



EQUALITY ♦ LAW ♦ JUSTICE

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**February 11, 2025**  
**Senate Committee on Government Efficiency**  
**Opponent Testimony for SB161**

**Chair Erickson and members of the committee:**

My name is Mike Burgess. I am the Director of Policy & Outreach at the Disability Rights Center of Kansas (DRC). DRC is a public interest legal advocacy organization that is part of a national network of federally mandated organizations empowered to advocate for Kansans with disabilities. DRC is officially designated by the State of Kansas as Kansas' protection and advocacy system. DRC is a private, 501(c)(3) nonprofit corporation, organizationally independent of state government and whose focus is the protection and enhancement of the rights of Kansans with disabilities.

DRC is concerned about the additional process required under SB161 and the impact it would have on Kansans with disabilities who utilize the Medicaid waivers and state plan services.

This bill will definitely have a negative impact on the ability of KDADS to amend HCBS waivers in a timely manner. It will make an already difficult process even more difficult.

CMS requires a public comment period for any proposed changes. KDADS and KDHE provide opportunities for the public to learn more about any proposed changes to a waiver during those public comment periods. (I very much appreciate as it is nice to be able to learn about those changes and ask questions in these public forums.)

In the interest of process improvement, an idea I have shared previously is to have a document that clearly states all changes with a description of what the current language is, what the new proposed language is, and a plain language description of what the change does and why. This would be immensely helpful for people with disabilities, families, and all other stakeholders to help them to be able to provide helpful public comment on these waiver changes. KDADS has provided these on several occasions, but it would be helpful to ensure this is always a part of their waiver amendment processes and can be available prior to the public comment meetings so individuals with disabilities have a chance to process these prior to the meeting.

Thank you for the opportunity to share some of our concerns with SB161 along with one idea for process improvement. I would be happy to stand for questions at the appropriate time.