



COTTONWOOD
I N C O R P O R A T E D

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To The Bethell Committee,

As a concerned stakeholder deeply invested in the prosperity of individuals with Intellectual and Developmental Disabilities (IDD) in Kansas, I am compelled to address pressing issues surrounding capacity of the state's IDD system as well as the State's interpretation and application of CMS mandates. The current situation presents challenges that demand urgent attention and concerted action to ensure the dignity, rights, and quality of life for those affected by IDD. Compliance is warranted but should not be an opportunity for overreach.

Waiting List Capacity:

We are grateful for the additional funding that the 2024 Legislature earmarked to help ease the state of the current waiting list for IDD services. However, we have grave concerns regarding the ability of the Kansas system to have the capacity to serve additional individuals as we are still in the midst of a staffing crisis, due to current labor market challenges. While monies were appropriated to bring people off the waitlist, there has been virtually no collaborative planning with providers by the state and/or MCOs. Funding does not guarantee capacity when providers have been inadequately funded for years, coupled with the waiting list, and have not planned for growth.

Employment Options:

Preservation of all employment options, including center-based options, is vital for people with disabilities to have the opportunity to earn a fair wage, learn new skills, and lead a meaningful life. We applaud the efforts of the Legislature to increase the Supported Employment rate. We must develop a state-wide model to effectively utilize the new rate to increase Supported Employment services across the state in a way that is reasonable and financially appropriate as such a model is currently lacking and desperately needed. Furthermore, we must engage the Division of Vocational Rehabilitation as a collaborative partner in service delivery.

"We help people with disabilities shape their own futures."

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Conflict of Interest Concerns:

We understand the State's need to address CMS concerns around potential conflicts of interest in the IDD system. However, we have concerns about the work thus far by KDADS' contractor, Public Consulting Group (PCG). PCG has made recommendations for major system upheaval which will cause disruption of services to individuals and their families. There was no mention of how we might meet CMS requirements within the existing system.

We support KDADS' stated intent to hire a second consulting firm to review the work undertaken by PCG. We ask that robust oversight of these consultative efforts be undertaken to ensure that stakeholders' perspectives, questions, and concerns are thoroughly considered, answered, and addressed to ensure that those receiving critically important targeted case management services in the state do not experience unintended negative outcomes.

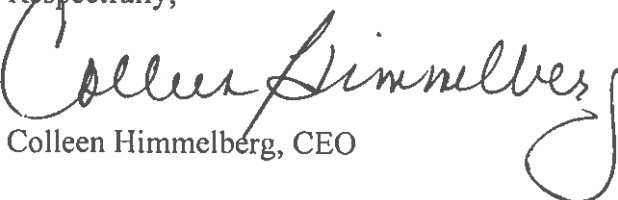
Call to Action:

In light of these critical issues, it is imperative that action be taken to address capacity within the Kansas IDD system. We believe a multi-faceted approach is warranted and Cottonwood is committed to help in this process.

1. **Waiting List Capacity:** Ensure proper planning and collaboration between providers, KDADS, and MCOs.
2. **Increase in Rates:** Consider additional rate increase to raise rates of pay and hence, grow capacity.
3. **Mitigation of Conflict of Interest Concerns:** Mitigate risk of extreme decisions that will negatively affect individuals and service providers based on KDADS interpretations of CMS' Final Settings Rule and conflict of interest concerns.
4. **Stakeholder Collaboration:** Meaningful engagement with stakeholders, including individuals with IDD, families, service providers, policymakers, and MCOs to develop holistic solutions that prioritize the needs and rights of IDD individuals including the preservation and further development of the full spectrum of voluntary employment options.

In conclusion, the urgency of addressing the capacity concerns within the Kansas IDD system cannot be overstated. Failure to act decisively will only perpetuate marginalization of some of the most vulnerable members of our society. It is incumbent upon us, as advocates and guardians, to rise to this challenge with resolve, compassion, and a steadfast commitment to developing sound policy and practice in Kansas.

Respectfully,



Colleen Himmelberg, CEO