



Jennifer Kent
DIRECTOR

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



EDMUND G. BROWN JR.
GOVERNOR

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PPL No. 17-011

TO: Local Governmental Agency (LGA) Coordinators for the Targeted Case Management (TCM) Program

SUBJECT: **Guidance for County Probation Departments' Participation in the TCM Program**

Introduction

This Policy and Procedure Letter (PPL) provides information to LGAs regarding the participation of county probation departments in the TCM Program and the requirements that need to be followed.

Affordable Care Act (ACA)

The ACA Medi-Cal expansion, effective January 1, 2014, allowed newly eligible individuals under aide codes M1 and/or 7U to gain access to TCM services. County probation departments may claim for providing TCM services to their clients that meet the TCM target population requirements and are deemed eligible for Medi-Cal under these two aide codes.

Aide Codes:

M1—Adult 19 to 65 Years at or below 138% Federal Poverty Level (FPL):
Citizen/Lawfully Present

7U—Express Lane Enrollment for Adults

Note: As of July 1, 2014, aid code L1 is no longer valid. L1 has been transitioned to aid code M1.

County probation department participation in the TCM Program is not limited to providing TCM services to newly eligible individuals. County probation departments may also provide TCM services to all Medi-Cal beneficiaries who fall within one or more of the TCM target populations.

Freedom of Choice

County probation departments are not exempt from the freedom of choice requirements in Section 1902(a)(23) of the Social Security Act—the provision of case management services shall not restrict an individual's free choice of providers, including:

Eligible individuals will have free choice of any qualified Medicaid provider within the specified geographic area identified in the State plan.

Eligible individuals will have free choice of any qualified Medicaid providers of other medical care under the State plan.

TCM case managers must provide freedom of choice to all clients. In their client case file, providers must document that each client received freedom of choice information.

Access to TCM Services

County probation departments are not exempt from access requirements for TCM services contained in Code of Federal Regulations (CFR), title 42, sections 441.18(a)(2), 441.18(a)(3), and 441.18(a)(6), which require compliance with the following rules:

Case management (including TCM) services will not be used to restrict an individual's access to other services under the State Plan.

Individuals will not be compelled to receive case management services, condition receipt of case management (or TCM) services on the receipt of other Medicaid services, or condition receipt of other Medicaid services on receipt of case management (or TCM) services.

Providers of case management services do not exercise the agency's authority to authorize or deny the provision of other services under the State plan.

TCM case managers must provide services to all individuals who are interested in TCM services within the target population in which the LGA has elected to participate. For example, a TCM case manager working for a county probation department cannot refuse a non-probation TCM client requesting to gain access to TCM services. Probationers also have the choice to request TCM services from another agency other than the county probation department. However, if a probation officer has a client needing services from another county agency, measures must be taken to ensure non-duplication of services.

Guidance and General Requirements for County Probation Departments

County probation departments that want to participate in the TCM Program must comply with the TCM Program requirements stated in the TCM Provider Manual choosing one of two methods to enroll in the TCM Program.

1. An established LGA may subcontract with their county probation department to provide TCM services. The LGA is responsible to ensure program requirements are met.
2. A probation department of a county designates themselves as the LGA (only if no other department in the county has already established themselves as an LGA). From there on, a department and/or unit, wanting to claim for TCM services, such as county public health department, will serve as a subcontractor of the established LGA (in this case, the county probation department).

Additional Information

Certified Public Expenditure (CPE) Certification

LGAs must ensure that the source of all expenditures will meet the requirements of 42, CFR, section 433.51.

Each LGA must report the total expenditures incurred by itself and other governmental entities. The LGA must certify its total expenditures in providing TCM services and must include a certification signed by the other contributing public agency's designated representative certifying its total expenditures. The LGA must ensure the total expenditures are allowable and meet all federal requirements for the provision of TCM services.

Each LGA must submit a claim to DHCS accompanied by an attestation prepared by DHCS and signed by the LGA's designated representative signifying it has reviewed such costs, and that such costs are allowable and meet all federal requirements in seeking FFP.

The DHCS TCM website provides resources for LGAs participating in or interested in TCM. Link to the TCM website: <http://www.dhcs.ca.gov/provgovpart/Pages/TCM.aspx>.

LGA TCM Coordinators

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Date:

If you have any questions regarding this PPL, e-mail the TCM Program at dhcs-tcm@dhcs.ca.gov.

Sincerely,

ORIGINAL SIGNED BY

Shelly Taunk, Chief
County Based Claiming & Inmate Services Section