



DEPARTMENT OF SOCIAL
AND REHABILITATION SERVICES

Don Jordan, Secretary

Senate Ways & Means Committee
March 8, 2010

SB 562 - HCBS Provider Tax Bill

Disability and Behavioral Health Services
Ray Dalton, Deputy Secretary

For Additional Information Contact:
Patrick Woods, Director of Governmental Affairs
Docking State Office Building, 6th Floor North
(785) 296-3271



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Chairman Emler and members of the Committee, thank you for the opportunity to appear before you today to present testimony on SB 562. SRS appreciates the efforts that have been undertaken to develop a potential avenue to strengthen the quantity and quality of Home and Community Based Waiver services in Kansas. SRS will work closely with the Kansas Health Policy Authority (KHPA) to submit to the Centers for Medicare and Medicaid Services (CMS), any request for amendments to the approved HCBS waivers or Kansas Medicaid State Plan that would be necessary in order to implement the provisions of this bill.

Based upon our research and exploration of issues related to provider assessments, SRS feels as the bill is currently written, we would anticipate it would be difficult to get CMS' approval. If this option is to be explored further, we would suggest it be written in such a way as to provide some level of discretion to KHPA and SRS to make adjustments to the proposal to improve the chances of obtaining CMS approval.

In addition, SRS would like to call out some potential technical issues in the language of this bill that relate to application/implementation. In Section 1, part (b)(2), there is a reference to "medicaid days" which would not apply to HCBS services. Also the language of the bill appears to have inadvertently left the Kansas Department of Social and Rehabilitation Services, off of the "waiver provider services improvement panel." SRS is statutorily responsible for health care planning, administration, purchasing and data with respect to these programs and is also responsible for the management of all disability-related programs for which HCBS waiver funding is received.

SRS stands ready to work with the Legislature, KHPA and other interested parties to pursue a provider assessment option that would strengthen the infrastructure of and promote the quality and quantity of HCBS services in Kansas.