



TEXAS  
Health and Human  
Services

**Office of Special Education  
Programs (OSEP)  
Monitoring Report  
Corrective Action Plan**

---

**Early Childhood Intervention**

**Contractor Webinar**

**February 8, 2021**

# Today's Agenda

---

- Background on OSEP monitoring
- Summary of corrective actions areas
- Summary of stakeholder feedback process
- Overview of corrective action plan submitted
- Questions and answers



TEXAS  
Health and Human  
Services

# Background

---

- On-site monitoring visits in August 2017 and August 2019
- Interviews with HHSC staff, local ECI programs, and other stakeholders, and analysis of available public information
- Final Differentiated Monitoring and Support report submitted to HHSC in October 2020
- HHSC corrective action plan submitted February 3, 2021



TEXAS  
Health and Human  
Services

# Corrective Action Areas

---

- Service coverage during contractor transitions
- Maintenance of child records
- Child find efforts
- Availability of resources to all areas of the state, including rural ECI programs
- Support for Medicaid billing and reimbursement



TEXAS  
Health and Human  
Services

# Stakeholder Feedback

---

- December 1 webinar for contractor agency leadership to provide input on possible corrective actions that could impact them
- December 15 meeting of ECI Advisory Committee to provide input on potential corrective actions



TEXAS  
Health and Human  
Services

# HHSC Response

---

- Offers information about improvements the agency has made and other considerations or context related to the areas of concern that were identified during OSEP's review, in addition to proposing specific corrective actions



TEXAS  
Health and Human  
Services

# ECI Service Area Coverage

## Corrective Action 1.a.1:

- In 2018, HHSC added language to the base ECI contract that allows contractors to provide services to clients outside of their designated service area if the children reside in counties or zip codes not covered by an existing ECI contractor. This language provides a mechanism for other ECI contractors to temporarily provide services to families in another area should there ever be a future gap. As a result of the COVID-19 pandemic, all 41 providers are utilizing telehealth for some aspects of service delivery. This modality can help provide coverage across the provider network should another contractor exit the program.
- Timeline for completion: Completed.



TEXAS  
Health and Human  
Services

# ECI Service Area Coverage

## Corrective Action 1.a.2:

- HHSC will revise its contractor transition checklists to include prompts to assess if the incoming contractor is able and interested in processing new referrals prior to its contract effective date or delivering and billing for specific services prior to its contract effective date if there are staffing challenges with the outgoing contractor.
- Timeline for completion: April 1, 2021.



TEXAS  
Health and Human  
Services

# ECI Service Area Coverage

## Corrective Action 1.a.3:

- HHSC will explore, with its legal staff, adding additional enforcement options to the ECI contract to encourage exiting contractors to continue service delivery with full compliance. These additional enforcement options could include withholding payments or assessing damages if an exiting contractor does not successfully perform transition responsibilities before the effective termination date of the contract.
- Timeline for completion: Any new contract language and resulting enforcement penalties or actions will be incorporated into the ECI base contract effective September 1, 2021.



TEXAS  
Health and Human  
Services

# ECI Service Area Coverage



## Corrective Action 1.a.4:

- HHSC will add language to an incoming contractor's contract to require the incoming contractor to have IFSP teams review whether and what services, compensatory or otherwise, may be needed. HHSC will require the contractor to provide a report to HHSC every other week on the status of IFSP reviews until all reviews have been completed. HHSC will use funding from any withheld payments or damages assessed against outgoing contractors to fund incoming contractors to deliver any needed compensatory services identified by the IFSP teams.
- Timeline for completion: This contract language and funding will be incorporated into any new or amended contracts resulting from a service area transition going forward.

# Record Maintenance

## Corrective Action 1.b.1:

- HHSC already monitors the accuracy of data entry compliance during on-site, comprehensive monitoring visits by comparing the service entry and demographic information in TKIDS for the sample period to the service entry documentation in the contractor's system. HHSC will also begin to provide additional quality assurance oversight of and technical assistance on record keeping by local programs during fiscal year 2022, prioritizing those programs with the greatest percentage of noncompliance with records accuracy for on-site quality assurance reviews.
- Timeline for completion: The quality assurance oversight focus on records will be throughout fiscal year 2022, beginning in September 2021.



TEXAS  
Health and Human  
Services

# Record Maintenance

## Corrective Action 1.b.2:

- HHSC will develop comprehensive procedures for virtual or on-site inspection of records, including HHSC oversight for the transfer of records to the incoming provider, during contractor transitions. This will include an agreed-upon process and timelines for exiting contractors to provide relevant records to the incoming contractor in advance of their exit to allow an opportunity for the incoming agency to review the records provided and request any additional information needed to support timely and effective service delivery.
- Timeline for completion: September 1, 2021.



TEXAS  
Health and Human  
Services

# Child Find

## Corrective Action 1.c.1:

- HHSC will continue using the voluntary child find self-assessment tool newly developed by OSEP to analyze Texas outreach efforts and identify areas of strength, as well as areas for improvement, and develop a plan of action for implementation. To date, this has included surveys of contractors and stakeholders/referral sources that have generated over 1,100 responses, with plans for family and community focus groups in the coming months.
- Timeline for completion: September 1, 2021



TEXAS  
Health and Human  
Services

# Child Find

## Corrective Action 1.c.2:

- HHSC will host child find forums twice a year for contractor staff who are involved in child find activities. These forums will be topic specific. They will also provide an opportunity for contractors to share best practices and exchange program ideas.
- Timeline for completion: The first child find forum will be held by July 2021, with additional forums being scheduled at least every six months thereafter.



TEXAS  
Health and Human  
Services

# Child Find

## Corrective Action 1.c.3:

- HHSC will provide each contractor with a breakdown of key referral data and how it compares to statewide referral data. HHSC will require contractors with significant variances from the statewide data to develop plans for how they will target referrals that are under-represented in their community.
- Timeline for completion: HHSC will provide contractors with their local referral data by March 1, 2021, with improvement plans due from under-performing contractors on September 1, 2021.



TEXAS  
Health and Human  
Services

# Child Find

## Corrective Action 1.c.4:

- HHSC ECI will consult with the ECI Advisory Committee and coordinate with the HHSC Office of Disability Prevention for Children to plan and participate in a media campaign that will increase public awareness about ECI.
- Timeline for completion: Planning will begin in Spring 2021, with the campaign anticipated to launch in Fall 2021 or Spring 2022.



TEXAS  
Health and Human  
Services

# Child Find



TEXAS  
Health and Human  
Services

## Corrective Action 1.c.5:

- HHSC will increase the weight of federal Indicator 6 related to the percent of the birth to three population each contractor is serving in its local performance determinations formula.
- Timeline for completion: The increased weight will be applied beginning with state fiscal year 2021 local performance determinations.

# Child Find

## Corrective Action 1.c.6:

- In the event of a contractor transition, incoming contractors conduct outreach to local referral sources and HHSC reaches out to state referral sources to notify them of the change in service providers. HHSC ECI will also begin coordinating with its HHSC partners, such as the WIC program, Child Care Regulation, Texas Health Steps, MCOs, and other key partners to obtain a list of local programs/referral sources specific to the area of transition and will complete targeted outreach to ensure those referral sources have the new ECI provider's contact information to make the required updates in their referral systems.
- Timeline for completion: HHSC will provide this additional notification to referral sources beginning with its next contractor transition following a termination notice.



TEXAS  
Health and Human  
Services

# Sustainability and Geographic Location



TEXAS  
Health and Human  
Services

## Corrective Action 1.d.1:

- The \$1.5 million in supplemental funding for fiscal year 2019 was distributed in August 2019 to 11 contractors that were serving significantly over their contractual target of enrolled children and meeting the performance target for delivered hours. The fiscal year 2020 exceptional item funding provided an increase for all 41 providers, and HHSC utilized a standard, metrics-based methodology to allocate funding to every geographic area of the state. The additional dollars went directly to providers to fund their caseload. The fiscal year 2021 exceptional item funding was allocated across the provider base through a competitive procurement resulting in statewide coverage.
- Timeline for completion: Completed.

# Sustainability and Geographic Location



TEXAS  
Health and Human  
Services

## Corrective Action 1.d.2:

- HHSC will begin development of training on evidence-based personnel retention strategies, which will be made available to all contractors, and planning for select retention strategies and financial assistance, which will be targeted toward contractors with the highest turnover rates, as part of its personnel retention grant from OSEP.
- Timeline for completion: October 4, 2021.

# Sustainability and Geographic Location



TEXAS  
Health and Human  
Services

## Corrective Action 1.d.3:

- HHSC, along with a workgroup of contractor representatives, will review early intervention specialist credentialing requirements to determine if flexibilities should be added to support contractors' ability to hire qualified staff.
- Timeline for completion: May 1, 2021

# Sustainability and Geographic Location



TEXAS  
Health and Human  
Services

## **Corrective Action 1.d.4:**

- HHSC will analyze the temporary flexibilities implemented during the COVID-19 pandemic to determine the viability of continuing those that helped facilitate statewide ECI service delivery via telehealth.
- Timeline for completion: June 1, 2021.

# Medicaid Billing and Reimbursement



TEXAS  
Health and Human  
Services

## Corrective Action 2.1:

- ECI and Medicaid and CHIP Services (MCS) will develop a survey to identify specific areas of concern regarding payments from MCOs and use the results to determine a more targeted approach to addressing problems and providing training to ECI contractors and/or MCOs.
- Timeline for completion: HHSC will send the survey by March 1, 2021, and determine next steps based on the results by August 1, 2021.

# Medicaid Billing and Reimbursement



TEXAS  
Health and Human  
Services

## Corrective Action 2.2:

- HHSC will determine if any additional guidance on Medicaid dispute resolution needs to be added to the ECI Reimbursement Guide and will plan additional training to ECI providers on the policies and procedures to resolve Medicaid payment delays and disputes.
- Timeline for completion: October 4, 2021.

# Medicaid Billing and Reimbursement



TEXAS  
Health and Human  
Services

## Corrective Action 2.3:

- HHSC will assign a liaison for ECI contractors within MCS to assist with resolution of ECI provider complaints related to Medicaid payments and routinely report metrics for resolution within the Agency Monthly Contact Report.
- Timeline for completion: October 4, 2021.

# Medicaid Billing and Reimbursement



TEXAS  
Health and Human  
Services

## Corrective Action 2.4:

- HHSC will review complaints data on a monthly basis to identify and track ECI complaints, including identification of any trends.
- Timeline for completion: Began on December 1, 2020

# Next Steps

---

- HHSC will begin corrective action. Action due dates are not to exceed October 5, 2021.



TEXAS  
Health and Human  
Services



TEXAS  
Health and Human  
Services

# Questions?

---



TEXAS  
Health and Human  
Services

# Thank you

---

**Dana McGrath**

**ECI Program Director**

**Lindsay Rodgers**

**Associate Commissioner for Health  
and Developmental Services**