



October 28, 2022

TO: Representative Will Carpenter and
Members of the Special Committee on Intellectual and Developmental Disability Waiver Modernization

FR: Matt Fletcher, Executive Director, InterHab

RE: CDDO Eligibility Determination Processes

On behalf of InterHab's CDDO membership, I wanted to follow up on the discussion held during the Committee's hearing on October 13th. That discussion highlighted the frustration and confusion that parents can experience when encountering what sometimes appears or feels to be inflexible or even unfair systems. What wasn't shared during the discussion are the systems that have been put in place to ensure a fair and equitable eligibility determination process across the State of Kansas. I would like to provide those for your consideration as this topic is reviewed further.

First, the Kansas Developmental Disabilities Reform Act (KSA 39-1801 et seq.) establishes eligibility criteria that all CDDOS must follow. Anyone can access this eligibility criteria.

Second, the guidelines used within the BASIS system for eligibility determination are published on the KDADS website and are public for all to view. (website link: <https://kdads.ks.gov/provider-home/forms>)

Third, CDDOs are required to utilize the above BASIS guidelines to make interpretation decisions.

Fourth, each CDDO has a local dispute resolution process in place for parents to use for disagreements or concerns – whether that be eligibility decisions or BASIS decisions or anything else.

Fifth, if a person loses eligibility for the waiver, then KDADS has a policy in place to address dispute resolution/appeal to fight that determination.

Sixth, the contracts between KDADS and each CDDO outlines the creation of an Eligibility workgroup to allow for further improvements to the eligibility determination process.

There will always be additional ways to further refine the eligibility determination process and InterHab member CDDOs will be open to further improvement to help remove confusion and frustration for families. We hope the above information helps the committee to understand the multiple layers of processes that have been put in place to ensure that eligibility determinations occur in the fairest and equitable manner possible. Please let us know if you have any questions regarding the information we have shared.