Consortia (LEC), and  
Local Governmental Agency (LGA) Coordinators for the Local Educational  
Agency Medi-Cal Billing Option Program (LEA BOP) and School-Based  
Medi-Cal Administrative Activities (SMAA) Program

Subject: NOTIFICATION OF POLICY RELATED TO TIME SURVEY  
PARTICIPANTS (TSPs) THAT ARE IDENTIFIED AS BEING IN THE  
INCORRECT PARTICIPANT POOL FOR THE RANDOM MOMENT TIME  
SURVEY (RMTS)

This Policy and Procedure Letter (PPL) notifies LEA, LEC, and LGA Coordinators for the LEA BOP and the SMAA Program of the policy regarding TSPs that were inadvertently placed in the incorrect Participant Pool for a quarterly Random Moment Time Survey (RMTS). Prior to the start of each quarter, LEAs must determine whether personnel should be included on the TSP list for Participant Pools 1 and 2, Direct Service Practitioners and Administrative Service Personnel, respectively. This quarterly determination impacts federal reimbursement for both the LEA BOP and the SMAA Program.

As to Participant Pool 1 (Direct Service Practitioners), LEAs are eligible to report costs on their Cost and Reimbursement Comparison Schedule (CRCS) for employed personnel who are included on the Participant Pool 1 TSP list. LEA contracted practitioners providing covered direct health services are not included on the Participant Pool 1 TSP list and do not participate in RMTS, although their costs may also be reported on the CRCS for cost settlement purposes.

As to Participant Pool 2 (Administrative Service Personnel), LEAs are eligible to include costs on the quarterly SMAA invoice for both employed and contracted personnel who are included on the Participant Pool 2 TSP list. Since the TSP lists play an integral role in determining Medi-Cal allowable reimbursement per quarter, it is critical that these TSP lists represent staff who are eligible for Federal Financial Participation. More information on the RMTS, including the approved job classifications in Participant Pools 1 and 2 and further guidance on the Pools, can be found in [Section 6 of the current SMAA Manual](#).

If a TSP was inadvertently included in either a certified Participant Pool 1 or Participant Pool 2 TSP list for a given quarter, the RMTS Administrative Unit<sup>1</sup> must inform the Department of Health Care Services (DHCS) of the error. DHCS will then work with the RMTS Administrative Unit to understand the scope of the error and provide guidance to resolve the issue. DHCS will use the following guidelines when determining how to resolve errors related to TSPs placed in the incorrect participant pools in a given quarter:

Scenario	Should the TSP be Vacated from the Pool?	Coding Guidance if TSP Responds to a Moment:	Impact on the SMAA Invoice:	Impact on the LEA BOP CRCS:	Guidance to Resolve Issue:
1A: TSP assigned to Pool 1 (should have been Pool 2)	If the TSP is a <b>valid direct service TSP*</b> , do <u>not</u> vacate from Pool 1	Normal coding routine (moment eligible for codes 1-16)	SMAA reimbursement as a Pool 1 TSP on the SMAA Invoice	Must exclude TSP's costs on the CRCS for the quarter. Interim payments received (if any) will be recovered <sup>2</sup> .	Move TSP to Pool 2 in next quarter
1B: TSP assigned to Pool 1 (should have been Pool 2)	If the TSP is <u>not</u> a <b>valid direct service TSP*</b> , vacate from Pool 1	Code 17 – Not Working/ Not Paid	N/A – TSP vacated from Pool 1 so TSP costs are not included on the SMAA Invoice	Must exclude TSP's costs on CRCS since they are not an approved LEA BOP practitioner	Move TSP to Pool 2 in next quarter

\* **“Valid direct service TSP”** is defined as a practitioner that is not 100% federally funded who holds the appropriate license or credential and is qualified to provide LEA BOP covered direct medical services to students. A valid direct service TSP does not necessarily mean that the TSP qualifies to bill the services through the LEA BOP, but the covered services performed are activities that are within the TSP’s scope of practice. Example of Scenario 1A: a speech-language pathologist (SLP) who holds a ‘grandfathered’ credential and is not supervised by a licensed SLP or a professional clear services credential holder. In this scenario, the SLP does not have the supervision qualifications required to bill the service and should not bill Medicaid’s portion or include costs on the CRCS for the quarter. Example of Scenario 1B: a medical intern.

<sup>1</sup> An RMTS Administrative Unit is an entity that administers a RMTS. At the time of the publication of this PPL, DHCS recognizes three types of RMTS Administrative Units: 1) LECs; 2) LGAs; and 3) Los Angeles Unified School District (LAUSD).

<sup>2</sup> Recovery can be accomplished in one of two ways: (1) the billing provider submits a Claims Inquiry Form (CIF) to request an adjustment for overpaid claims, or (2) the interim payments erroneously received are recovered during the audit process. If an LEA identifies that they have submitted claims for TSPs that should not have been in Participant Pool 1 within a quarter, they should submit a CIF and return any interim payments received as a result of the error.

Scenario	Should the TSP be Vacated from the Pool?	Coding Guidance if TSP Responds to a Moment:	Impact on the SMAA Invoice:	Impact on the LEA BOP CRCS:	Guidance to Resolve Issue:
2: TSP assigned to Pool 1 (should not have been assigned to a pool)	Yes, vacate the TSP	Code 17 – Not Working/ Not Paid	N/A – LEA does not participate in SMAA and will not submit an SMAA Invoice	Must exclude TSP’s costs on the CRCS for the quarter. Interim payments received (if any) will be recovered. <sup>3</sup>	Remove TSP from RMTS in next quarter
3. TSP assigned to Pool 2 (should have been Pool 1)	No	Moment may be coded to 1-16, <b>except for a Code 2A</b> (the TSP did not receive the pre-question that is necessary for a response to be coded to 2A)	SMAA reimbursement as a Pool 2 TSP on the SMAA Invoice	Must exclude TSP’s costs on the CRCS for the quarter	Move TSP to Pool 1 in next quarter

In addition to pool assignment errors, if a practitioner employed by the LEA is not included on a claiming unit’s TSP list for a particular quarter, their costs cannot be included on the CRCS or SMAA invoice for that quarter.

Nothing stated in this PPL shall supersede any state or federal regulations or statutes.

If you have any questions concerning this PPL, please contact the LEA Medi-Cal Billing Option Program by e-mail at [LEA@dhcs.ca.gov](mailto:LEA@dhcs.ca.gov).

Sincerely,

**ORIGINAL SIGNED BY BRIAN FITZGERALD**

Brian Fitzgerald, Chief  
Local Governmental Financing Division  
Department of Health Care Services

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<sup>3</sup> See note 2.