



School-Based ACCESS Program (SBAP)

Breakout Session C: ***C is for Compliance***

Compliance Training Objectives

- Learning Objective: Upon completion of this session, participants will be able to identify key aspects of compliance and recognize commonly identified issues/errors in an audit of SBAP services billed by the LEA.
- Key Topics:
 - Oversight & Monitoring
 - Common Audit Findings
 - Self-Audits
 - Self-Disclosures
 - Submitted Questions
 - Understanding the IEP
 - Documentation Reminders

Bureau of Program Integrity

- The Bureau of Program Integrity (BPI) is part of the Pennsylvania Department of Human Services (DHS).
- BPI has medical professionals responsible for:
 - preventing, detecting, deterring, and correcting fraud, abuse, and wasteful practices by providers of MA services – including LEAs,
 - applying administrative sanctions, and
 - referring cases of potential fraud to the appropriate enforcement agency.

Monitoring of Cost Reconciliation

Oversight & Monitoring

- Category 1: Salaried Staff
- Category 2: Contract Staff
- ❖ Category 3: Credentials & Licensing
- ❖ Category 4: Direct Medical Services Other Costs
- ❖ Category 5: IEP Ratio
- ❖ Category 6: Tuition Payments
- Category 7: One-Way Trip Ratio/Special Transportation Ratio
- Category 8: Transportation Payroll
- Category 9: Transportation Other

Monitoring of Cost Reconciliation (Cont.)

A randomly selected number of LEAs will be required to participate in Monitoring Reviews to ensure compliance with the annual cost reconciliation process.

Review Categories

Category #1: Costs reported for Salaried Staff.

- Purpose: Ensure documentation supports reported salaries and benefits for staff included on the Direct Service Staff Pool.
- Provide: System financial ledger details, account numbers and fund codes, formulas and percentages to compute benefits.

Category #2: Costs reported for Contracted Staff.

- Purpose: Ensure documentation supports reported contracted costs for contractors included on the Direct Service Staff Pool.
- Provide: System financial ledgers, copies of contracts.

Monitoring of Cost Reconciliation (Cont.)

Category #3: Credentials/Licensing of Providers.

- Purpose: Ensure documentation supports credentialing/licensing requirements for staff/contractors included on the Direct Service Staff Pool.
- Provide: copies of credential and/or licenses.

Category #4: Direct Medical Service Other Costs.

- Purpose: Ensure costs reported are listed on the list of allowable materials/supplies and documentation supports the reported expenditures.
- Provide: System financial ledger details, account numbers and fund codes.

Monitoring of Cost Reconciliation (Cont.)

Category #5: IEP Ratio.

- Purpose: Ensure documentation supports reported numerator (MA eligible students with health-related services in IEPs) and reported denominator (ALL students with health-related services in IEPs), using the December 1st count.
- Provide: Explanation of your LEA's method for calculating the IEP ratio, documentation supporting the numerator came from the PROMISe™ system, documentation supporting the denominator was special education students with a SBAP related service in their IEPs on December 1st of the cost settlement year.

Category #6: Tuition Payments.

- Purpose: Ensure documentation supports reported tuition payments for only MA eligible students with health-related services in IEPs.
- Provide: Documentation supporting total costs reported, the service listed in the IEP and that your LEA is responsible for billing MA for the student.

Monitoring of Cost Reconciliation (Cont.)

Category #7: Transportation.

- Purpose: Ensure documentation supports reported transportation costs and ratios.

- *Subcategory #1: One-Way Trip Ratio.*
 - The numerator is populated using MMIS data
 - Purpose: Ensure documentation supports reported denominator (total number of one-way trips for special education students with specialized transportation documented in their IEPs).
 - Provide: Bus logs and attendance records, explanation of your LEA's method of calculating OWT denominator.

Monitoring of Cost Reconciliation (Cont.)

Category #7: Transportation (cont.).

➤ *Subcategory #2: Specialized Transportation Ratio.*

- Purpose: Ensure documentation supports reported numerator (total number of students with specialized transportation documented in their IEPs) and reported denominator (total number of ALL students receiving transportation services).
- Sample of IEPs of students included in the ratio, explanation of your LEA's method for calculating the ratio.

Monitoring of Cost Reconciliation (Cont.)

Category #7: Transportation (cont.).

➤ *Subcategory #3: Transportation Payroll.*

- Purpose: Ensure documentation supports reported salary and benefits of transportation staff.
- Provide: System financial ledger details, account numbers and fund codes, formulas and percentages to compute benefits.

Monitoring of Cost Reconciliation (Cont.)

Category #7: Transportation (cont.).

➤ *Subcategory #4: Transportation Other Costs.*

- Purpose: Ensure documentation supports reported transportation contracted costs, fuel and oil, insurance, maintenance and repairs, and lease/rental.
- Provide: System financial ledger details, copies of contracts, account numbers and fund codes.

Common Audit Findings

The issues listed below are frequently discovered when an audit is conducted:

- Services billed were not documented in IEP
- More units of service billed than documented in the IEP
- Precluded providers
- Service provider is not qualified
- Lack of required supervisory signatures
- Documentation not maintained
- Gaps in Medical Practitioner Authorization Form (MPAF)

Common Audit Findings (Cont.)

Authorized vs. Documented Services

- Units of service billed must be equal to or less than the units of service authorized on the Medical Practitioner Authorization Form (MPAF).
- You are highly encouraged to verify through the self-audit process that the duration and frequency of the services billed are equal to or less than the duration and frequency recommended in the IEP and authorized on the MPAF.

Common Audit Findings (cont.)

Precluded Providers

- LEAs as MA Providers are required to screen employees and contractors for exclusion from participation in federal health care programs, prior to hire, then on an ongoing monthly basis.
 - **An excluded/precluded individual or entity cannot be part of a task that is reimbursed by Federal healthcare program dollars.**
- LEAs must use all 3 preclusion websites:
 - Office of Inspector General (LEIE)
 - System for Award Management (SAM)
 - Medichex (DHS)

Common Audit Findings (cont.)

Precluded Providers (cont.)

- This requirement includes all employees, vendors, contractors and service providers whose functions are a necessary component of providing items and services to MA beneficiaries and who are involved in generating a claim to bill for services.
- In SBAP this includes all individuals listed on the LEA's staff pool lists, supervisors or teachers permitted to sign logs, physicians and/or CRNPs signing medical authorizations, and superintendents if he/she signs IEPs or has any association with SBAP. Refer to Section 5.4 Preclusion/Exclusion Checks in the SBAP Handbook for more details about the requirement.
- Helpful tip: LEAs can consider modifying their contracts to reflect the exclusion prohibition and require the contractor or vendor to check their own employees.

Common Audit Findings (cont.)

Qualification/Supervisory Signature

- The individual providing the service must meet the provider qualifications outlined in the SBAP Handbook.
 - Unless your guidance counselor is a licensed social worker, licensed professional counselor, or licensed marriage and family therapist they **do not meet the qualifications** of the SBAP.
- Supervisory signatures are required for:
 - Personal Care Assistant
 - Occupational Therapy Assistant
 - Physical Therapy Assistant
 - Audiologist Assistant
 - PDE-Certified Speech Language Pathologist (CSPG 63)
 - Clinical Fellow in Speech Language Pathology (includes provisional licensee)
 - Speech Assistant

Medical Practitioner Authorization Form

Medical Practitioner Authorization for SBAP Initial Evaluation Services

Student's Name: Pamela Tressler
Participating School Name: Your LEA Name

Initial Evaluations

Audiology Occupational Therapy Orientation, Mobility & Vision
 Physical Therapy Psychiatric Psychological
 Social Work Speech & Language Hearing Impaired

I agree that the Initial Evaluations above are both appropriate and medically necessary.

Reminder:

MPAF = Medical Necessity!

Authorized Signature _____ *Date of Signature 10/1/2017
Printed Name/Practitioner Title Im Aphysician/DO License # XXXXXXXXX
NPI# 1234567890 MA Provider # 1234567890123

If review of medical necessity was conducted face-to-face with the student, separate documentation must be maintained.

*The date of signature is required prior to or on the date of service. Refer to section 4.8 of the [SBAP Handbook](#) for the definition of the date of service.

Self-Audits

- Best Practice: Perform periodic self-audits on your LEA's direct service and transportation compliance data and documentation to ensure services were rendered and billed correctly and documentation appropriately maintained.
- The Self-Audit Tool provides a checklist of documents/records required for SBAP billing.

NOTE: Just because you find an error on a log doesn't mean it was a paid claim! Be sure to check with BPI or PCG on whether the log resulted in a paid claim to determine next action.

Self-Disclosures

- Providers have a legal and ethical commitment to return inappropriate Medicaid payments.
- LEAs are encouraged to self disclose billing errors and violations identified.
- Disclosures should be made directly to the BPI SBAP Coordinator at (717) 705-6873.

Transferring Students

Can I submit claims for a student transferring to my district?

- MA eligible
- Parental consent
- Permission to evaluate
- Evaluation
 - MPAF for evaluation
- IEP
- MPAF
 - Is the ordering practitioner enrolled with MA?

Understanding the IEP

INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Student's Name:

VI. SPECIAL EDUCATION / RELATED SERVICES / SUPPLEMENTARY AIDS AND SERVICES / PROGRAM MODIFICATIONS - Include, as appropriate, for nonacademic and extracurricular services and activities.

A. PROGRAM MODIFICATIONS AND SPECIALLY DESIGNED INSTRUCTION (SDI)

- SDI may be listed with each goal or as part of the table below.
- Include supplementary aids and services as appropriate.
- For a student who has a disability and is gifted, SDI also should include adaptations, accommodations, or modifications to the general education curriculum, as appropriate for a student with a disability.

<i>Modifications and SDI</i>	<i>Location</i>	<i>Frequency</i>	<i>Projected Beginning Date</i>	<i>Anticipated Duration</i>

B. RELATED SERVICES

List the services that the student needs in order to benefit from his/her special education program.

<i>Service</i>	<i>Location</i>	<i>Frequency</i>	<i>Projected Beginning Date</i>	<i>Anticipated Duration</i>

C. SUPPORTS FOR SCHOOL PERSONNEL

List the staff to receive the supports and the supports needed to implement the student's IEP.

<i>School Personnel to Receive Support</i>	<i>Support</i>	<i>Location</i>	<i>Frequency</i>	<i>Projected Beginning Date</i>	<i>Anticipated Duration</i>

Understanding the IEP

B. RELATED SERVICES - List the services that the student needs in order to benefit from or access his/her special education program.

<i>Service</i>	<i>Location</i>	<i>Frequency</i>	<i>Projected Beginning Date</i>	<i>Anticipated Duration</i>

ANNOTATION:

Related services refer to transportation and any developmental, corrective or other supportive service needed to assist a student with a disability to benefit from special education. The following examples are not a complete list of possible related services as related services are identified on the individual needs of the student.

Understanding the IEP

IEP (ANNOTATED)
Student's Name:

Examples of related services include:

Transportation

Audiological Services

Psychological Services

Physical Therapy

Occupational Therapy

Counseling Services

School Health Services

Social Work Services

Mental Health Services provided by other than IU/SD

Parent Counseling, Training

Speech and Language Pathology/Therapy

Behavior Intervention Program

Assistive Technology Devices and Services

Rehabilitation Counseling

Interpreter

Orientation and Mobility

Other

Directions for completing the grid:

If the IEP team determines that a student has an educational need for a service in order to benefit from a free appropriate public education, then it must be provided. For each service, the team must list the location and the frequency of the service to be provided.

Location refers to where the student will be receiving the related service. Frequency refers to how often the student will be receiving the related service. Documentation of frequency using vague terms such as "As needed" is not appropriate. The projected beginning date and the anticipated duration of the related service must be listed. Duration refers to the anticipated ending date for service.

IEP Revisions

The LEA and parent have agreed to make the following changes to the IEP without convening an IEP meeting, as documented by:

ANNOTATION:
 The IEP may be revised after the initial and/or annual meeting without an IEP team meeting. It is the responsibility of the LEA to authorize all changes/revisions to the IEP and to be involved in this revision process. This section documents HOW the agreed upon revisions occurred (e.g., dates and times of phone conversation, discussion of strategies at a prior meeting).

Date of Revision(s)	Participants / Roles	IEP Section(s) Amended

ANNOTATION:
 When the parent and LEA have made revisions to the IEP without reconvening the team, the date the revision was made is listed in the first column. This may or may not be the same as the date that the revisions were agreed upon. The names of team members involved in the revision are listed (signature not required).
 Indicate the section(s) of the IEP that was revised by referencing section number(s) and/or page(s) of the IEP. LEAs can choose any number of ways to document revised sections on the IEP. For example, changes can be highlighted, underlined, italicized, hand written, etc.
 The LEA must ensure that the student's IEP team and anyone who provides services to the student are informed of the revisions. Each teacher and/or related service provider must be informed of his/her specific responsibilities related to implementing the student's IEP including the specific accommodations, modifications, and supports that must be provided for the student as specified in the IEP.

Page 3 of 48 The annotated forms offer assistance and guidance to parents and educators; they are not intended as an exclusive manner for complying with state and/or federal special education statutes and regulations. *May 2017*

Documents and Storage

- Scanning – Must maintain originals
- Electronic Records/Storage
 - EasyTrac Export – Backup
- Physical Records/Storage
- Retain records for at least six (6) years from date of service

NOTE: Discontinued participation in SBAP doesn't avoid the LEA's obligation as an MA Provider to follow the records retention requirement.

Presenter Contact Information

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