

Opponent Testimony

SB 161 - Requiring legislative approval prior to any state agency seeking or implementing a public assistance program waiver or other authorization from the federal government that expands eligibility for any public assistance program or increases cost to the state.

Senate Committee on Government Efficiency

Tuesday, February 11, 2025

Chair Erickson and Members of the Committee,

The Kansas Department for Aging and Disability Services is opposed to SB 161 as it could restrict the ability to execute the agency's mission to provide safety net services.

The requirement to seek legislative approval prior to amending and submitting state plans, and prior to implementing new federally funded programs could result in delays in funding or an inability to accept new funding. KDADS has successfully brought in millions of dollars in federal funds to the state to enhance or expand services, particularly in the behavioral health area. State plans, and their corresponding amendments, new federal regulations which may require a waiver, and new program opportunities typically do not correspond to Kansas legislative calendar.

There is already legislative oversight of Home and Community Based Services Waivers that KDADS administers as those require legislative appropriation. An example would be the addition by the House Social Services Budget Committee to launch the new Community Supports Waiver in FY 2026.

There is similar legislative oversight for entitlement State Plan Amendments as those are handled through consensus caseloads which has legislative representation. Non-entitlement State Plan Amendments that need additional appropriation should, for the most part, follow an appropriation process now, even if eventually adopted by caseloads. An example would be the Targeted Case Management rate increase enhancement last year. Other changes in other programs which draw down new federal funds or impact state funds are also reviewed during the agency's budget process.

Thank you for the opportunity to provide testimony.

Respectfully,

Secretary Laura Howard
Kansas Department for Aging and Disability Services