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Testimony in support of continued and strategic long term investment in the IDD system

Madam Chair and Honorable Members of the Bethell Committee,

Thank you for the opportunity to provide testimony on the critical issue of building capacity and maintaining quality of care in the IDD system. To achieve these goals, we must remain vigilant in working together to address the challenges of the direct care workforce crisis and provider capacity limitations. The Kansas legislature has displayed their priority of supporting and expanding the IDD system through their recent rate adjustments and waitlist offers/attention. We thank you for joining us in investing in this life changing system and we ask that you maintain this priority and focus to make a true, significant difference in the system long term.

The recent investments in the IDD system rates have helped to fill some gaps and support providers in recovering from years of perpetual underfunding. Providers are still on that road to recovery and alongside this effort, are also working on finding ways to meet the needs of 500 additional Kansans with IDD coming off the waiting list. Professionals in the IDD field continue to invest in this system because we believe every individual with IDD should have access to the support needed to live their most independent and successful lives. However, we are constantly forced to balance quality and quantity of care.

I work for COF Training Services, serving Coffey, Osage, and Franklin counties. In 2018, after years of consistent understaffing (upwards of 57% DSP vacancies), our leadership had to make the difficult decision to close our doors to new service recipients. At that time, we had to acknowledge that although we wanted to help everyone who needed it, taking on more individuals when we didn't have enough staff to adequately support them had an inverse impact on the quality of services. At that time, we developed a capacity building strategic plan and anticipated that we would be able to open our doors again in a couple years. Some of the critical pieces of our plan included investing in recruitment, development, retention, and pay of our direct support workforce. Additionally, we explored technology and resources that would support us in optimizing DSP time and care. The goal we identified to reopen for referrals was to maintain full DSP staffing capacity for a minimum of six months. Though since then we have increased the earning capacity of our DSPs by an average of \$11.25 per hour, invested 100% of rate increases into DSP wages and benefits, and invested in our company culture, we have yet to reach our capacity building goal. Direct Support Professionals are the backbone of our service delivery system, providing essential support that enables individuals with IDD to lead fulfilling lives. We cannot make the impact we aim to make, without our DSPs.



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Importance of Ongoing, Regularly Scheduled Rate Adjustments

One of the primary factors contributing to this crisis is the inadequacy of current wage rates for DSPs. To address this, it is imperative that the state implements ongoing, regularly scheduled rate adjustments. Such adjustments are crucial for several reasons:

1. **Competitive Wages:** Regular rate adjustments will ensure that DSP wages remain competitive in the labor market, attracting and retaining skilled workers who are committed to providing high-quality care.
2. **Cost of Living:** As the cost-of-living increases, so must the wages of those who provide essential services. Regular adjustments will help DSPs meet their own financial needs, reducing turnover and increasing job satisfaction.
3. **Service Quality:** Adequate compensation directly impacts the quality of care provided. When workers feel valued and fairly compensated, they are more likely to be engaged and motivated, which translates to better outcomes for individuals with IDD.

Rate Adjustments Responsive to Regulatory Changes

In addition to regular adjustments, it is vital that rate adjustments are responsive to regulatory changes. Specific regulatory considerations include:

1. **Federal Overtime Rule:** The implementation of the Federal Overtime Rule increases the salary threshold and HCBS providers are expected to immediately comply with these standards. Without corresponding rate adjustments, providers may face financial strain, leading to reduced service capacity or compromised quality of care.
2. **Final Rule Adjustments:** Regulatory changes such as the Centers for Medicare & Medicaid Services (CMS) Home and Community-Based Services (HCBS) Final Rule necessitate compliance with enhanced standards for community integration and person-centered planning. Compliance with these standards often requires additional training, resources, and staffing, all of which come at a cost that must be reflected in provider rates.
3. **14c Transition Expectations:** The phasing out of 14c certificates, which allow employers to pay subminimum wages to workers with disabilities, requires significant adjustments. As providers transition to competitive, integrated employment models, they must be supported with adequate funding to ensure successful implementation and sustainability.

Impact on Provider Capacity

Addressing the staffing crisis and ensuring appropriate rate adjustments is not just about fair wages; it is also about sustaining and expanding provider capacity. Without a stable and adequately compensated workforce, providers cannot expand their services to meet the growing



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needs of the IDD community. This stagnation hinders innovation, limits access to care, and ultimately affects the quality of life for individuals with IDD.

Conclusion

In conclusion, addressing the Direct Support Worker staffing crisis through ongoing, regularly scheduled rate adjustments and responsive rate adjustments to regulatory changes is essential for the sustainability and improvement of IDD services in Kansas. By taking these steps, we can ensure that individuals with IDD receive the high-quality care they deserve, and that providers are equipped to meet the evolving needs of our community.

I urge the Committee to prioritize this issue and take decisive action to support the dedicated workforce that is critical to the well-being of individuals with intellectual and developmental disabilities.

Thank you for your consideration.

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