

SENATE BILL No. 348

By Committee on Ways and Means

1-30

1 AN ACT concerning home and community-based services; increasing
2 provider reimbursement rates; relating to the intellectual or
3 developmentally disabled waiver; making and concerning
4 appropriations for the fiscal years ending June 30, 2021, June 30, 2022,
5 and June 30, 2023, for the Kansas department for aging and disability
6 services; directing the Robert G. (Bob) Bethell joint committee on
7 home and community based services and KanCare oversight to study
8 the waiting list for such services.
9

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

11 Section 1. (a) Commencing in fiscal year 2024, 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 developmentally disabled waiver
15 provided by section 1915(c) of the federal social security act compared to
16 such reimbursement rates for the prior fiscal year by the greater of:

17 (1) Two percent; 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, during the committee's
23 meetings in the third and fourth calendar quarters in 2020 and in January
24 and April in 2021, shall review the number of individuals waiting to
25 receive home and community-based services under the intellectual or
26 developmentally disabled waiver provided by section 1915(c) of the
27 federal social security act. 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 2021 and 2022 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
36 fund for the fiscal year ending June 30, 2021, the following:

1 LTC – medicaid assistance – NF (039-00-1000-0520)..... \$11,456,828
 2 *Provided*, That, in addition to the other purposes for which expenditures
 3 may be made by the above agency from the above account for fiscal year
 4 2021, expenditures shall be made by such agency from such account
 5 during fiscal year 2021 to provide a 7% reimbursement rate increase for
 6 providers of home and community-based services under the intellectual or
 7 developmentally disabled waiver provided by section 1915(c) of the
 8 federal social security act.

9 Sec. 3.

10 KANSAS DEPARTMENT FOR AGING
 11 AND DISABILITY SERVICES

12 (a) There is appropriated for the above agency from the state general
 13 fund for the fiscal year ending June 30, 2022, the following:

14 LTC – medicaid assistance – NF (039-00-1000-0520)..... \$10,507,548
 15 *Provided*, That, in addition to the other purposes for which expenditures
 16 may be made by the above agency from the above account for fiscal year
 17 2022, expenditures shall be made by such agency from such account
 18 during fiscal year 2022 to provide a 6% reimbursement rate increase for
 19 providers of home and community-based services under the intellectual or
 20 developmentally disabled waiver provided by section 1915(c) of the
 21 federal social security act.

22 Sec. 4.

23 KANSAS DEPARTMENT FOR AGING
 24 AND DISABILITY SERVICES

25 (a) There is appropriated for the above agency from the state general
 26 fund for the fiscal year ending June 30, 2023, the following:

27 LTC – medicaid assistance – NF (039-00-1000-0520)..... \$9,281,667
 28 *Provided*, That, in addition to the other purposes for which expenditures
 29 may be made by the above agency from the above account for fiscal year
 30 2023, expenditures shall be made by such agency from such account
 31 during fiscal year 2023 to provide a 5% reimbursement rate increase for
 32 providers of home and community-based services under the intellectual or
 33 developmentally disabled waiver provided by section 1915(c) of the
 34 federal social security act.

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

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