

Including Contractors in the LEA BOP

Facilitated by: WestEd
November 6, 2023
10:00 a.m.—11:00 a.m.

WE WILL BEGIN THE WEBINAR SHORTLY

Introductions



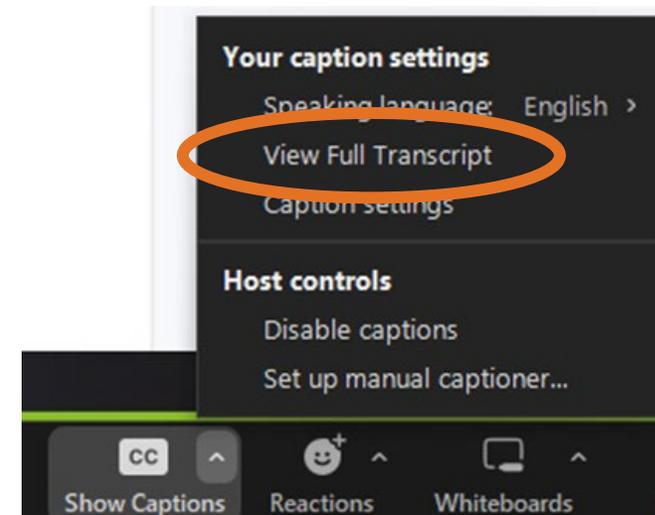
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Live Transcription Available

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Workshop Goals

Following today's webinar, participants will understand:

- » Contracted services are eligible for reimbursement through the LEA BOP.
- » Requirements and program compliance for accurately accounting for contracted services in the program.
- » The annual and day-to-day logistics of incorporating contractor costs under the LEA BOP.

Agenda

- » Background on contracting for services
- » Requirements & program compliance
- » Logistics of working with contractors
- » Q&A
- » Next steps and closing

Introduction to LEA BOP Contracting

LEA BOP Covered Services

- Hearing
- Medical Transportation
- Nursing
- Nutrition
- Occupational Therapy
- Orientation and Mobility
- Physical Therapy
- Psychology/Counseling
- Respiratory Care
- Speech Therapy
- Targeted Case Management
- Vision Assessments



Directly hire



Contract with outside entities

Background & Requirements for Contracting



Common Examples of Contracted Services



Speech Therapy



Telehealth: Psychology and Counseling



Occupational & Physical Therapy

Who Are These Contractors?

- » Non-Public Agencies
- » Non-Public Schools
- » Special Education Local Plan Area
- » Community-Based Organizations/Agencies
- » County Office of Education
- » Independent Practitioners

How to Incorporate Contractors into Your LEA BOP

Model 2



Contractors only

Model 3 and 4



Employed

Contractors

Model 1: Direct Employment of Health Care Practitioners

» What is it?

- The Local Educational Agency (LEA) directly employs health care practitioners who provide health services to students. The LEA can become a Medi-Cal provider and therefore bill and receive Medi-Cal payments for services rendered by employed practitioners to Medi-Cal students.

» Example

- An LEA employs 100% of the healthcare practitioners who provide LEA BOP-covered health services to students. These practitioners will all be included as Time Survey Participants (TSPs) for the Random Moment Time Survey (RMTS).

Model 3: Direct Employment and Contracting with Health Care Practitioners to Supplement Services

» What is it?

- The Local Educational Agency (LEA) uses a combination of employed and contracted health care practitioners to render health services to students. The LEA contracts with additional health professionals to supplement the care and services being provided by its own employees. The LEA bills and receives Medi-Cal payments for covered services provided to Medi-Cal students.

» Example

- A school that employs one physical therapist and contracts with other physical therapists to supplement the services provided. No additional provider agreements are required for contracted providers under this type of arrangement.
- The contracted physical therapists are not required to participate in the quarterly RMTS. However, the physical therapists who are directly employed by the LEA must participate in RMTS as Participant Pool 1 TSPs.

Model 2: Contracting of Health Care Practitioners

» What is it?

- The Local Educational Agency (LEA) contracts with healthcare practitioners or clinics to provide 100% of the health services rendered to LEA students. The LEA does not employ any health service practitioners.

» Example

- An LEA does not employ practitioners and contracts out 100% of their practitioners to provide speech therapy services to their student population.
- LEAs operating under Model 2 are not required to participate in the quarterly RMTS because contractors are exempt from participating in RMTS. The LEA will instead need to fill out a [Model 2 Certification](#) form before the start of each SFY to certify their Model 2 status.
- The practitioners can sign their right to payment to a government entity, such as the school district. Consequently, if the school and the provider are willing to work out an agreement under which the provider reassigns payment to the school, the school may both bill and receive payment directly from the state Medicaid agency.

Compliance Requirements

All contracted providers must follow the same requirements as the LEA BOP program. This includes:

- » Documentation of services – includes individual claims AND care plan
- » Supervision, licensing, and credentialing
- » Submit or be prepared to submit individual service claim

Model 4: Mix of Employed and Contracted Providers

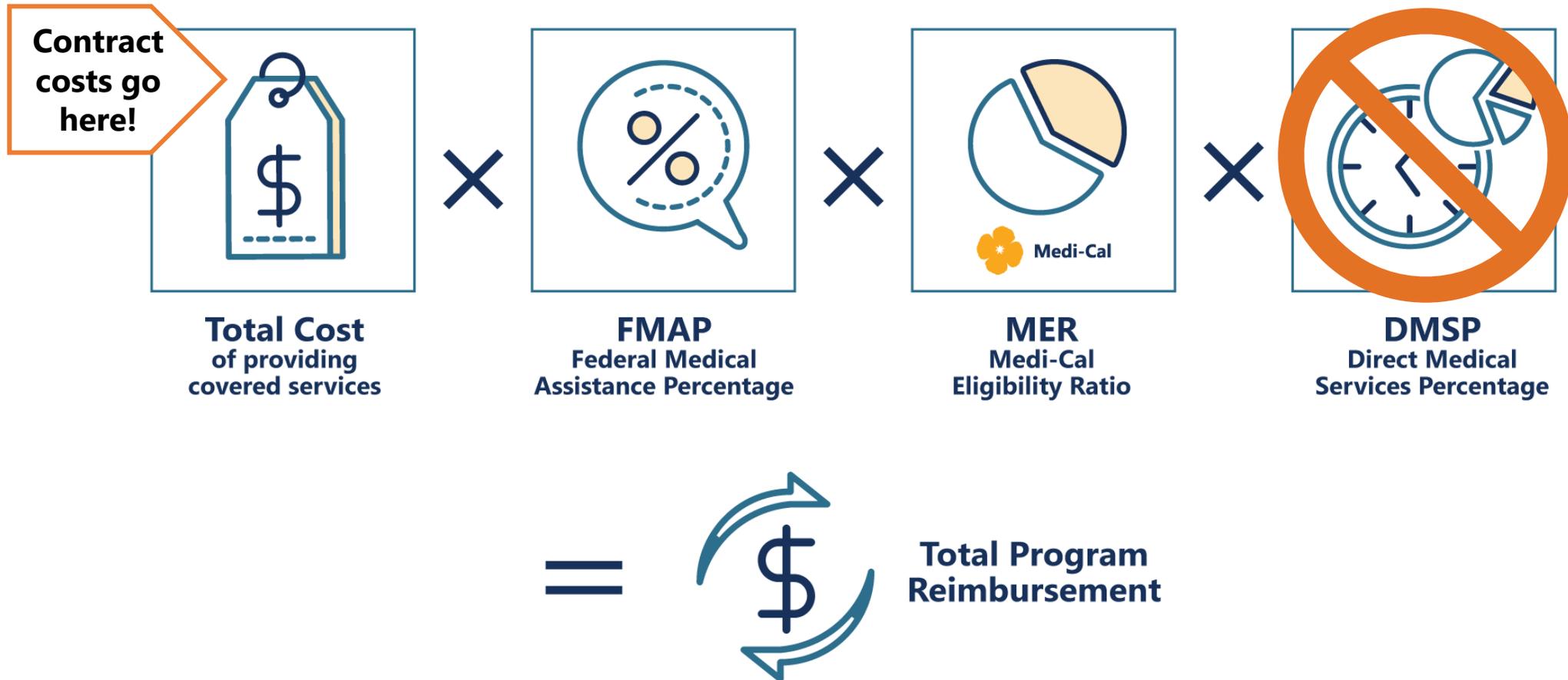
» What is it?

- » The Local Educational Agency (LEA) provides some services directly but plans to contract out entire service types without employing even a single practitioner in that service category. The school may establish itself as an organized healthcare delivery system where it directly provides at least one service, such as case management, but offers additional services under contract. For the LEA to bill and receive Medi-Cal reimbursement for the covered services, the practitioner of services must voluntarily reassign their right to payment to the LEA.

» Example

- » An LEA bills for all speech services provided by directly employed practitioners and contracts for practitioners offering physical therapy services. The contracted health professionals are not required to participate in the quarterly RMTS. However, the directly employed practitioners must join RMTS as Participant Pool 1 TSPs.

How to Calculate Contract Costs



Logistics of Working with Contractors



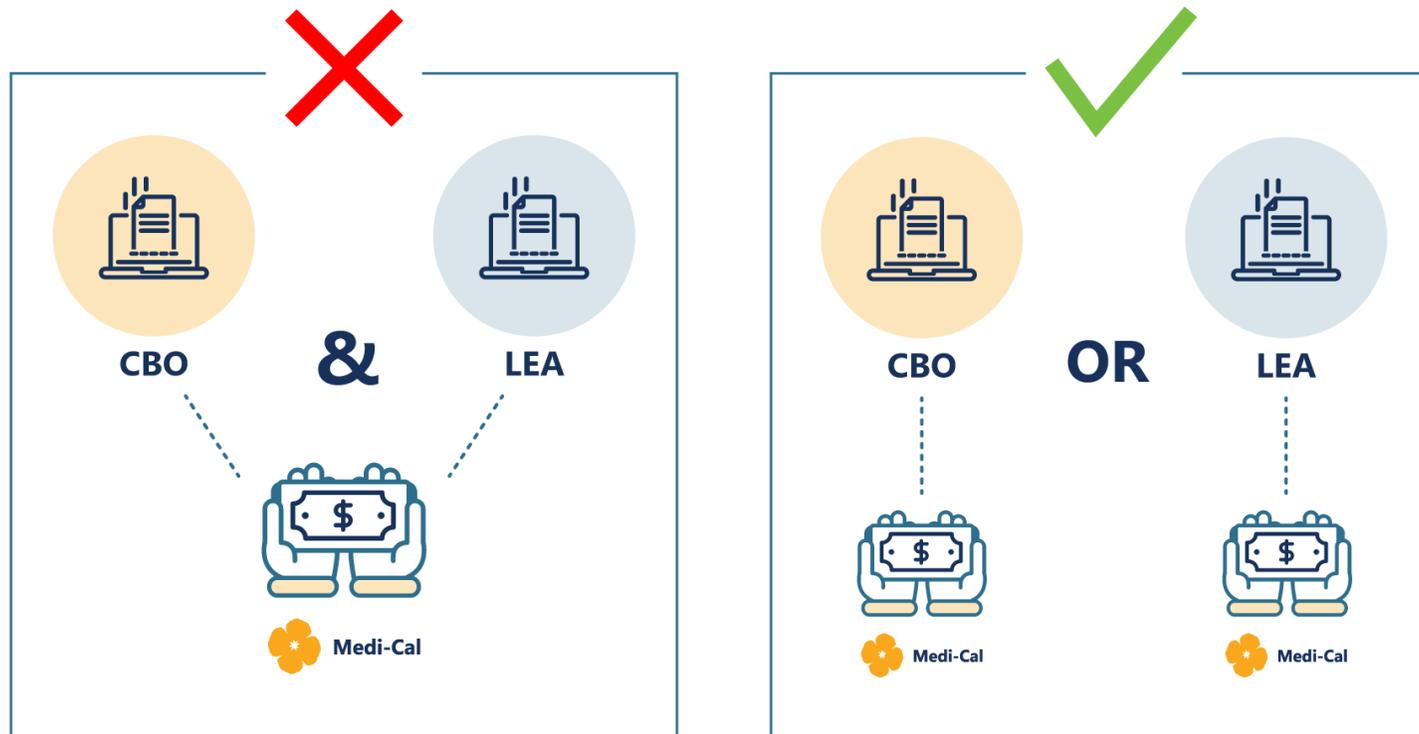
Contract Language

Must include:

- » Contractor reassigns payment to the LEA
- » How much the contractor is paid
- » Services provided by the contractor

Avoiding “double dipping”

Double billing = Medi-Cal paying for a service



Contractors, RMTS, and TSP

Contractors are NOT...

- » Included on the Time Survey Participant (TSP) List
- » Responding to the Random Moment Time Survey (RMTS)

Contractors ARE...

- » Included on the Cost Report

Contractors and Documentation

Documentation requirements are the same as LEA-employed practitioners:

- Care plans
- Service-level documentation
- Practitioner qualifications
- Supervision requirements
- Prepared to submit interim claims

Tip: Include contracted practitioners in your health record system

Poll

- ❑ What is required for including contractor costs under LEA BOP?
- ❑ What is an important strategy for including contracted provider costs in the LEA BOP?
- ❑ On the CRCS, contracted costs are...

Quiz Question #1

What is required for including contractor costs under LEA BOP?

Answer: (C) Documentation of the services provided to students

- » Documentation requirements for contracted practitioners are the same as those for LEA-employed practitioners (see slides [15](#) and [21](#)).

Quiz Question #2

What is an important strategy for including contracted provider costs in the LEA BOP?

Answer: (A) Include contract language that clarifies what entity is billing Medi-Cal for services

» To ensure that the contractor is not also separately billing Medi-Cal for services (and to avoid double-billing), contract language should reassign billing to the LEA (see [slide 18](#)).

Quiz Question #3

On the CRCS, contracted costs are...

Answer: (B) Not multiplied by the DMSP (Direct Medical Services Percentage)

- » Unlike LEA-employed practitioners, contract costs are not multiplied by the DMSP, contractors are not included on the TSP list, and they do not respond to the RMTS (see slides [16](#) and [20](#)).

Q & A



Including Contractors– Question 1

- » **Question:** How would a contractor's shift align with responding to random moments?
- » **Answer:**
- » Direct service practitioners who are contracted for the provision of health services are not included on the TSP list for the RMTS.
- » These costs are considered direct costs, whereas the RMTS process estimates the amount of time spent on direct services reported on the CRCS.
- » Since the practitioner does not participate in RMTS, they may start billing immediately instead of waiting for the first RMTS participation quarter to begin. ([PPL 21-029](#))

Including Contractors– Question 2

- » **Question:** What is the definition of a contractor? And what type of contractors are allowable under the program?
- » **Answer:**
- » LEA BOP defines a contractor as a medical professional who is not a direct employee of the LEA and has been contracted to provide covered direct health care services to students. The LEA needs to complete an IRS Form W-2 for the contractor.
- » LEAs may contract with health professionals if they meet the requirements identified under the “Qualified LEA Rendering Practitioners” ([loc ed rend](#)) section of the Provider Manual.
- » Examples: Certified nurse practitioner, licensed psychologist, licensed clinical social worker, etc.

Including Contractors– Question 3

- » **Question:** As an independent contractor, what must I do to be eligible under LEA BOP?
- » **Answer:**
- » Contractors must meet the qualifications outlined in the “[Rendering Practitioner Qualifications](#)” ([loc ed rend](#)) section of the Provider Manual.
- » LEAs that contract with practitioners typically fall into either Model 3 or Model 4 of service delivery. For more information, please see the “Local Educational Agency” ([loc ed a prov](#)) section of the Provider Manual.
- » Contracted providers may be in-state or out-of-state if they hold the required California license or credential to deliver services.
- » Contracted practitioners must enroll with the Provider Enrollment Division (PED) when practitioners order, refer, or prescribe (ORP) services to Medi-Cal enrolled students. Suppose the LEA contracts with independent health service practitioners to deliver direct medical services, and the contractor does not ORP for any services. In that case, the contractor does not need to enroll separately as a Medi-Cal provider through PED.

Including Contractors– Question 4

- » **Question:** Can our LEA contract with different types of practitioners, such as Licensed Vocational Nurses or Speech-Language Pathologists?
- » **Answer:**
- » LEAs may contract with health professionals if they meet the requirements identified under the "[Qualified LEA Rendering Practitioners](#)" (loc ed rend) section of the [Provider Manual](#).

Including Contractors– Question 6

- » **Question:** If the LEA pays the contractor to do the service, why would they also get reimbursement?
- » **Answer:**
- » The LEA BOP only reimburses one entity (LEA or contractor) for the service.
- » If the LEA is paying the contractor for rendering services, the LEA is eligible to receive Medi-Cal reimbursements.
- » LEAs and contractors must determine in advance who will be billed for the services.
- » Both entities need to agree on who has the Medi-Cal billing rights.
- » Please refer to the Models of Service Delivery regarding this.

Including Contractors– Question 5

- » **Question:** What about charter schools? How can charter schools start billing for contracted services?
- » **Answer:**
- » Since charter schools are LEAs, the exact program requirements apply. We recommend familiarizing yourself with the [Provider Manual](#), the [LEA BOP 101](#) training from earlier this year, and determining your LEA model. If your charter school is a Model 2, meaning you only have contracted practitioners, an additional form must be completed and submitted to DHCS.

Including Contractors– Question 8

- » **Question:** Regarding services provided by the contractor, how much detail is required? One contract I have seen doesn't mention conducting assessments/writing reports, but it's part of the Psych role in LEA BOP.
- » **Answer:**
- » It is up to the LEA and the contractor to determine the logistics of what the contract will cover or not cover.
- » DHCS suggests that you work with your legal team to make this determination. However, it is recommended that the contract covers these items in detail since documentation requirements must be met based on State and federal requirements.

Including Contractors– Question 9

- » **Question:** What happens if an LEA mistakenly included a contracted staff on Q2 TSP but was caught and corrected for Q3? Other updated action to take?
- » **Answer:**
- » Please refer to [PPL 21-030](#), which provides information on this issue.
- » It would help if you worked with your LEC as soon as possible, as the contracted staff might have responded to a moment, and that coded moment will need to be fixed.

Including Contractors– Question 10

» **Question:** Can we get reimbursed for previous contractor services from earlier in the year?

» **Answer:**

- Yes, if it is within the reporting year or state fiscal year in which a CRCS report has yet to be filed by the deadline.
 - For example, if the contractor costs are from August of this year (SFY 2023-24), those costs can appear on the CRCS report for SFY 2023-24, which is due March 1, 2025.

Including Contractors– Question 7

- » **Question:** Does this [avoiding double dipping/double billing] apply if the contractor does not have a Medi-Cal contract with county mental health or the MCP?
- » **Answer:**
- » Two entities, the contractor and the LEA, may bill for different services. Similarly, if the service is paid through the county mental health plan, neither the LEA nor the contractor may bill for that service.
- » A contractor does not have to contract with a county mental health plan or a managed care plan to provide services.

Next Steps and Closing



Resources for Support

- » LEA BOP Website
<https://www.dhcs.ca.gov/provgovpart/Pages/LEA.aspx>
- » Prior trainings
<https://www.dhcs.ca.gov/provgovpart/Pages/2022-23LEABOPTraining.aspx>
- » Quarterly Stakeholder Meetings
<https://www.dhcs.ca.gov/provgovpart/Pages/LEAWorkgroup.aspx>
- » Email subscription list
<https://apps.dhcs.ca.gov/listssubscribe/default.aspx?list=DHCSLEA>
- » TA assistance
<https://www.dhcs.ca.gov/provgovpart/Documents/DHCS-6300-Technical-Assistance-Request.pdf>

Resources from the Workshop

- » Non-Public School Information:
<https://www.dhcs.ca.gov/provgovpart/Pages/2022-23LEABOPTraining.aspx>
- » Model 2 Certification form (PPL 20-022):
<https://www.dhcs.ca.gov/formsandpubs/Documents/ACLSS PPLs/2020/PPL-20-022AttachmentA-Model2CertificationStatement.pdf>
- » Local Educational Agency (LEA) Rendering Practitioner Qualifications:
https://mcweb.apps.prd.cammis.medi-cal.ca.gov/assets/F0D63154-5260-429F-A6E1-8CC04F4E3DD1/locedrend.pdf?access_token=6UyVkRRfByXTZEWlh8j8QaYyIPyP5ULO
- » Contractors and Documentation Training
<https://www.dhcs.ca.gov/provgovpart/Documents/ACLSS/LEA BOP/Training and Webinars/OctoberAWGDocumentationTrainingSlides.pdf>

Upcoming Workshops & Trainings

- » LEA BOP 101 for Small and/or Rural LEAs, December 11
- » Consortia: How to Start and Participate in Them, January 16
- » LEA BOP Onboarding for New Coordinators, February 15

Thank you!

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the QR code located here

