



Rosie Cooper
KACIL Executive Director

November 18, 2014

Member Agencies:

Coalition for Independence

Kansas City, KS
913/321-5140 Voice/TT

Independent Living Resource Center

Wichita, KS
316/942-6300 Voice/TT

Independence, Inc.

Lawrence, KS
785/841-0333 Voice
785/841-1046 TT

Independent Connection

Salina, KS
785/827-9383 Voice/TT

LINK, Inc.

Hays, KS
785/625-6942 Voice/TT

Prairie Independent Living Resource Center

Hutchinson, KS
620/663-3989 Voice

Resource Center for Independent Living, Inc.

Osage City, KS
785/528-3105 Voice
785/528-3106 TT

Southeast Kansas Independent Living, Inc.

Parsons, KS
620/421-5502 Voice
620/421-6551 TT

The Whole Person, Inc.

Kansas City, MO
816/561-0304 Voice
816/627-2201 TT

Three Rivers ILC

Wamego, KS
785/456-9915 Voice

Mr. Chairman and committee members, thank you for taking our testimony. In August, KACIL announced an agreement with Sunflower to provide statewide standardized home modification services. Currently KACIL has trained 40 plus Independent Living Specialists, Sunflower is in the process of training their staff and United Healthcare has set a December 1st target date to start KACIL Home Modification Program services.

Also in August, you heard about the Department of Labor final rule and possible impacts on HCBS services. Implementation date is still January 1st but the DOL will not enforce until June. Giving the Kansas Legislature a choice between addition funding or cutting services, depending on your recommendation on the following:

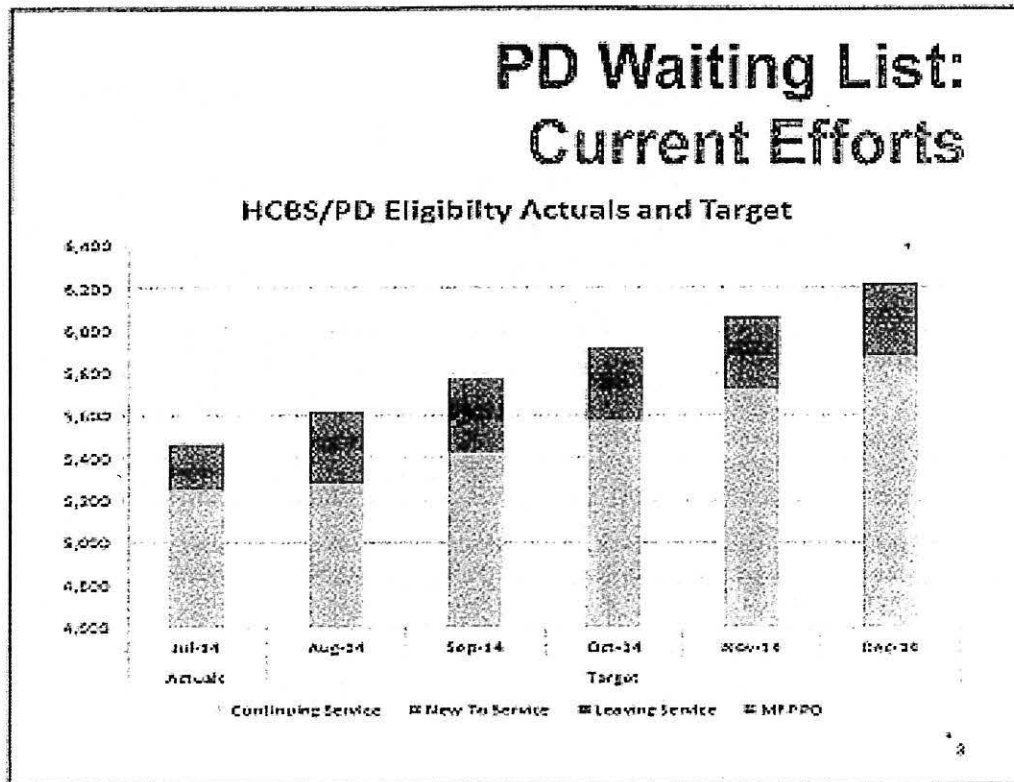
- Sleep Cycle support will have to be paid hourly. In the past you have heard from people who have to be suctioned or turned at night. They will be at risk for nursing home placement without additional funding.
- Overtime for hours worked over 40 and travel time. The solution appears to be for FMS to move into a hybrid vendor FMS model requiring each person who self-directs to have their own federal and state employer identification numbers. As the sole employer, consumers will assume the responsibility for Workers Compensation and Unemployment requiring massive amounts of education and training. At \$115 per month, Kansas FMS providers do not have the capacity to administer this change.

Another FMS concern continues to be problems with client obligations. MCO's continue to extract client obligations from Fiscal Management Service (FMS) providers wage reimbursements for the wrong consumers. This results in dollars never recovered by the FMS providers and ultimately interrupted services for people with disabilities when the records show nothing has been paid. For example, people who use Working Healthy or the WORK Program are being charged client obligations. They will never owe a client obligation because they pay a monthly premium.

In August, I asked to be your barking dog the one that keeps you awake at



night and will not let you concentrate on anything else during the day. Below is the chart Sec. Bruffett gave this committee in August. Notice November 14th, the target including individuals new to services was over 5800. I hope we will learn KDADS has reached that goal.



KACIL continues to have concerns about PD Waiting List. In August, we learned KDADS sent 300 Notices of Action (NOA's) to individuals who had not responded to the original letters sent November 2013 and March 2014. Not long after the August meeting, I got a call from a personal friend stating she received a letter from KDADS again offering her services. This friend due to a successful back surgery no longer needs waiver services. She notified KDADS last December that she no longer needed services. She has received a total of six letters and she has replied to all of them.



Her spot on the waiting list should have been available to the next person in December. I know this case because it is a personal friend but how many others? If people do not come off the list, appropriated funds are not used and the PD Waiver is vulnerable to cuts.

Another cut is currently being vetted for public comments regarding the PD Waiver renewal. KDADS would like force all individuals turning 65 to move from the PD to the FE Waiver. The reasoning is to reduce the waiting list but at the expense of those turning 65. The pay for direct service workers is less – forcing workers to take a pay cut due to a birthday. KDADS has made changes to the FE Waiver to include meal preparation but a closer comparison of the two waivers will show FE plan of care hours are much lower than PD. KACIL agrees the waiting list needs to be much lower but not at the expense of people with disabilities 65+.

KACIL asks you to consider the following in your recommendations:

1. Funding for Sleep Cycle Support
2. Funding to increase FMS rate to \$175
3. Funding to reduce the PD Waiting List by FE waiver savings amount
4. If Sec. Bruffett's targets are not met: Audit of PD Waiting List management activities since in start of KanCare

KACIL realizes budget reductions are in heavy on your minds but where is your line? Where do you draw the line between budget cuts and service cuts? Where is the line when your barking dog becomes more about the people than the budget cuts?

Respectfully,

Rosie Cooper
Executive Director
Kansas Association of Centers for Independent Living