



September 26, 2022

RE: KABC testimony for Robert Bethell Joint Committee on HCBS and KanCare Oversight

Members of the Bethell Joint Committee,

Thank you for providing the opportunity to provide written testimony and briefly speak with you today. KABC is a not-for-profit organization whose mission is to improve the quality of long-term care for older adults no matter where they choose to reside. KABC has previously provided this input to Secretary Howard for her consideration regarding the upcoming FY 2023 KDADS budget.

We are sensitive to the State's financial position knowing that the social service needs of Kansans are many while the State budget is limited. As the Executive Director of Kansas Advocates for Better Care, I offer the following (3) opportunities as suggestions that would improve and innovate existing public service and certainly improve the lives for older Kansans.

Requests

- (1) **Committee support of Charlie's Bill including adequate funding to support administrative costs associated with the passage of Charlie's Bill (formerly HB2004).** The passage of this bill would permit a resident of an adult residential care facility to file an appeal with the Secretary of the Kansas Department for Aging and Disability Services within 15 days after the date of a pending involuntary transfer or discharge. A fiscal note was provided **in FY2019** however this note may need to be reevaluated by KDADS to better capture current cost and impact.
- (2) **To re-establish or expand independent case management services to the Frail Elderly, Physically Disabled and Brain Injury waiver populations.**
 - Administrative Case Management services which assists with initial financial eligibility for Medicaid has been successfully implemented. However, this service does not assist and support the individual with maintaining direct care in the home for FE, PD and BI waiver populations.
 - The Nursing Facility Mental Health Settlement Agreement recognizes the need for case management to successfully divert and discharge residents.
 - The Intellectually & Developmentally Disabled waiver population currently receives case management, acknowledging that case management is a key service in that waiver's success.

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So, let's do the same for all waiver populations. We believe this service could be provided to the total number of the three waiver populations (FE, PD, and BI), 13,287 for approximately \$1,129 per client, per year. **Our request is for \$7.5 million in SGF with matching \$7.5 million in Medicaid funding totaling \$15 million.** Should the legislature not wish to allocate new resources for this service, KABC would remind this committee that the case management funding previously utilized for such services were rolled into the managed care contracts with the onset of KanCare and could potentially be withdrawn from upcoming new managed care contracts to re-establish the service.

- (3) Committee support for legislation that would require written informed consent before administering an antipsychotic medication to an adult care home resident.** Kansas continues to be a poor performing State regarding the high frequency administration of anti-psychotic drugs. Kansas demonstrated slight improvement on this issue in 2019, however as a result of the pandemic and resulting staffing shortages the use of anti-psychotic drugs for residents is on the rise and Kansas performance in this area is currently on the decline. KABC continues to be concerned about the high frequency and potential for misuse of these drugs which result in premature death, stroke, falls, infections, and confusion. Kansas still lacks a concerted, state-led programmatic effort to reduce the administration of these medications. As a result, older Kansans continue to experience harm from unchecked use. It is a clearly defined problem and there is available data demonstrating that Kansas is woefully behind the majority of our nation in curbing the overuse of anti-psychotic drugs utilized in our nursing facilities.

In addition, to our requests KABC also supports the following.

- **The Alzheimer's Association's request for a Dementia Services Coordinator.** We believe the KDADS position would provide an opportunity for more attention and needed focus on how we can improve and better coordinate long-term care for those suffering from dementia.

We appreciate your leadership in addressing these critical issues.

Sincerely,

Daniel Goodman

Daniel Goodman
Executive Director
Kansas Advocates for Better Care

Kansas Advocates for Better Care. A statewide, non-profit organization dedicated to improving long-term care for older Kansans at-home and in adult care facilities since 1975.