

**HOUSE BILL No. 2046**

By Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight

1-8

1 AN ACT concerning home and community-based services; relating to the  
2 intellectual or developmental disability waiver; increasing provider  
3 reimbursement rates; making and concerning appropriations for the  
4 fiscal years ending June 30, 2022, June 30, 2023, and June 30, 2024,  
5 for the Kansas department for aging and disability services; directing  
6 the Robert G. (Bob) Bethell joint committee on home and community  
7 based services and KanCare oversight to study the waiting list for such  
8 services.  
9

10 *Be it enacted by the Legislature of the State of Kansas:*

11 Section 1. (a) Commencing in fiscal year 2025, and each fiscal year  
12 thereafter, the Kansas department for aging and disability services shall  
13 increase reimbursement rates for providers of home and community-based  
14 services under the intellectual or developmental disability waiver provided  
15 by section 1915(c) of the federal social security act compared to such  
16 reimbursement rates for the prior fiscal year by the greater of:

17 (1) 2%; or

18 (2) the annual percentage increase in the consumer price index for  
19 urban wage earners and clerical workers for the immediately preceding  
20 calendar year, as published by the United States department of labor.

21 (b) The Robert G. (Bob) Bethell joint committee on home and  
22 community based services and KanCare oversight shall review the number  
23 of individuals waiting to receive home and community-based services  
24 under the intellectual or developmental disability waiver provided by  
25 section 1915(c) of the federal social security act during the committee's  
26 meetings in the third and fourth calendar quarters in 2021 and in January  
27 and April in 2022. The committee shall make findings and  
28 recommendations related to the committee's review and shall include such  
29 findings and recommendations in the written report submitted in  
30 accordance with K.S.A. 39-7,160, and amendments thereto, at the  
31 beginning of the 2022 and 2023 regular sessions of the legislature.

32 Sec. 2.

33 KANSAS DEPARTMENT FOR AGING  
34 AND DISABILITY SERVICES

35 (a) There is appropriated for the above agency from the state general

1 fund for the fiscal year ending June 30, 2022, the following:  
 2 KanCare non-caseloads (039-00-1000-0612)..... \$12,379,000  
 3 *Provided*, That, in addition to the other purposes for which expenditures  
 4 may be made by the above agency from the above account for fiscal year  
 5 2022, expenditures shall be made by such agency from such account  
 6 during fiscal year 2022 to provide a 7% reimbursement rate increase for  
 7 providers of home and community-based services under the intellectual or  
 8 developmental disability waiver provided by section 1915(c) of the federal  
 9 social security act.

10 Sec. 3.

11 KANSAS DEPARTMENT FOR AGING  
 12 AND DISABILITY SERVICES

13 (a) There is appropriated for the above agency from the state general  
 14 fund for the fiscal year ending June 30, 2023, the following:  
 15 KanCare non-caseloads (039-00-1000-0612)..... \$11,353,000  
 16 *Provided*, That, in addition to the other purposes for which expenditures  
 17 may be made by the above agency from the above account for fiscal year  
 18 2023, expenditures shall be made by such agency from such account  
 19 during fiscal year 2023 to provide a 6% reimbursement rate increase for  
 20 providers of home and community-based services under the intellectual or  
 21 developmental disability waiver provided by section 1915(c) of the federal  
 22 social security act.

23 Sec. 4.

24 KANSAS DEPARTMENT FOR AGING  
 25 AND DISABILITY SERVICES

26 (a) There is appropriated for the above agency from the state general  
 27 fund for the fiscal year ending June 30, 2024, the following:  
 28 KanCare non-caseloads (039-00-1000-0612)..... \$10,029,000  
 29 *Provided*, That, in addition to the other purposes for which expenditures  
 30 may be made by the above agency from the above account for fiscal year  
 31 2024, expenditures shall be made by such agency from such account  
 32 during fiscal year 2024 to provide a 5% reimbursement rate increase for  
 33 providers of home and community-based services under the intellectual or  
 34 developmental disability waiver provided by section 1915(c) of the federal  
 35 social security act.

36 Sec. 5. Sections 2 through 4 shall not be subject to the provisions of  
 37 K.S.A. 46-155, and amendments thereto.

38 Sec. 6. This act shall take effect and be in force from and after its  
 39 publication in the statute book.