



May 16, 2017

The Honorable Richard Pan, M.D.
Chair, Senate Budget and Fiscal Review Subcommittee No. 3
State Capitol Room 5114
Sacramento, CA 95814

Re: CCS Medical Therapy Program: Delivery of Medically Necessary Occupational and
Physical Therapy Services TBL No. 642 – SUPPORT

Dear Senator Pan:

The County Health Executives Association of California, representing local health departments throughout our state, is pleased to SUPPORT the Administration's proposed Trailer Bill No. 642 related to the California Children's Services (CCS) Medical Therapy Program (MTP) and the delivery of medically necessary occupational therapy (OT) and physical therapy (PT) services.

The Administration's proposed trailer bill would clarify that the CCS MTP is only responsible for medically necessary services as determined by the CCS program. It also requires the CCS appeals process to be used for disputes regarding a physician's determination of medical necessity.

Counties administer the CCS program – which serves California's most vulnerable children – either on behalf of or in conjunction with the State. The CCS MTP provides PT and OT services for children from birth to 21 years old with CCS-eligible conditions. Counties have been met with litigation challenging the county's determination that MTP services are no longer medically necessary, specifically when services are incorporated into a child's individualized education program.

The provision of medically necessary PT and OT services is determined by the Medical Therapy conference team, which includes the child's treating therapists and the clinic physician, or, by the CCS paneled physician that is directing the patient's medical care. Should the conference team or physician providing medical direction determine MTP services are no longer medically necessary, the CCS MTP should no longer be required to provide these services solely based on the inclusion of these services in the IEP. This has led to costly litigation and the continuation of services that have not been determined to meet the child's medical need.

Counties appreciate the Administration's efforts to further refine statute to make explicit that CCS MTP is only responsible for medically necessary services as determined by the CCS program and further ensure the proper CCS appeals process is utilized. It is for these reasons that we support the proposed trailer bill.

Should you have any questions, please feel free to contact me at (916) 327-7540.

Sincerely,

As signed by

Michelle Gibbons
Executive Director

cc: Honorable Members, Senate Budget and Fiscal Review Subcommittee No. 3 on Health and
Human Services
Scott Ogus, Consultant, Senate Budget and Fiscal Review Subcommittee No. 3
Anthony Archie, Consultant, Senate Republican Caucus
Jennifer Kent, Director, Department of Health Care Services