

# Social and Rehabilitation Services

Don Jordan, Secretary



Senate Public Health & Welfare Committee  
March 12, 2008

SB 566 – Attendant Care Workers Act

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## SB 566 – Attendant Care Workers Act

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Chairman Barnett and members of the Committee, I am Don Jordan, Secretary of SRS. Thank you for the opportunity to appear before you today to discuss Senate Bill 566. This bill directs the Department of Social and Rehabilitation Services (SRS) to conduct a study on the working conditions of persons who provide attendant care for person receiving services through the home and community based services waivers. There is also direction to utilize funding from the Money Follows the Person (MFP) grant or the Systems Transformation Grant to conduct this study. Today I would like to provide you with information related to both of these grants as well as projects that are currently being funded by those grants.

#### **A Study**

As the bill states, attendant care workers providing care to individuals in the home and community based services programs are vital to the independence and well-being of individuals with disabilities. SRS understands that the provision of services to individuals is reliant on our local community service providers. With this, careful consideration should be given to the wages paid to community direct care staff funded through reimbursement rates to providers. Consideration should also be given to the working conditions for these workers and the benefits that they receive. These workers may be known by different titles. Please find attached a chart showing the designation of direct care staff through the home and community based waivers. Whichever way the legislature decides to act on this, we would ask that it be clear as to which workers would be included in a study.

To support this, SRS, through the System Transformation Grant, is conducting a study similar to what is being proposed in SB 566.

A Systems Transformation (Real Choice 2006) Planning Grant in the amount of approximately 1.8 million dollars was awarded to the State of Kansas. The outcome of this grant is that Kansas will be in a position to make evidence-based decisions regarding all proposed structural, funding, and payment methodology changes in the Long Term Care Service delivery system. Three of the nine studies are identified below.

The grant is funding a comprehensive study of:

- The long term care funding / payment methodology structure. The desired outcome is that the contractor will conduct a comprehensive, evidenced-based study that will identify the costs of providing services to individuals (aging and disabled) in community settings with the focus on “independence, productivity and community living”; identify the capacity issues, such as availability of providers, and make recommendations regarding the funding necessary to meet the needs of Kansans and payment methodology structure in Kansas. The anticipated timeline is to enter into a contract with a qualified contractor by September 30, 2008 with a

completion date of October 1, 2009. (The extensive time required to complete the study is due to the time required to work with the selected contractor to develop a cost survey tool that will appropriately identify true costs across 6 HCBS waivers and several hundred qualified providers)

- The eligibility/level of care/needs assessment processes employed by each of the waivers. The desired outcome is to determine if the current tool(s) are appropriate to the population, are utilized in a manner that is effective, and accurately reflect the long term care service needs. The anticipated timeline is to enter into a contract with a qualified contractor by July 1, 2008 with a completion date of December 31, 2008.
- Individual Budgeting/Self-Determination/Self-Direction. Study the current practices, and recommend program changes that would support enhanced self-direction and individualized budgeting options in Kansas at the choice of individual consumers. There is no defined timeline for this project yet.

The “long term care-funding/payment methodology” structure study will provide much of the information being requested through this bill. There are currently \$500,000 budgeted for this study from the Systems Transformation Grant. From this study SRS will be able to develop a mechanism to assure that reimbursement rates are sufficient and make recommendations regarding any enhancements needed.

The bill recommends the use of funding from the Money Follows the Person (MFP) grant for this study. The funding for this grant would not allow for the use of funds for this type of study. The MFP demonstration grant is a federal project designed to provide incentives for Kansas to move individuals out of institutional settings into qualified community settings. There is no dollar value of the grant outside of the service costs that will be reimbursed for services. Therefore this type of study would not be allowed with MFP grant funding.

In closing, SB 566 directs SRS to conduct a study of the status and working conditions of workers who provide attendant care for individuals living in home and community based settings. The delivery of these services relies upon a strong partnership between state government and local community service providers. SRS supports a systematic review of compensation for HCBS direct care workers and their working conditions. This is demonstrated by SRS’s use of the Systems Transformation Grant funds to study the current payment methodology for the HCBS waivers in Kansas.

That concludes my testimony. I will stand for any questions.