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



GAVIN NEWSOM
GOVERNOR

DATE: February 1, 2023 PPL No. 23-004

TO: Local Educational Agencies (LEAs), Local Educational Consortiums (LECs), and the Local Governmental Agencies (LGAs), participating in the Local Educational Agency Medi-Cal Billing Options Program (LEA BOP) and/or School-Based Medi-Cal Administrative Activities (SMAA) Program

SUBJECT: **NOTIFICATION THAT THE ALTERNATIVE FORMAT PLAN IS DUE AUGUST 1, 2023, 180 DAYS FROM THE RELEASE OF THIS POLICY AND PROCEDURE LETTER (PPL).**

PURPOSE: This PPL clarifies the due date for the Alternative Format plan implementation.

REFERENCE: Americans with Disabilities Act (42 U.S.C. § 12101, et. seq.) and section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794 (d))

BACKGROUND:

Under federal and state law, including the Americans with Disabilities Act (42 U.S.C. § 12101, et. seq; 28 C.F.R. Part 35 et seq.) and section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794 (d)), discrimination against qualified members of the public participating in public programs based on disability is prohibited. Federal law states that all organizations receiving federal funding must take steps to ensure that federal money is not used for a discriminatory purpose. Therefore, all public agencies providing Medi-Cal assistance in California must respect a consumer's rights and prohibit discrimination in the administration of Medi-Cal services (this includes the people and organizations determining Medi-Cal eligibility and Medi-Cal service providers).

PPL 21-017R describes the requirement in detail relative to the Department of Health Care Services (DHCS). All public agencies are required to provide auxiliary aids and services, free of charge, to ensure all qualified persons with speech, hearing, and/or vision disabilities can effectively communicate and participate in public programs, services, and/or activities. Public agencies must also provide auxiliary aids and services to a family member, friend, or associate of the program participant if said individual is

identified as the beneficiary's authorized representative, or it is someone with whom it is appropriate to communicate (e.g., a disabled parent of a beneficiary). The type of auxiliary aid or service necessary requires the consideration of numerous factors, including:

- The method of communication used by the person with a disability.
- The nature, length, and difficulty of the communication taking place.
- The complexity of what is being communicated.

When providing aids or services, primary consideration should be given to the requester's choice, unless the LEA, LEC, LGA, or subcontractor can demonstrate that another equally effective means of communication is available or that use of the requester's choice would result in a fundamental alteration of the information or an undue burden for the agency. These auxiliary aids and services include providing communications in at least the following alternative formats:

- Braille
- Large print (20-point Arial Font)
- Audio format
- Accessible electronic format (such as a data CD)
- Closed Captioning
- Text-to-Speech
- Voice-to-Text

POLICY:

In accordance with the terms and conditions of the Provider Participation Agreement and Addendum thereto, LECs, LGAs and LEAs must develop a plan to meet these alternative format requirements by August 1, 2023, which is 180 days from the release of this PPL. LEAs, LECs, and LGAs must store and maintain the plan within their audit file for oversight. DHCS reserves the right to request a copy of the plan at any time after August 1, 2023.

If you have any questions, please use the information below to contact a specific program:

LEA BOP: LEA@dhcs.ca.gov
SMAA: SMAA@dhcs.ca.gov

Sincerely,

ORIGINAL SIGNED BY BRIAN FITZGERALD

Brian Fitzgerald, Chief

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Local Governmental Financing Division
Department of Health Care Services

School-Based Medi-Cal Claiming Services Alternative Format Request Requirement Plan Guidance

The Department of Health Care Services' (DHCS) policy regarding the requirement for Local Educational Agencies (LEAs), Local Educational Consortiums (LECs), and school-based Local Governmental Agencies (LGAs) to provide alternative format is set forth in Policy and Procedure Letters (PPL) 21-017R and 23-004. LEAs, LECs, and LGAs must develop and implement a plan to meet alternative format request requirements as required by these PPLs.

This guidance contains elements that may be considered when developing a plan to meet the Alternative Format Request Requirement.

As appropriate, LEAs, LECs, and LGAs are encouraged to confirm with local district and Special Education Offices, and others within the LEA to determine if policies, procedures, or plans have already been developed for alternative format needs. It is possible that those plans may be extended to meet the needs of providing alternative formats for Medi-Cal, LEA Medi-Cal Billing Option Program, and School-Based Medi-Cal Administrative Activities program needs.

Elements to Consider	Content to Consider
Template	Organization's letterhead template
Purpose	Description of the reason for the plan
Background	<ol style="list-style-type: none"> 1. Reference policies that prohibit discrimination and protect the rights of persons with disabilities to ensure meaningful and equal access to public services. Americans with Disabilities Act 2. Rehabilitation Act of 1973
Alternative Formats Available	<ol style="list-style-type: none"> 1. List the types of alternative formats, materials to be provided, free of charge, upon request. Considering listing specific materials that may need to be converted. 2. Identify resources for converting documents into alternative formats. 3. List the turnaround times for each alternative format type. 4. Describe the process for how to provide another equally effective means of communication if a requested alternative format material cannot be provided.

<p>Processing Alternative Format Requests</p>	<ol style="list-style-type: none"> 1. Identify steps to take when a request is received. 2. Clearly identify and include the contact information for the individual or contractor who converts the documents into the chosen alternative format.
<p>Alternative Format Selection Application (AFSA) System</p>	<ol style="list-style-type: none"> 1. Instructions on how an alternative format selection can be reported: <ol style="list-style-type: none"> a. By the beneficiary, or the parent or authorized representative. b. By the LEA, LEC, or LGA through information from the data match process. 2. Include information that is needed to report the alternative format selection (First Name, Last Name, Benefits Identification Card (BIC) number, Date of Birth). 3. Describe the process for how to obtain the BIC number.
<p>Alternative Format Communication List</p>	<ol style="list-style-type: none"> 1. Describe the process for how to check for alternative format requests from the data match output file. <ol style="list-style-type: none"> a. Identify who will provide the alternative format information from the data match output file to the LEA and the logistics of how it will be sent to the LEA. <ol style="list-style-type: none"> i. Billing Vendor ii. LECs/LGAs b. Provide instructions on how to locate the alternative format information from the data match output file. <ol style="list-style-type: none"> i. For LEA BOP, alternative format information can be located on spaces 263-303. ii. For SMAA, alternative format information can be located on the final column labeled "Alternative Format". c. Identify next steps after receiving the request from the data match output file. d. Will the information be shared with the student and/or the authorized representative? 2. Describe how to track/store the alternative format selection so that the appropriate alternative format can be subsequently provided for all future communication. <ol style="list-style-type: none"> a. Identify who will maintain and update the list. b. Describe how and where list will be stored.

	<ul style="list-style-type: none">c. Describe how schools can access the plan and the alternative format information.d. Describe how the list will be checked prior to future communication with the beneficiary and/or their parents, guardian, or authorized representative.<ul style="list-style-type: none">i. LEAs should know to continue providing documents in alternative format after a one time request or if there is already a previous request.
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