



January 22, 2013

The Honorable Connie O'Brien, Chair  
House Children and Seniors Committee

Good Morning Madame Chair and members of the Children and Seniors Committee. My name is David Wilson. I am the immediate past president and a current lead volunteer for AARP Kansas. We represent more than 339,000 members in Kansas. AARP's vision is a society in which all people live with dignity and purpose and fulfill their goals and dreams. Our mission is to enhance the quality of life for all as we age. Therefore, we thank you for this opportunity to express our comments and concerns on a number of issues that impact seniors and all Kansans as we age.

### KanCare

- KanCare Oversight:  
The Kansas 1115 Waiver Demonstration Application and implementation process has been the subject of intense opposition by AARP. We are concerned about the lack of oversight and transparency in the design and evaluation of the new managed care system. AARP requests that this committee support legislation that would establish an independent oversight entity that would mandate contract oversight, demonstrate capacity and readiness, insure an adequate network of providers is available across the state, provide an education program for all Medicaid recipients and allow consumers an opportunity to air concerns about the operation of the managed care system and MCOs. This type of legislation is needed for a robust oversight function that can result in improvements to the system and provide transparency to the operation of the program allowing consumers to review quality measures, contract requirements and network capacity and access.
- KanCare Ombudsman:  
Although we believe that the current KanCare Ombudsman is a step in the right direction, we have ongoing concerns. We believe that the Ombudsman's position should be independent, with more autonomy to freely advocate for KanCare consumers and investigate and respond to complaints. Ombudsmen often lack the staff and resources necessary to ensure that complaints are resolved and violations of are addressed; therefore, we support adequate funding for a robust, independent KanCare Ombudsman program.

### Long-term Care

- Long-term Care Rebalancing:  
AARP Kansas has long advocated for rebalancing of long-term care services (LTSS) in Kansas and efforts to enhance the quality of care for residents of Kansas nursing homes. In 2011, AARP Kansas released a state-specific *LTSS Scorecard* on the status and quality of services available to seniors, adults

with disabilities, and family caregivers. The *Scorecard* examines state performance across four key dimensions of LTSS performance. In state rankings, Kansas received an overall ranking of 9. AARP requests that funding be made available to raise the overall Kansas level of performance from 9 to a 1 ranking by providing the services and supports necessary to insure the well-being of all consumers in, or seeking, long-term care services and supports in Kansas.

We believe that the elderly and disabled citizens of Kansas should receive the necessary care and services at the least cost and in the least confining setting. Assisted living facilities should not be the target for consumers. These facilities become similar to smaller nursing homes in community settings, with less oversight and staffing and at higher costs.

- Nurse Staffing Hours:

In Kansas, the current required nursing care staffing hours minimum, by law, is 2 hours of direct care by nursing staff each day. There has been no increase in the minimum care requirement for more than 30 years, while the longevity and level of frailty of persons living in nursing facilities, and the assistance they require, has climbed steadily upward. The Kaiser Family Foundation reported that, in 2010, over 18,700 Kansans resided in the state's 339 nursing homes and that, in that same year, 32.2 percent of Kansas nursing homes received deficiency ratings for actual harm or jeopardy to their residents. We believe the current level of two hours of care per day does not meet the level of care necessary to prevent harm or to maintain functional ability of elders residing in Kansas nursing homes.

No fewer than four national studies have researched and recommended increased resident care by nursing staff in nursing facilities. Those same studies have concluded that residents have improved outcomes when receiving levels of care from 4.13 up to 4.85 hours per day. Therefore, AARP recommends an increase in nurse staffing hours to 4 ½ hours per day. We would also recommend that payroll data also be used to access nursing care hours in place of the self-reporting practice now in place. This increase would ensure that each Kansas resident who will continue to reside in a nursing home can attain or maintain his or her "highest practicable physical, mental and psychosocial well-being."

- Addressing Disparities:

A growing body of evidence documents pervasive racial, ethnic, and class disparities in both use and quality of care in LTSS. Consumers and their family caregivers from different racial, ethnic and socioeconomic groups may not have equal access to information quality, and care providers serving disadvantaged or minority patients may not have resources needed to respond to quality incentives. Recent studies show that poorer quality of care in nursing homes is linked to racial segregation. AARP Kansas will ask for legislation introduction that will create a Long Term Services and Supports Disparities Task Force to develop a starting place for identifying and seeking solutions to address disparities in LTSS.

### Affordable Care Act

The recently enacted Affordable Care Act (ACA) will greatly increase the availability of health insurance and broadly impact the delivery of health care in America.

- Medicaid Expansion:

AARP strongly urges Kansas Governor Brownback to expand Medicaid to Kansans with incomes up to 138 percent of poverty, as set forth in the Affordable Care Act.

AARP believes that expanding Medicaid presents states with a tremendous opportunity to extend health care coverage, particularly for persons aged 50-64, many of whom have lost their jobs or are struggling in jobs that do not provide health benefits. According to AARP's Public Policy Institute, expanding Medicaid would provide health coverage for an estimated 20,219 uninsured Kansas residents aged 50-64. Older adults are particularly vulnerable to deterioration in function and health status if they do not have any coverage, inevitably increasing their need for and use of health and long-term care.

- Insurance Exchange:

Starting in 2014, to help individuals and small businesses find and enroll in appropriate private or public coverage options, the ACA calls for the creation of American Health Benefit Exchanges. These exchanges will provide a new option for people to more easily find and compare coverage that will satisfy their responsibility to have coverage and provide a place where those who are eligible may get subsidies to help with the cost of private coverage. AARP has a strong interest in the creation and development of State Health Insurance Exchanges that are consumer friendly. Exchanges are vital in the effort to extend health coverage to 50 -64 year Kansans, while improving access and affordability for those already in the individual and small group markets. We also believe that each state, with insight and feedback from consumers and consumer advocates, is positioned advantageously to develop its own Exchange.

## Utilities

For older Kansans, the ability to contact police, fire, medical, and other responders in times of emergency and to maintain access to air-conditioning and heat at affordable rates is absolutely critical. Many older Kansans spend a significant portion of personal income on these services. AARP is fighting rising utility rates and efforts to eliminate important consumer protections.

## Consumer Protection

AARP believes that safeguarding consumers against fraud, deception, and unfair practices is a high priority. Kansas should expand and strengthen consumer protections through legislation, regulation, and enforcement procedures and consumer service programs, including the targeting of diverse communities, which are fundamental to ensuring that older citizens are treated fairly in the marketplace.

## **AARP Research and Education**

AARP's Education and Outreach helps people 50+ make the most of their lives, giving them the knowledge needed to make key financial, health and lifestyle decisions. We also lead initiatives to foster more 50+ friendly communities and workplaces, and help keep our roads safer through AARP Driver Safety.

We make research and information available through:

- [AARP The Magazine](#), the award-winning magazine published six times a year to help members feel great, save money and have fun;
- The [AARP Bulletin](#), a newspaper published 10 times a year and updated daily online to deliver useful information behind key issues affecting members;
- [AARP Viva](#), a quarterly magazine with every article published in Spanish and English, plus companion radio and TV programs;
- [Prime Time](#) radio programs;
- [Inside E Street](#), a syndicated public affairs TV program;
- [My Generation](#), a syndicated magazine-style TV show;
- [AARP.org](#), delivering up-to-date information, discounts, tools and all things AARP online;
- [AARP Books](#), publications covering topics relevant to members;
- [AARP Informational Publications](#), free of charge, about a wide variety of issues, such as money, Medicare and health;
- [AARP Public Policy Institute](#), a research and analysis group that informs and stimulates public debate on the issues we face as we age. The Institute promotes development of sound, creative policies to address our common need for economic security, health care, and quality of life.

### **Attachments**

- Governor Brownback Letter: Medicaid Expansion.
- AARP Foundation Kansas Fact Sheet
- AARP Kansas State Fact Sheet
- AARP in the States 2013

*AARP is a nonprofit, nonpartisan organization, with a membership of more than 37 million, that helps people 50+ have independence, choice and control in ways that are beneficial to them and society as a whole. AARP does not endorse candidates for public office or make contributions to either political campaigns or candidates. We produce AARP The Magazine, the definitive voice for Americans 50+ and the world's largest-circulation magazine; AARP Bulletin, the go-to news source for the 50+ audience; AARP VIVA, a bilingual lifestyle multimedia platform addressing the interests and needs of Hispanic Americans; and national television and radio programming including My Generation and Inside E Street. The AARP Foundation is an affiliated charity that provides security, protection, and empowerment to older persons in need with support from thousands of volunteers, donors, and sponsors. AARP has staffed offices in all 50 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands.*