



KanCare Ombudsman Office
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KanCare Ombudsman Legislative Report November 18, 2016

Core Elements of the KanCare Ombudsman (taken from Centers for Medicare & Medicaid Services (CMS) Special Terms and Conditions (STC) 42.a.)

Organizational Structure:

1. If the Ombudsman operates within a sister state agency, the State shall establish protections such that no undue influence will be imposed that restricts the ability of the Ombudsman to perform all of the core functions.
 - The Ombudsman's Office operates in KDADS rather than KDHE
 - The Ombudsman meets with the Secretary of KDADS 1-2 times per month
 - Since starting over 2 1/2 years ago, sister agencies have been very helpful when approached for assistance; there has not been interference with the Ombudsman's office.
 - Right after starting as Ombudsman, created a new letterhead using the KanCare logo and had KDADS marketing put Ombudsman directly underneath for a new logo. Have used this for letterhead and all marketing materials that have gone out from this office since. There have been no issues from any of the Secretaries (there have been three since I've started.) I do this to identify this office as separate from the state as much as possible and its own entity.
 - Ombudsman staff uses the KanCare logo for business cards rather than the KDADS logo. (same reason as above)
2. The organizational structure of the Ombudsman shall demonstrate transparency and collaboration with beneficiaries, MCOs, community based organizations, and state government.
 - The Ombudsman's office demonstrates transparency by providing the past quarterly and annual reports on the Ombudsman website for anyone interested in reviewing them; starting with 2013. There will be a new website coming out soon that will be easier to navigate and have additional information. The reports will still be available on that website.
 - Collaboration between MCO's, community based organizations, state agencies and the beneficiaries is the only way services can be provided to applicants and members through this office in a truly meaningful way. The Ombudsman depends on all of the above to assist on various contacts to provide the answers or follow up in order to help the person who has contacted our office. Collaboration is very important.

Functions:

1. Shall serve as an access point for complaints and concerns about access to services and other related matters when the beneficiary isn't able to resolve their concern directly with a provider or health plan.
 - The Ombudsman's office has a toll free number, two satellite offices (one in Wichita and one in Kansas City metro area), website presence, and consistent outreach throughout the year by the Ombudsman, Project Coordinator and Volunteer Coordinator.
 - Resources: Who should I call? Information page, Ombudsman Brochure; Flow Chart for KanCare application process; Assistance for people who are Uninsured; KanCare Applications; KDHE fact sheets.
2. The Ombudsman shall help enrollees understand the state's Medicaid fair hearing process, grievance and appeal rights and grievance and appeal processes provided by the health plan, and

shall assist enrollees in navigating those processes and/or accessing community legal resources, if needed/requested.

- Created two separate documents for assisting people with Grievances, Appeals and State Fair Hearings if the beneficiary has Medicaid and is concerned about services that are being denied. There is another document for applicants or members who have applied for KanCare/Medicaid or renewed their KanCare and it has been denied. Then they can file a grievance or appeal in regard to the eligibility process.
 - Resources: Grievance, Appeal and State Fair Hearings information packet; Medicaid Grievances and Medicaid Hearings information packet.
3. The Ombudsman shall develop a protocol for referring unresolvable issues to the State Medicaid Agency and other state officials as necessary to ensure the safety and well-being of beneficiaries.
 - KDHE – Russell Nittler, Senior Manager of Eligibility
 - DCF – Kendra Baker – Director of Client Services
 - KDADS – Brant Haehn – Commissioner of Community Services and Programs
 4. The Ombudsman shall develop and implement a program of training and outreach with the KanCare MCOs, providers and community based organizations to facilitate cross-organizational collaboration, understanding and the development of system capacity to support beneficiaries in obtaining covered plan benefits.
 - The KanCare Lunch and Learn Bi-Weekly Conference Call Series is multi-functional. It is provided for consumers, MCO's, community based organizations and state agencies to broaden the knowledge base regarding KanCare service, community based services, and resources that may be available to members of KanCare.
 - Resources: See Lunch and Learn Notes and Handouts:
http://www.kancare.ks.gov/ombudsman_ll_notes.htm
 5. The Ombudsman shall assist enrollees to understand and resolve billing issues, or notices of action.
 - Recent example: Assisted individuals and families, and nursing facilities (including the three main nursing associations) in understanding the payment process when Medicaid is assigned and backdated over several months (more than three months).
 - Notices of action: Discussion about what the members' issues are, discuss letter that was sent, determining what needs to be done, timelines, what their options are, if they want to do an appeal/hearing then sending them the appropriate hearing packet.
 - Resources: Who should I call? Information page, Grievance, Appeal and State Fair Hearings information packet; Medicaid Grievances and Medicaid Hearings information packet.

Data Collection

1. The Ombudsman Quarterly and Annual reports have the data requested since Q3, 2014.
 - The system was updated at that point to include the data that was listed on STC 42.a.vi.
 - Public reports are submitted to the legislature on a quarterly basis and then posted on the Ombudsman webpage to ensure transparency for the Ombudsman's office.
 - Similar reports are also provided to KDHE on a quarterly and annual basis and are then sent on to CMS.
2. The Ombudsman participates in the Consumer Special Interest workgroup through KDHE and uses this group to request feedback on reports, consumer resources, etc.



KanCare Ombudsman Quarterly Report

Kerrie J. Bacon, KanCare Ombudsman
3rd Quarter, 2016 Report

Accessibility by Ombudsman's Office

The KanCare Ombudsman was available to members and potential members of KanCare (Medicaid) by phone, email, written communication and in person during the third quarter of 2016. In 2014 and 2015 there were approximately 2,000 contacts through these various means. In the first three quarters of 2016, there were 2,663 contacts. It is evident from the chart below that the biggest increase in contacts was in 1st quarter and has continued to drop off but is still significantly above the average of the last two years' numbers (32 percent for the 3rd quarter).

Contacts	Qtr. 1	Qtr. 2	Qtr. 3	Qtr. 4	Comments
2013	615	456	436	341	this year does not include emails
2014	545	474	526	547	
2015	510	462	579	524	Avg. for 2014/2015 is 521
2016	1130	846	687		
% incr./dec.	117%	63%	32%		Increase over average of 2014/2015

MCO related	Q1/15	Q2/15	Q3/15	Q4/15	Q1/16	Q2/16	Q3/16
Amerigroup	53	69	63	45	92	46	45
Sunflower	96	92	72	62	92	57	59
UnitedHealthcare	75	47	52	32	66	47	37
Total	224	208	187	139	250	150	141

The KanCare Ombudsman webpage (<http://www.kancare.ks.gov/ombudsman.htm>) continues to provide information and resources to members of KanCare and consumers. It is updated on a regular basis.

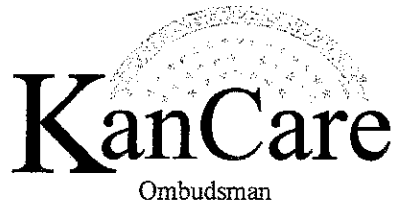


Outreach by Ombudsman's office

- Attended the Poverty Conference and shared information on the KanCare Ombudsman's Office, Topeka, KS, July 20-21, 2016
- Provided a report and testimony for the Robert Bethel Joint Committee on HCBS and KanCare Oversight, August 5, 2016.
- Attended and shared information on the KanCare Ombudsman's office at the Midwest Ability Summit, Overland Park, KS, August 27, 2016
- Shared information on the KanCare Ombudsman's office at the Northeast Kansas Head Start Conference, September 6, 2016.
- Shared information on the KanCare Ombudsman's office with the Western Kansas Long term Care Ombudsman's Regional team and local community providers; Salina, KS, September 19, 2016
- The Ombudsman's office sponsors the KanCare (I/DD) Friends and Family Advisory Council which met two times during the third quarter.
- Hosted the KanCare Member Lunch-and-Learn bi-weekly conference calls for all KanCare members, parents, guardians, consumers and other interested parties. Calls address topics of interest, resources in the community, emerging issues and includes a question and answer time. Managed care organizations continue to participate on the calls and answer questions as needed...

Outreach through the KanCare Ombudsman Volunteer Program Update.

- The ***KanCare Ombudsman Johnson County Satellite Office***. We have four fully trained volunteers. We are now focusing our efforts for the next few months on getting the Wyandotte office moving forward.
- The ***KanCare Ombudsman Southern Kansas Satellite Office (Wichita)*** is in its fourth quarter of providing assistance to KanCare members.
 - It has assisted approximately 224 consumers.
 - There are four active volunteers at the end of third quarter and two new volunteers are being trained.
- Both Satellite offices have begun assisting consumers with filling out applications on the phone and by appointment in person.
- Volunteer Applications are available on the KanCare Ombudsman webpage. www.KanCare.ks.gov/ombudsman.htm.



Data by Ombudsman's Office

The Ombudsman On-Line tracker has been updated to include the main Ombudsman office and Ombudsman satellite offices covered by volunteers. Starting with the fourth quarter report, we will be able to provide the number of contacts made to the different Ombudsman's offices across Kansas.

Contact Method	Q1/15	Q2/15	Q3/15	Q4/15	Q1/16	Q2/16	Q3/16
phone	415	378	462	438	862	644	507
email	94	82	112	83	265	191	174
letter	1	1	0	2	2	3	1
in person	0	1	5	1	0	8	3
online	0	0	0	0	1	0	2
Total	510	462	579	524	1130	846	687

Caller Type	Q1/15	Q2/15	Q3/15	Q4/15	Q1/16	Q2/16	Q3/16
Provider	111	94	102	93	179	110	100
Consumer	366	343	426	385	866	601	544
MCO employee	3	3	5	3	7	4	10
Other	30	22	46	43	78	131	33
Total	510	462	579	524	1130	846	687

Contact Information. The average number of days it took to resolve an issue during third quarter was six.

	Q1/15	Q2/15	Q3/15	Q4/15	Q1/16	Q2/16	Q3/16
Avg. Days to Resolve Issue	7	7	11	6	7	5	6
% files resolved in one day or less	54%	38%	36%	45%	49.6%	56%	54%
% files closed	87%	88%	93%	83%	77%	88%	87%

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The most frequent calls regarding home- and community-based services (HCBS) waivers during the third quarter of 2016, the balance of 2016 and for all of 2015 were in regard to the physical disability waiver and the intellectual/developmental disability waiver.

Occasionally more than one option can be chosen; for example when mental health or substance abuse might be included in addition to a waiver or a nursing facility.

Waiver	Q1/15	Q2/15	Q3/15	Q4/15	Q1/16	Q2/16	Q3/16
PD	57	48	33	28	48	22	13
I/DD	35	25	29	28	48	27	21
FE	15	12	16	18	23	19	10
Autism	4	3	4	5	1	2	2
SED	1	7	5	4	4	0	1
TBI	10	9	7	9	10	3	7
TA	11	13	11	13	10	9	4
MFP	2	2	3	1	8	5	3
PACE	0	0	1	1	0	0	0
Mental Health	5	9	7	11	8	6	3
Substance Use Disorder	0	0	0	2	0	0	0
Nursing Facility	12	28	33	29	47	27	16
Other	512	320	443	391	941	739	612
Total	664	476	592	540	1148	859	692



The Issue Categories listed below reflect the last seven quarters in alphabetical order. The top five issues for each quarter are highlighted. The issues that carry across many quarters are Medicaid Eligibility Issues, Other and Billing. Appeals and Grievances is showing a trend; it has been in the top five for the last three quarters. There may be multiple issues for a member/contact.

Issues	Q1/15	Q2/15	Q3/15	Q4/15	Q1/16	Q2/16	Q3/16
Access to Providers	3	11	1	12	7	6	9
Appeals, Grievances	42	33	47	26	49	42	36
Billing	36	40	41	30	43	39	37
Care Coordinators	10	8	9	8	7	3	6
Change MCO	8	4	10	9	15	3	0
Dental	7	5	1	4	4	5	5
Durable Medical Equipment	25	12	7	8	7	7	2
Guardianship Issues	5	1	2	1	0	1	2
HCBS Eligibility issues	11	15	24	30	45	33	21
HCBS General Issues	60	36	54	34	69	32	16
HCBS Reduction in hours of service	10	8	13	16	12	4	3
HCBS Waiting List issues	11	8	9	11	18	2	2
Housing issues	1	6	4	3	8	2	2
Medicaid Eligibility Issues	139	108	206	182	512	244	173
Medicaid Service Issues	20	24	27	21	29	20	10
Nursing Facility Issues	15	34	34	29	40	25	22
Other	130	150	141	149	332	377	381
Pharmacy	25	33	14	20	24	13	11
Questions for Conf Calls/sessions	5	2	0	1	0	0	1
Thank you	14	15	11	12	72	85	114
Transportation	12	17	8	7	6	8	6
Unspecified	31	12	36	21	79	38	21
Total	620	582	699	634	1378	989	880



The Resource Category below shows what resources were used to resolve an issue. If a Question/Issue is resolved, then it is answered without having to call, refer to another resource, or provide another resource for assistance. If an issue is resolved using a resource, then one of the other categories below is also usually noted to indicate which resource was accessed to find the help needed, or to which resource the member was referred, or possibly what document was provided. Often multiple resources are provided to a member/contact.

Resource Category	Q1/15	Q2/15	Q3/15	Q4/15	Q1/16	Q2/16	Q3/16
Question/Issue Resolved	84	61	65	58	122	239	233
Used Issues/Resources Resolved	262	234	321	296	463	394	313
KDHE Resources	95	77	124	87	214	97	97
DCF Resources	20	13	25	37	6	2	1
MCO Resources	79	73	48	62	48	43	44
HCBS Team	32	43	36	29	28	21	12
CSP Mental Health Team	0	1	0	2	1	1	0
Other KDADS Resources	31	31	38	58	53	16	44
Provided Resources to Member	85	108	177	184	361	239	115
Referred to State/Community Agency	22	54	75	72	111	40	53
Referred to DRC and/or KLS	26	16	19	5	13	7	4
Closed	14	29	60	72	198	313	111
Total	750	740	988	962	1618	1412	1027

Next Steps for Ombudsman's Office

KanCare Ombudsman Volunteer Program

- The Ombudsman Volunteer Program has begun a weekly education call for Volunteers for continuing education.
- The Ombudsman Volunteer Coordinator, Lisa Churchill, has put together a radio public service announcement to recruit volunteers for the Kansas City Metro and Wichita areas.