Senate Resolution No. 1831


A RESOLUTION requesting that Governor Sam Brownback, the Secretary for Aging and Disability Services, the Department for Aging and Disability Services, the Secretary of Health and Environment and the Department of Health and Environment delay the implementation of the statewide KanCare program until July 1, 2013.

WHEREAS, Delay until July 1, 2013, will allow Governor Brownback’s administration to receive necessary stakeholder and public input on the implementation of the KanCare program by Managed Care Organizations; and

WHEREAS, Such delay will allow the appropriate state agencies the opportunity to determine whether the state of Kansas home and community based service programs, especially the services for the developmentally disabled, and community mental health programs should be included within the KanCare program; and

WHEREAS, Such delay will give more time for the members of the Kansas Legislature to study and determine, during the interim period after the 2012 regular session, the 2013 regular session and the interim period after the 2013 regular session, how medical care and long-term services and supports should be administered to low-income, the disabled and the elderly citizens of our state; and

WHEREAS, Such delay will give more time for the members of the Kansas Legislature to study and determine, during the interim period after the 2012 regular session, the 2013 regular session and the interim period after the 2013 regular session, how the proposed KanCare program would affect the operation of hospitals, pharmacies, doctors, dentists, nursing homes and long-term care providers in rural Kansas communities; and

WHEREAS, Such delay will give more time for the members of the Kansas Legislature to study and determine, during the interim period after the 2012 regular session, the 2013 regular session and the interim period after the 2013 regular session, how the proposed KanCare program would affect the operation of all hospitals and adult care facilities throughout Kansas; and

WHEREAS, Such delay will allow the members of the Kansas
Legislature the opportunity, during the interim period after the 2012 regular session, the 2013 regular session and the interim period after the 2013 regular session, to gather information on proposed KanCare programs, hold important committee meetings and provide oversight on the KanCare program so that appropriate case management practices are employed to ensure proper medical and long-term care decisions are made; and

WHEREAS, Such delay will allow the members of the Kansas Legislature and the Kansas Commissioner of Insurance and Insurance Department sufficient time to review and assess the pending United States Supreme Court ruling on the constitutionality of the Patient Protection and Affordable Care Act, 124 Stat. 119 through 124 Stat. 1025, and to determine how the ruling will impact the implementation and operation of the KanCare program in Kansas; and

WHEREAS, Such delay will allow all appropriate state agencies to obtain required federal waivers, to write appropriate implementation plans, and to communicate these implementation plans to the thousands of service providers and consumers of services in Kansas; and

WHEREAS, Such delay will allow the members of the Kansas Legislature the opportunity to ensure that the thousands of medical and long-term care providers under the state Medicaid plan have been properly trained to carry out the implementation and day-to-day requirements of the KanCare program and further ensure that the Managed Care Organizations in KanCare have put in place adequate procedures to ensure proper timing in the billing of claims and that timely payments to all providers have been made and properly accounted for:

Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we urge Governor Sam Brownback, the Secretary for Aging and Disability Services, the Department for Aging and Disability Services, the Secretary of Health and Environment and the Department of Health and Environment and all other appropriate state agencies to delay the implementation of the statewide KanCare program until July 1, 2013, in order to ensure that all participants and enrollees will continue receiving quality services under Medicaid programs and to ensure that all providers operate in a most efficient system; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the Governor of the State of Kansas, the Secretary for Aging and Disability Services and the Secretary of Health and Environment.