



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



GAVIN NEWSOM  
GOVERNOR

Date: August 16, 2021 **PPL No. 21-018**

To: Local Educational Agencies (LEAs)

Subject: NOTIFICATION OF POLICY RELATED TO ANNUAL OR TRIENNIAL INDIVIDUAL EDUCATION PLANS (IEPs) AND INDIVIDUAL FAMILY SERVICE PLANS (IFSPs) THAT TAKE PLACE OUTSIDE OF THE MANDATED TIMELINES

This Policy and Procedure Letter (PPL) notifies Local Educational Agency (LEA) providers participating in the LEA Medi-Cal Billing Option Program (BOP) of billing requirements for IEP/IFSP assessments that take place outside of the Individuals with Disabilities Education Act (IDEA) required timelines. The IDEA requires that a student's IEP/IFSP be reviewed periodically, but not less than annually, to determine whether the annual goals for the student are being achieved and to make any appropriate revisions to the student's Plan. In addition, the IDEA requires schools to reevaluate students with IEPs/IFSPs at least once every three years to determine if a student's needs have changed and to ensure they still qualify for special education services.

When LEAs are unable to meet the IDEA required timelines, any delays should not interfere with billing for LEA BOP Medi-Cal covered services that are pursuant to existing IEPs/IFSPs. The recommended services included in an IEP/IFSP remain in effect unless a pupil graduates or ages out, or a LEA determines through an evaluation that the child no longer has a particular disability and the IEP/IFSP is terminated or amended to reflect this determination (20 U.S.C. § 1414(c)(5)). As such, LEAs may submit LEA BOP claims for treatment services that are pursuant to existing IEPs/IFSPs and meet LEA BOP billing requirements, even if those services are rendered after the annual review or triennial evaluation should have occurred under IDEA timelines.

Nothing stated in this PPL shall supersede any state or federal regulations or statutes. This PPL does not modify prescription, referral or recommendation requirements, which are required to bill for LEA services. LEAs must have valid prescriptions, referrals or recommendations in order to bill for LEA services. The written orders, which must be maintained in the student's files, must be updated annually and are valid for one year from the date of the order.

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).

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Sincerely,

**ORIGINAL SIGNED BY STEPHANIE MAGEE**

Stephanie Magee, Chief  
Local Educational Agency Medi-Cal Billing Option Program