

SENATE BILL No. 154

By Committee on Ways and Means

2-4

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, 2021, and** June 30, 2022, ~~June 30, 2023,~~  
5 ~~and June 30, 2024,~~ 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 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(e) 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  
36 fund for the fiscal year ending June 30, ~~2022~~ **2021**, the following:

1 KanCare non-caseloads (039-00-1000-0612)..... ~~\$12,379,000~~**\$9,000,000**  
 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 ~~2022~~ **2021**, expenditures shall be made by such agency from such account  
 5 during fiscal year ~~2022~~ **2021** to provide a ~~7%~~ **5%** reimbursement rate  
 6 increase for providers of home and community-based services under the  
 7 intellectual or developmental disability waiver provided by section  
 8 1915(c) of the 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, ~~2023~~ **2022**, the following:  
 14 KanCare non-caseloads (039-00-1000-0612)..... ~~\$11,353,000~~ **\$12,401,150**  
 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 ~~2023~~ **2022**, expenditures shall be made by such agency from such account  
 18 during fiscal year ~~2023~~ **2022** to provide a ~~6%~~ **2%** reimbursement rate  
 19 increase for providers of home and community-based services under the  
 20 intellectual or developmental disability waiver provided by section  
 21 1915(c) of the 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, 2024, the following:~~  
 27 ~~KanCare non-caseloads (039-00-1000-0612)..... \$10,029,000~~  
 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 ~~2024, expenditures shall be made by such agency from such account~~  
 31 ~~during fiscal year 2024 to provide a 5% reimbursement rate increase for~~  
 32 ~~providers of home and community-based services under the intellectual or~~  
 33 ~~developmental disability waiver provided by section 1915(c) of the federal~~  
 34 ~~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.~~ **4.** This act shall take effect and be in force from and after its  
 38 publication in the statute book *Kansas register*.