



February 14, 2017

Senate Public Health and Welfare Committee
Chairwoman Vicki Schmidt
and Members of the Committee

Testimony in Support of an Independent Home and Community Based Services Ombudsman – SB 160
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Thank you for this opportunity to testify in support of SB 160. The Kansas Association of Area Agencies on Aging and Disabilities (k4ad) represents the eleven Area Agencies on Aging (AAAs). The eleven AAAs cover all 105 Kansas counties.

The AAAs are charged by the federal Older Americans Act to serve as the public advocate for the development or enhancement of comprehensive and coordinated community-based systems or services in our planning areas, with a focus on seniors.

For years, the AAAs served as the “single point of entry” for community-based services for seniors. More recently, the AAAs serve as the KDADS’s contractor for the Aging and Disability Resource Centers (ADRCs). As a result, we have conducted Medicaid functional assessments, and reassessments, for individuals who are applying for, or receiving, home and community based services under the Frail Elderly waiver, Physical Disability waiver and Traumatic Brain Injury waiver, in addition to nursing facility admissions and the Program for All-Inclusive Care for the Elderly.

The AAAs have conducted well over 100,000 functional assessments in the past four years.

The sheer size and scope of KanCare is such that it seems wise for this Committee to adopt enabling legislation to establish a truly independent Ombudsman program.

An external, independent ombudsman would prove beneficial in protecting the rights of seniors and individuals with disabilities on HCBS waivers *and* assist in managing the expectations of what Medicaid provides specific to benefits. Contrary to popular belief, Medicaid benefits are not exhaustive. A Wisconsin-model, as suggested in SB 160, would assist individuals in gaining a better understanding of their legitimate rights.

An independent ombudsman program would also ensure professionalism as KanCare members navigate the process of service denials, reductions in services, in addition to formal grievance and appeals. A high-quality, rights-based independent ombudsman program would also result in a better informed KanCare member. A better KanCare member could result in opportunities to de-escalate issues before hardening of positions occur.

We are pleased to SB 160. I will be happy to stand for questions.