

Tips for Using Contractors as LEA BOP Practitioners

There are two different methods for including eligible practitioners for reimbursement under the Local Educational Agency Medi-Cal Billing Option Program (LEA BOP) on the Cost and Reimbursement Comparison Schedule (CRCS). Your LEA may (1) directly employ staff or (2) engage them through formal business agreements, such as a contract. It is important to understand the distinctions between these groups and the requirements associated with contracting practitioners.



Important!

- » If your LEA is paying for and providing eligible services, ensure that all covered practitioners are included on the CRCS. This applies to employed and contracted practitioners.
- » To avoid double-billing, contractors included on the CRCS must not bill Medi-Cal separately for the same service for the same student. The contractors must reassign Medi-Cal payment to the LEA.

Definition

An LEA BOP contractor, according to the Department of Health Care Services (DHCS), is a direct service practitioner who is defined as the following:

- » Is not employed directly by an LEA.
- » Is an eligible practitioner providing services covered by the LEA BOP.^{1,2}
- » Does not bill Medi-Cal directly but reassigns billing rights to the contracting LEA.
- » Is documenting all eligible services being provided to Medi-Cal students enrolled in the program.



Tip

Types of contractors under the LEA BOP include practitioners provided by non-public schools, non-public agencies, special education local planning areas, county offices of education, and community-based organizations and through direct contracts with individual or group practitioners.

1 A list of eligible practitioners can be found in the LEA BOP manual: [Rendering Practitioner Qualifications](#).

2 A list of services covered by LEA BOP can be found in the LEA BOP manual: [Billing Codes and Reimbursement Rates](#).

Table 1. Common Program Examples

How is the practitioner engaged by the LEA?	Are they a contractor?
Eligible practitioner is hired directly by the LEA on a full-time basis and provides covered services.	No, they are not a contractor since they are employed by the LEA.
Eligible practitioner is hired directly by the LEA on a short-term basis and provides covered services.	No, they are not a contractor since they are employed by the LEA.
LEA has a contract with and pays the county office of education (COE) for eligible practitioners to provide covered services to students of the LEA.	Yes, they are a contractor under LEA BOP, and the LEA can bill if the COE reassigns the billing to the LEA.
Individual eligible practitioner provides services through a contract and is paid via invoices by the LEA.	Yes, they are a contractor, and the LEA may bill if the practitioner reassigns the billing to the LEA.

Program Requirements for Employees Versus Contractors

While determining whether eligible practitioners are either an employee or a contractor is important, in practice there are only a few key differences in program requirements between the two designations. Table 2 below identifies some of the main program requirements. The columns on the right identify which requirements apply to employed practitioners versus contracted practitioners.



Tip

Does your LEA only have eligible practitioners who are engaged as contractors? If the answer is yes, then your program falls under LEA BOP Model 2, and you are required to fill out the Model 2 Certification annually ([Model 2 Certification page](#)). For more information on all four model types, see the LEA BOP manual section [LEA: A Provider's Guide](#).

Table 2. Program Requirement Comparison

Requirement	Employee	Contractor
Provides eligible services to LEA students	Yes	Yes
Documents eligible services provided (for reporting and billing requirement purposes)	Yes	Yes
Meets LEA BOP qualifications for practitioner type	Yes	Yes
Submits interim claims into the LEA's billing system	Yes	Yes
Includes practitioner cost on CRCS ³	Yes	Yes
Adds the practitioner in the Random Moment Time Survey (RMTS) as Time Survey Participant (TSP)	Yes	No

Important!

Please note from Table 2 that while employee service providers are required to participate in RMTS, contractors do not participate.

For more information on the cost reimbursement calculation and process, see the resources below.

- » [Cost and Reimbursement Comparison Schedule \(CRCS\) Resources page](#)
- » [Tips for Identifying Allowable Cost and Calculating Total Program Reimbursement in the LEA BOP](#)

³ While both employee and contracted practitioner costs are included in the CRCS, they are input in different portions of the report. Employee cost will include salary and benefits while contractors include eligible invoices.