

COMMONWEALTH OF KENTUCKY  
CABINET FOR HEALTH AND FAMILY SERVICES  
DEPARTMENT FOR MEDICAID SERVICES

IN RE: PRIMARY CARE TAC MEETING

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January 2, 2020  
10:00 A.M.  
Cabinet for Health and Family Services  
Café Conference Room  
275 East Main Street  
Frankfort, Kentucky

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**APPEARANCES**

L.M. (Mike) Caudill  
PRESIDING

Raynor Mullins  
Yvonne Agan  
TAC MEMBER PRESENT

Mary Elam  
Noel Harilson  
Teresa Cooper  
John Inman  
KENTUCKY PRIMARY CARE  
ASSOCIATION

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CAPITAL CITY COURT REPORTING  
TERRI H. PELOSI, COURT REPORTER  
900 CHESTNUT DRIVE  
FRANKFORT, KENTUCKY 40601  
(502) 223-1118

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APPEARANCES  
(Continued)

Stephanie Bates  
Steve Bechtel  
David Gray  
Sharley Hughes  
Lee Guice  
Angela Parker  
Amy Richardson  
Michelle Rudovich  
MEDICAID SERVICES

Pat Russell  
WELLCARE

Christine Drake  
PASSPORT

Michelle Werkel  
Bethany Day  
HUMANA-CARESOURCE

Prentice Harvey  
ATTORNEY AT LAW

Tracey R. Antle  
CFMC

Teresa Dotson  
MOUNTAIN COMPREHENSIVE  
HEALTH CORPORATION

AGENDA

1. Call to Order
2. Establishment of Quorum
3. Review and Approval of November 7, 2019 Meeting Transcript and Minutes
4. OLD BUSINESS:
  - A. Report on wrap/crossover claims cleanup July 1, 2014 to June 30, 2018
  - B. Setting future PTAC meeting dates for 2020
  - C. UB Modifier is not working as intended
  - D. Adding G0511 to the DMS fee schedule - additional G codes as provided by KPCA
  - E. 340-B Pharmacy Policy and Procedure Manual
5. NEW BUSINESS
  - A. PCTAC representation at MAC meeting 1/23/20
  - B. State of MCO contract awards
  - C. Updates or announcements from the MCOs
  - D. Recommendations to the MAC
6. Adjournment

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MR. CAUDILL: Let's call the meeting to order. We have three committee members present which is a quorum.

The first thing on the agenda is the review and approval of the previous meeting transcript. I hope everyone has had a chance to look at that. And if they have, is there a motion to approve or motion to modify the transcript?

MS. AGAN: I make a motion that we approve the minutes as written.

DR. MULLINS: Second.

MR. CAUDILL: We're going to be real efficient today on the motions. All those in favor of approving the meeting transcript, say aye. All those opposed, like sign. Motion carries.

That brings us to Old Business. The first thing on there is a report on wrap/crossover claims' cleanup, and I believe that John Inman would like to speak on that.

MR. INMAN: John Inman, Kentucky Primary Care. We're still having our workgroup formed, the clinics, and analyzing the claims data and we're still hoping to continue that conversation with the new Administration.

MR. CAUDILL: All right. Under

1 Old Business, Item B is setting future PCTAC meeting  
2 dates. At the last meeting, we set that as the first  
3 Thursday of the month in which the MAC meets and  
4 those dates were listed as March 5<sup>th</sup>, May 7<sup>th</sup>, July 2<sup>nd</sup>  
5 September 3<sup>rd</sup> and November 5<sup>th</sup>. That was the approved  
6 one.

7 There were some problems with  
8 DMS being able to accommodate those dates. She could  
9 not go that far out in advance.

10 MS. HUGHES: I can't get this  
11 room for any of those dates and the rooms over in  
12 Public Health I can't reserve except for six weeks in  
13 advance. So, we run into an issue with not being  
14 able to get the rooms that close.

15 The dates that I had proposed  
16 or had given as an alternative I had already reserved  
17 this room for. And I think at the last meeting, you  
18 all were going to talk about maybe having the  
19 meetings over at the Primary Care Association  
20 building.

21 MR. CAUDILL: I think that is a  
22 possibility that we can. Certainly at least in my  
23 mind, having it here where it's convenient to you all  
24 and having your input is very valuable. So, maybe we  
25 just take it one at a time. The next one is March

1 5<sup>th</sup>.

2 MS. HUGHES: We can try that.  
3 Now, the rule was under the previous Administration  
4 that we would not come if meetings weren't held here.

5 COMMISSIONER. BATES: But we're  
6 not doing that now. We'll make sure we're available  
7 but you might not get the people that you want just  
8 because of our schedules.

9 So, as long as we get them on  
10 the calendar in advance, then, we can try to make  
11 sure someone is there but somebody will be there.

12 MR. HARILSON: Chairman, can I  
13 say something?

14 MR. CAUDILL: Sure.

15 MR. HARILSON: We at the PCA are  
16 willing to either bring our own - we had kind of  
17 talked about this - bring our own portable meeting  
18 and we've got the platform to be able to.

19 So, even if there were folks  
20 from DMS that could not come physically, we have the  
21 platform with at least fifty slots on it to where  
22 they could dial in to the video conference under the  
23 rules of the video conferencing that we would be  
24 happy to share, whether that meeting is here, whether  
25 it's at DPH if we're going one by one like you're

1 talking about or if we did move it to the PCA  
2 building which is over on Comanche, so, not too far  
3 from the Cabinet building, but we would be able to  
4 accommodate that as well just for the committee to  
5 know in consideration that that now has been lifted  
6 and you guys could go offsite.

7 MS. BATES: And the biggest  
8 problem is when we have back-to-back meetings and  
9 getting from one place to the other; but the sooner  
10 you can get them on our calendars the better and  
11 we'll always make sure there is someone there in  
12 person.

13 MR. HARILSON: So, I guess as  
14 soon as we can get it on the calendar is six weeks  
15 out if there's no rooms under DMS' purview because we  
16 would have to go to DPH.

17 MS. HUGHES: If you want to have  
18 them at your building, we can put them all on the  
19 calendar for these dates now.

20 MR. HARILSON: So, that's the  
21 question. Do we want to wait before each one or do  
22 you all as a committee want to wait before each  
23 meeting? Six weeks out would be the soonest that  
24 Sharley could get something scheduled in this  
25 building, not in this room but in this building, or

1 have them solid.

2 MR. CAUDILL: Let's see what the  
3 committee members' pleasure is.

4 MS. AGAN: So, what I'm hearing  
5 is that we would go six weeks out. If there's no  
6 rooms available, then, we would have the option of  
7 hosting the meeting at the KPCA office.

8 MS. HUGHES: Right, or you can  
9 just go ahead and make the date.

10 MS. AGAN: Or we can go ahead  
11 and just do them offsite.

12 MS. HUGHES: Right.

13 MS. AGAN: I think putting them  
14 offsite and knowing where we are is a good thing but  
15 only if we know that we can get participation from  
16 everyone that we need. So, I guess that's what I'm  
17 asking. We feel like we can get that accomplished.

18 MR. HARILSON: The only thing  
19 that I could say is based on what Commissioner Bates  
20 was saying is that if they have it on their  
21 calendars, it's more likely that they will be able to  
22 participate.

23 COMMISSIONER BATES: Right. The  
24 most important thing is have it on the calendars  
25 early and getting questions beforehand so that way



1 someone that can't be here can answer the question  
2 for you, the specific question. Let's try the first  
3 couple that way and just see what happens.

4 The next one is going to be in  
5 the middle of a Session, so, that's going to be  
6 hardest one, I think, but I think it's worth a try.

7 MS. HUGHES: I will tell you  
8 that on a couple of times that I've had to wait and  
9 then try to reserve a room, somehow Public Health has  
10 always had the meeting rooms over there reserved when  
11 I contacted them.

12 I don't want us running around  
13 at the last minute trying to schedule a room if we  
14 can go ahead and schedule them for the year.

15 MR. CAUDILL: So, we've got the  
16 dates scheduled.

17 MS. AGAN: We have the dates.

18 MR. CAUDILL: Just location.

19 MS. AGAN: Then, we're agreeable  
20 to host them offsite. And, then, if we find out that  
21 becomes an issue, we will just have to revisit it.

22 DR. MULLINS: I'm flexible.  
23 Whatever works best I'll work with you.

24 MR. CAUDILL: Do you want to  
25 make that in the form of a motion?

1 MS. AGAN: Sure. I move that we  
2 keep the dates as previously decided upon and that we  
3 host the meetings at the KPCA site building. If we  
4 find we can't get participation, then, we will  
5 revisit that.

6 MR. CAUDILL: Is there a second?

7 DR. MULLINS: Second.

8 MR. CAUDILL: All those in  
9 favor, say aye. All those opposed, say nay. Motion  
10 carries.

11 MS. HUGHES: But don't hold the  
12 March meeting against us because, as Stephanie said,  
13 that's Session.

14 MR. CAUDILL: Then we go to Old  
15 Business, Item C, UB modifier is not working as  
16 intended. This was on there last time and I believe  
17 this would be for the Department, then, to respond to  
18 that.

19 MS. BATES: What is this issue?  
20 I'm sorry.

21 MS. GUICE: I know what it is.

22 MR. CAUDILL: Lee had spoken the  
23 last time.

24 MS. GUICE: I've sent an email  
25 out this morning because I did finally research on

1 it. It's unclear to me at this moment why it's in  
2 the status it's in in MMIS. I can tell you that it's  
3 not going to be. Right now, I don't have any  
4 information to indicate it will be active in January  
5 but I can tell you that it will be retroactive to  
6 7/1/2019. So, I can assure you of that. That's  
7 already in there.

8 And, like I said, I'm waiting  
9 for an email from our partners at DXC to tell me why  
10 it's in a status that I don't understand why it's  
11 there as opposed to being able to tell you the actual  
12 implementation date. So, maybe before the end of the  
13 meeting, I will have something else.

14 MR. CAUDILL: Feel free to break  
15 in at anytime that you get an update on that.

16 And along the same lines is  
17 adding of the G0511 to the fee schedule. That is  
18 under D, and there was a list provided by KPCA of G  
19 and T codes to Charles Douglass, I believe.

20 MS. GUICE: And they also have  
21 been entered into the change order system and are in  
22 process. I don't know when they're going to be  
23 implemented. That process was held up just the  
24 tiniest little bit when we got - we got one and,  
25 then, we got a listing. So, you have to stop one,

1 add more and, then, let it go forward.

2 Now, we would ask that you do  
3 your best to try to only ask for codes to be added  
4 twice a year versus just at any other point in time  
5 because, then, we have a process in place where we  
6 can implement all new and changing codes kind of at  
7 one time and not have piecemeal fixes throughout the  
8 year that may or may not go live appropriately.

9 MR. HARILSON: So, just for  
10 clarification. So, you did get the full listing that  
11 the PCA sent to Charles and those were added, because  
12 the email that Charles had responded back was that he  
13 would take a look.

14 So, I just wanted confirmation  
15 that they were received and they were added into the  
16 change order and we're good to go.

17 And we respect what you're  
18 saying which is why we tried to send - once we  
19 learned, oh, they're open to look at this, let's make  
20 sure that we send every code that could be affected  
21 by one of the FQHC's, RHC's. So, that's why we tried  
22 to send that full listing

23 MS. AGAN: We were trying to be  
24 helpful to not keep adding one here and there.

25 COMMISSIONER BATES: And the

1 other problem with adding codes is that we have MCOs  
2 that have to also implement things. And, so, it just  
3 needs to be a little bit more of an organized  
4 process. And, so, like when we get those lists and  
5 they're added, then, one person has to tell the other  
6 person here, tell the MCOs. So, we just need to keep  
7 that in mind.

8 MR. HARILSON: Are those on the  
9 same change order as the UB modifier?

10 MS. GUICE: No.

11 MR. HARILSON: That's the way  
12 that it looked in the email that we had received, the  
13 communication. They're not?

14 MS. GUICE: No.

15 MR. HARILSON: Okay. Will that  
16 be retro'd as well or will that just be going  
17 forward, the G codes? Do you know the answer to that  
18 question?

19 MS. GUICE: I'm sorry, I don't  
20 know the answer to that.

21 MR. HARILSON: That's okay.

22 MR. CAUDILL: Any other comments  
23 concerning this?

24 Then let's move on to E, 340-B  
25 Pharmacy Policy and Procedure Manual. I wanted to

1 ask about this. In the last meeting, Commissioner  
2 Steckel was going to submit the question to DMS legal  
3 counsel, again, as reflected in the minutes. And do  
4 you know whether or not that was submitted?

5 COMMISSIONER BATES: I can  
6 check. I didn't know that but I can check on that  
7 for you.

8 MR. CAUDILL: Okay. See, I get  
9 dangerous when I read those transcripts.

10 COMMISSIONER BATES: Right. I  
11 can understand that.

12 MS. HUGHES: At least you read  
13 them.

14 MR. CAUDILL: Absolutely. John,  
15 I think you were wanting to speak on this also.

16 MR. INMAN: Yes. As the KPCA,  
17 we still maintain our position that should have been  
18 promulgated as an administrative regulation under KRS  
19 13A but, again, we hope to continue that conversation  
20 with the new Administration to get that resolved.

21 COMMISSIONER BATES: And is that  
22 what this question is that's supposed to go to Legal?

23 MR. INMAN: That it should have  
24 been promulgated, yes.

25 COMMISSIONER BATES: I'll find

1 out really quick and let you know.

2 MR. HARILSON: If you need it  
3 resubmitted, just let us know.

4 COMMISSIONER BATES: If you  
5 don't mind to go ahead and send me something.

6 MR. HARILSON: Because it was  
7 submitted on 11/8/19, the original documentation.

8 COMMISSIONER BATES: If you  
9 don't mind just in case while we're trying to figure  
10 it all out.

11 MR. CAUDILL: And I believe, Mr.  
12 Harvey, you spoke to that last time also.

13 MR. HARVEY: I did, yes, and I  
14 sent the letter on November 8<sup>th</sup>.

15 MR. INMAN: So, Commissioner,  
16 I'll send you his letter and resubmit that to you.

17 COMMISSIONER BATES: Okay.

18 MR. CAUDILL: Any further  
19 comment on that or any Old Business?

20 There being none, then, let's  
21 move to the New Business and the PCTAC representation  
22 for the MAC meeting on the 23<sup>rd</sup>, and that would be as  
23 the Chair, unless somebody else would rather do that.  
24 Okay.

25 Commissioner, perhaps you could

1 help us on the state of the MCO contract awards. I  
2 know there's been a lot of moving back and forth  
3 there. Can you bring us up to date?

4 COMMISSIONER BATES: Yes. So,  
5 the awards that were done - I don't know when that  
6 was - November, something like that, anyway, they  
7 have been cancelled and the current Administration  
8 has decided to re-issue the RFP's. So, I think you  
9 will see those turn around pretty quickly. That's  
10 about it really. They're just going to re-issue.

11 I don't know that there's been  
12 a lot of movement or comments or anything from the  
13 current MCOs or anybody that was awarded. So, there  
14 were two protests, but because of the contracts being  
15 cancelled, that kind of all went away, too.

16 MS. AGAN: Do you have any  
17 deadlines as to when the RFP's are due or are you  
18 still looking at that July 1?

19 COMMISSIONER BATES: I do. Yes,  
20 I do.

21 MS. AGAN: Can you share any of  
22 that?

23 COMMISSIONER BATES: Yes. When  
24 the RFP comes out, you will see that. We're at the  
25 mercy of all the people. It's kind of like anything



1 else. We're at the mercy of all the people. And,  
2 so, whenever they finally do get out, I think  
3 everything will be pushed back a little bit but it's  
4 not going to be July 1. There's no way you could do  
5 that by July 1.

6 MS. AGAN: That's what my  
7 concern was.

8 COMMISSIONER BATES: It will not  
9 be July 1, I can tell you that; but when that RFP is  
10 released, you will see all the dates. It will all be  
11 in there and we'll be able to speak more to it then,  
12 but we'll be back in the same boat. We're in an open  
13 procurement and blah, blah, blah.

14 MR. CAUDILL: So, is there a  
15 tentative date for the release of the RFP's?

16 COMMISSIONER BATES: Yes. From  
17 my perspective, I don't know that I want to give you  
18 a date but it's going to be really fast.

19 MR. HARILSON: The Governor had  
20 said by the 10<sup>th</sup>. Is that still safe to say?

21 COMMISSIONER BATES: Really  
22 fast. Really, really fast. I worked over the  
23 holidays.

24 MR. HARILSON: You had just said  
25 about it won't be 7/1.

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COMMISSIONER BATES: Right.

MR. HARILSON: How is that going into effect with extensions and CMS?

COMMISSIONER BATES: So, just like with everything else, we have to follow the rules. Nobody is going to lose coverage.

So, let me just put the blanket statement out. Nobody is going to lose coverage 7/1. Everything will be fine. So, everything will be extended and all the things that are supposed to happen will happen. We'll still have all the same five MCOs on 7/1. It will be the same.

MR. CAUDILL: Thank you. And, then, under New Business at C is updates or announcements from the Managed Care Organizations, and we have three here today. WellCare.

MS. RUSSELL: Pat Russell with WellCare. We're starting out the new year doing business as usual as we close the last year, so, nothing really new and exciting for us at this time.

It's kind of business as usual. We're out in the community meeting with providers every day. Our Provider Reps are making the same visits that they've made historically sharing the information about WellCare, who we are and what we

1 do.

2 MR. CAUDILL: Passport is here  
3 today.

4 MS. DRAKE: Yes. Christine  
5 Drake with Passport. Thank you. Just the same thing  
6 - business as usual, updated the provider and member  
7 handbooks. Our E-News goes out, and if you're not  
8 signed up, we recommend. We send multiple updates  
9 and same thing - reps across the state and business  
10 as usual. Thank you.

11 MR. CAUDILL: And Humana.

12 MS. WERKEL: Hi. I'm Michelle  
13 Werkel for Humana. There are changes for us. 1/1  
14 CareSource is stepping out as the administrator of  
15 our plan. So, Humana will be administering the  
16 Kentucky Medicaid plan ourselves effective 1/1.

17 I know we've shared with Noel  
18 and Molly a lot of information about that transition.  
19 CareSource will continue to manage outstanding issues  
20 and claims with dates of service through December  
21 31<sup>st</sup>. Humana will be managing dates-of-service  
22 claims, authorizations effective 1/1.

23 So, there's been quite a bit of  
24 communication that's gone out. If you don't have  
25 that information, I would be happy to share it. You

1 can talk to me or to Beth. Noel has it as well that  
2 we've tried to distribute either in email or in the  
3 KPCA newsletters.

4 So, if you end up reaching  
5 CareSource or Humana and you need to be with the  
6 other person, we're really trying to do a great job  
7 of hand-holding and not leaving you to figure that  
8 out, but we will warm transfer you or give you to the  
9 right person to help you resolve if it's a Humana-  
10 administered issue or if it's a Humana-CareSource-  
11 administered issue in 2019.

12 MR. CAUDILL: The last thing is  
13 recommendations to the MAC, and as you all know, that  
14 was presented at the last meeting and that dealt with  
15 the 340B Policy and Procedure Manual, and the second  
16 one dealt with the targeted case manager.

17 And, Commissioner, let me thank  
18 you for your letter of response dated December 18,  
19 2019. That's what we've asked for.

20 Does anyone have any questions  
21 they would like to follow up with the Commissioner on  
22 that? I'm assuming all the Board members received  
23 that letter.

24 COMMISSIONER BATES: Can I  
25 provide a little bit of an update? I just wanted to

1 go around the room and introduce Michelle Rudovich  
2 who is our new Director over Program Integrity.

3 I don't know if you want to  
4 just say a little bit about yourself. We probably  
5 should introduce everybody that's here from Medicaid  
6 but go ahead, Michelle.

7 MS. RUDOVICH: Great. Thank  
8 you. I started in the position at the end of  
9 December on the 17<sup>th</sup>. And prior to coming over to  
10 the Cabinet, I was with the Office of the Attorney  
11 General. I was the Director of the Office of  
12 Medicaid Fraud and Abuse and I was with that unit for  
13 almost nine years, and prior to that, I was a felony  
14 prosecutor in Louisville.

15 COMMISSIONER BATES: So, we're  
16 really excited that she's here. So, if you all have  
17 any questions. She's got Provider Enrollment and  
18 Program Integrity. So, I'm sure you all will always  
19 have questions for her and her team.

20 MR. CAUDILL: Welcome.

21 COMMISSIONER BATES: And that's  
22 it.

23 MR. CAUDILL: In your response,  
24 you asked on the second part dealing with targeted  
25 case managers, you said there would have to be an

1 amendment to the plan. Are there any plans, then, to  
2 go ahead and seek that amendment?

3 COMMISSIONER BATES: We're  
4 having some meetings with the current Administration  
5 to talk about things. When you add things and change  
6 things, it costs money and I have to talk to him but  
7 yes. We'll update you a little bit more as we get  
8 further in. Holidays have kind of messed with us a  
9 little bit and that little MCO contract thing but  
10 we'll circle back around to it.

11 MR. CAUDILL: Any other  
12 questions or comment for the Commissioner or staff on  
13 those? And we certainly will have further  
14 conversations about those down the road.

15 Does anyone have anything they  
16 would like to bring in front of this committee at  
17 this time?

18 We've gone through the agenda.  
19 Are there any other motions that anyone would like to  
20 make?

21 I think it would be a good  
22 thing - it's kind of the back end and I apologize for  
23 that - but let's introduce everybody in the room.

24 (INTRODUCTIONS)

25 MR. CAUDILL: Is there a motion

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to adjourn?

DR. MULLINS: So moved.

MS. AGAN: Second.

MR. CAUDILL: All those in favor, say aye. All those opposed, nay. Motion carried. The meeting stands adjourned.

MEETING ADJOURNED