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

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

Section 1. (a) Commencing in fiscal year 2024, and each fiscal year thereafter, the Kansas department for aging and disability services shall increase reimbursement rates for providers of home and community-based services under the intellectual or developmentally disabled waiver provided by section 1915(c) of the federal social security act compared to such reimbursement rates for the prior fiscal year by the greater of:

(1) Two percent; or

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

(b) The Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight, during the committee's meetings in the third and fourth calendar quarters in 2020 and in January and April in 2021, shall review the number of individuals waiting to receive home and community-based services under the intellectual or developmentally disabled waiver provided by section 1915(c) of the federal social security act. The committee shall make findings and recommendations related to the committee's review and shall include such findings and recommendations in the written report submitted in accordance with K.S.A. 39-7,160, and amendments thereto, at the beginning of the 2021 and 2022 regular sessions of the legislature.

Sec. 2.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:
LTC – medicaid assistance – NF (039-00-1000-0520) $11,456,828

Provided, That, in addition to the other purposes for which expenditures may be made by the above agency from the above account for fiscal year 2021, expenditures shall be made by such agency from such account during fiscal year 2021 to provide a 7% reimbursement rate increase for providers of home and community-based services under the intellectual or developmentally disabled waiver provided by section 1915(c) of the federal social security act.

Sec. 3.

KANSAS DEPARTMENT FOR AGING
AND DISABILITY SERVICES

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

LTC – medicaid assistance – NF (039-00-1000-0520) $10,507,548

Provided, That, in addition to the other purposes for which expenditures may be made by the above agency from the above account for fiscal year 2022, expenditures shall be made by such agency from such account during fiscal year 2022 to provide a 6% reimbursement rate increase for providers of home and community-based services under the intellectual or developmentally disabled waiver provided by section 1915(c) of the federal social security act.

Sec. 4.

KANSAS DEPARTMENT FOR AGING
AND DISABILITY SERVICES

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

LTC – medicaid assistance – NF (039-00-1000-0520) $9,281,667

Provided, That, in addition to the other purposes for which expenditures may be made by the above agency from the above account for fiscal year 2023, expenditures shall be made by such agency from such account during fiscal year 2023 to provide a 5% reimbursement rate increase for providers of home and community-based services under the intellectual or developmentally disabled waiver provided by section 1915(c) of the federal social security act.

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

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