

MINUTES OF THE HOUSE AGING AND LONG TERM CARE COMMITTEE

The meeting was called to order by Chairman Bob Bethell at 3:30 p.m. on March 3, 2009, in Room 711 of the Docking State Office Building.

All members were present except:

Representative Don Hill- excused

Committee staff present:

Norm Furse, Office of the Revisor of Statutes
Doug Taylor, Office of the Revisor of Statutes
Kelly Navinsky-Wenzl, Kansas Legislative Research Department
Terri Weber, Kansas Legislative Research Department
Judith Holliday, Committee Assistant

Conferees appearing before the committee:

Beth Oakes, Vice President Community Planning and Resources, United Way of the Plains
Rocky Nichols, Executive Director, Disability Rights Center of Kansas/Big Tent Coalition
Michelle Eastman, Vice President Communications, Rainbows United
Maury Thompson, Executive Director, Johnson County Developmental Supports
Don Jordan, Secretary, Social and Rehabilitative Services
Kathy Greenlee, Secretary, Kansas Department on Aging
Matt Fletcher, Associate Director, InterHab

Others attending:

See attached list.

Beth Oakes, Vice President Community Planning and Resources, United Way of the Plains, spoke to the Committee about the United Way 2-1-1 telephone number. This permanent number was assigned by the Federal Communications Commission in 2000 to be used only for community information and referral nationwide

Ms. Oakes demonstrated using the Internet to access the 2-1-1 website and explained the various services available. She stated that if a service is needed but not on the list, to email or call and information on that particular service will be added within 24 hours. She provided a handout to Committee members on the 2-1-1 program. ([Attachment 1](#))

The 2-1-1 number will benefit people during and after a disaster such as a tornado, flood, fire, terrorist attack or other tragedy because the information system is already set up and one call can connect people with needed human services. Another benefit to having the 2-1-1 system is that it reserves the 911 system for life and death emergencies.

Hearing on HB 2094 - Appropriations for FY 2010 through FY 2014, home and community based services under DD, PD, FE, TBI and autism medicaid waivers and Tiny-K programs.

Chairman Bethell called the Committee's attention to several handouts from the Legislative Research Department. The green sheet was an overview of Medicaid Home and Community Based Services (HCBS) Waivers ([Attachment 2](#)); the blue sheet explained the appropriations contained in **HB 2094** for each department from FY 2010 through FY 2013 ([Attachment 3](#)); and the goldenrod sheet is a remake of the original report from the Children's Initiative Fund given at a previous meeting. ([Attachment 4](#))

Chairman Bethell asked Norm Furse of the Revisor's Office to explain the content of **HB 2094**.

Rocky Nichols, Executive Director, Disability Rights Center of Kansas/Big Tent Coalition, testified as a proponent of **HB 2094**. ([Attachment 5](#)) Mr. Nichols stated that the Big Tent Coalition endorses the elimination of all Home and Community Based Services wait lists, supports the expansion of community capacity, and supports increasing direct care worker pay. He further stated that the stimulus money Kansas will receive for Medicaid will pay for the programs, stimulate the economy, and provide new jobs in Kansas.

CONTINUATION SHEET

Minutes of the House Aging And Long Term Care Committee at 3:30 p.m. on March 3, 2009, in Room 711 of the Docking State Office Building.

Michelle Eastman, Vice President Communications, Rainbows United, urged the Committee to support the *tiny-K* program. (Brochure on file in Room 161-W) Ms. Eastman explained that the *tiny-K* program serves 6,600 infants and toddlers, providing sixteen needed service to families at no cost.

Maury Thompson, Executive Director, Johnson County Developmental Supports, testified in support of **HB 2094**. (Attachment 6) Mr. Thompson addressed the need to address the waiting lists and rate increases in combination in order to expand community services for persons with developmental disabilities (DD).

Mr. Thompson stated that 3,800 children and adults with DD are waiting to receive services. The State has maintained a DD waiting list for over twelve years, with the typical wait time at more than four years. He told the Committee that it costs more than \$150,000 a year to keep one person with DD institutionalized, but less than \$40,000 a year to care for that same individual in the community. . He stated that during the current fiscal year, funds appropriated covered fewer than forty individuals from the statewide waiting list of more than 3,000.

Mr. Thompson testified that the legislature has an opportunity to make citizens with DD a priority as we begin to receive Medicaid dollars from the stimulus package. He referenced an editorial in the Kansas City Star regarding the absence of plans by the governor to free up money to help the nearly 4,000 Kansans with mental retardation and developmental disabilities currently on waiting lists.

Don Jordan, Secretary, Social and Rehabilitation Services (SRS), spoke in favor of **HB 2094**. (Attachment 7) The bill would provide funding for four of the Home and Community Based Services (HCBS) Waivers administered by SRS: Physical Disability (PD) Waiver, Traumatic Brain Injury (TBI) Waiver, Autism Waiver and the Mental Retardation/Developmental Disability Waiver (MR/DD). It would allocate, over a period of four years, specific amounts of state general funds to reduce, eliminate or forestall creation of waiting lists for the waivers.

One provision of the bill addresses annual rate increases for reimbursement to providers. Included would be wages paid to community direct care staff funded through the reimbursement rates. SRS plans to conduct reviews of providers to ensure the workforce is receiving adequate wages in order to retain quality direct care staff.

Kathy Greenlee, Secretary, Kansas Department on Aging, testified in support of **HB 2094**. (Attachment 8) She restated her agency's commitment to quality of life, independence and choice for senior citizens. KDOA has administered the home and community based services frail elderly (HCBS/FE) waiver since 1997 and there was a waiting list only once, for a period of two years. The governor has fully funded the HCBS/FE waiver in order to keep seniors from waiting for services. She stated the waivers are a good investment to make for the people of Kansas.

Matt Fletcher, Associate Director, InterHab, spoke in support of **HB 2094**. (Attachment 9) Mr. Fletcher testified that this bill represents a great opportunity by maximizing federal dollars, generating millions in economic stimulus for each legislative district, and creating a significant number of new jobs, beginning in 2010.

Mr. Fletcher addressed the disparity of wages for direct care workers compared to the State's own direct care workers, a difference of almost \$3.60 per hour. Mr. Fletcher stated that direct care jobs are among the fastest growing in the nation, and over the next decade more direct care jobs will be created than any other occupation in the entire U.S. economy, especially among low-wage workers.

Another benefit from **HB 2094** will be for family members who previously had to stay home to care for their family member but can now rejoin the workforce. Most importantly, nearly 4,000 lives will be positively impacted by being removed from the State's waiting lists.

Attached to Mr. Fletcher's testimony were charts illustrating the economic impact to Kansas communities and the number of new jobs for Kansas communities from DD funds in **HB 2094**.

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Chairman Bethell deferred the remaining conferees' testimony until the Aging and Long Term Care Committee meeting on Thursday, March 5.

The meeting was adjourned at 5:00 p.m.