

## SMAA LEA Workgroup Minutes

Thursday, November 8<sup>th</sup>

### 1. SPA – MOUS with Health Plans

DHCS is trying to resolve the issue of collaboration between health plans and LEAs. They had suggested that each LEA attain an MOU from each health plan to show collaboration in providing care. This would potentially be a logistical challenge for the LEAs in many ways. District's rarely know the health plan since most of the contact is with the provider. Some districts are concerned that schools will lose money because of this requirement since parents are not obligated to offer this information since the service is required to be provided regardless. Parents could potentially withdraw their permission to bill Medi-Cal for students with IEPs.

DHCS is in communication with the Managed Care section of Health Care Services. The LEA BOP program is under Safety Net Financing. The required collaboration for the SPA approval has not been brought up to the health plans that would need to participate. A meeting between health plans and school districts to discuss possible MOU templates and future collaboration may be planned soon and would be coordinated by Teachers for Healthy Kids.

### 2. DHCS Response on Clarification on Breaks/Lunch Reporting

Paid vs. Unpaid time off – This is an issue brought to the attention of DHCS by one of the districts. Tony will be sharing an update soon. Change has been approved, but a timeline for implemented is still under review.

### 3. Public Charge

A regulation regarding “public charge” that might encourage, according to the Kaiser Family Foundation (KFF), immigrant families otherwise eligible, to drop their Medi-Cal coverage has been published in the Federal Register. It may impact school districts in that families with children with Individual Education Plans may drop out of Medi-Cal in order to be eligible for citizenship. As the provider of last resort, schools will then be required to pick up the cost without Medi-Cal reimbursement.

This regulation isn't final yet, but your comments are needed. The Administration must review all comments before the regulation can be finalized. The more comments, the longer it will take before a policy change can be made. You can submit your original comments here: [Here is the link:](#)

[bit.ly/CAcomments](https://bit.ly/CAcomments)

or follow the instructions for submittal at [www.regulations.gov](http://www.regulations.gov).

**These need to be received by December 10, 2018**

Organizers are trying to have at least 100,000 original comments submitted. Please share with others and ask them to submit their comments.

If you can get your school district involved that would be even better. Let us know if you need more information

Below are resources for your information:

Federal Register - Public Charge

<https://www.gpo.gov/fdsys/pkg/FR-2018-10-10/pdf/2018-21106.pdf>

<https://www.nilc.org/issues/economic-support/how-to-talk-about-public-charge-pif/> 9-25-18

**How to Talk About Public Charge with Immigrants and Their Families**

<https://www.ilrc.org/public-charge> Public Charge

[https://www.ilrc.org/sites/default/files/resources/overview\\_of\\_public\\_charge-20180808.pdf](https://www.ilrc.org/sites/default/files/resources/overview_of_public_charge-20180808.pdf)

An Overview of Public Charge

[https://www.ilrc.org/sites/default/files/resources/consul\\_process\\_pract\\_alert\\_pub\\_charge\\_affid-20180702.pdf](https://www.ilrc.org/sites/default/files/resources/consul_process_pract_alert_pub_charge_affid-20180702.pdf)

CONSULAR PROCESSING PRACTICE ALERT ON PUBLIC CHARGE AND AFFIDAVIT OF SUPPORT ISSUES

Advice for how to prepare consular processing clients given

[https://www.cpcra.org/cpcra/CPCA/CPCA/HEALTH\\_CENTER\\_RESOURCES/PUBLIC\\_CHARGE.aspx](https://www.cpcra.org/cpcra/CPCA/CPCA/HEALTH_CENTER_RESOURCES/PUBLIC_CHARGE.aspx)

Public Charge - This is an excellent page of resources

<https://thehill.com/opinion/immigration/409537-the-public-charge-rule-is-basically-discrimination-against-children>

## Just Released

### **Proposed Changes to “Public Charge” Policies Could Lead to Declines in Medicaid and CHIP Enrollment as Immigrant Families Face Rising Fear and Uncertainty About Using Public Programs**

As the Trump administration proposes changes to federal “public charge” policies, the resulting fear and uncertainty among immigrant families about using public programs could drive down enrollment in

Medicaid and the Children's Health Insurance Program, potentially by millions of people, a [new analysis](#) by KFF (the Kaiser Family Foundation) shows.

More than 14 million enrollees in Medicaid and CHIP live in a household with a noncitizen, half of them U.S. citizen children. (Undocumented immigrants are not eligible to enroll in Medicaid or CHIP.) "Public charge" policies govern how reliance upon public benefits may affect an individual's ability to obtain legal permanent resident status in the U.S.

A proposed rule published Oct. 10 in the Federal Register would newly define a "public charge" as an individual who uses public benefit programs and would expand the list of public programs that the federal government would consider in public charge determinations to include Medicaid and other previously excluded health, nutrition and housing programs. The new analysis examines the share of noncitizens who originally entered the U.S. without legal permanent resident status who have characteristics that the government could potentially weigh against them in public charge determinations.

The analysis presents three scenarios to illustrate the possible magnitude of likely Medicaid and CHIP enrollment declines, based on prior research and experience. It shows that enrollment declines would occur both among those directly affected by the proposed rule as well as among other lawfully present and citizen individuals in immigrant families.

A KFF [issue brief](#) released last month explains the proposed changes in public charge policies for immigrants in greater detail.

*Filling the need for trusted information on national health issues*, the Kaiser Family Foundation is a nonprofit organization based in San Francisco, California.

#### 4. Pay and Chase

Letters have gone out to parents requesting payment for school-based services. Initially they were from Cigna and recently they came from Anthem. It was stated they were sent in error. So far letters have gone out in LA and Inland Empire. One district reported some students being denied services by their health plan due to the issue and parents now withdrawing permission to bill Medi-Cal. More clarification has been requested. DHCS is now aware of the issue and their staff is trying to determine why the letters are going out.

#### 5. Redetermination in Schools

- Covered California Open Enrollment  
**Open now until January 31<sup>st</sup>, 2019.**

Through a grant from CMS THK helped develop and manages a tool that runs district tape match data and highlights which students have recently fallen off of Medi-Cal. The tool is free and can be found at [www.chipers.org](http://www.chipers.org). Districts are able to offer

support in a variety of ways to these students, so they may reinstate their Medi-Cal membership without loss of coverage and help district attain a higher Medi-Cal percentage and maximum possible reimbursement for services.

Please contact Nena Garcia if you have questions or are interested in utilizing this tool.

[ngarcia@teachersforhealthykids.org](mailto:ngarcia@teachersforhealthykids.org) or call 916-440-8811

## 6. Next Call