



**ADMINISTRATIVE OFFICE**

June 18, 2024

To: Representative Brenda Landwehr and  
Members of the Bob Bethell Joint Committee on HCBS and KanCare Oversight

From: Jerry Michaud, President / CEO, Developmental Services of Northwest Kansas, Inc. *Jm.*

Re: The Kansas IDD System – Concerns

Chair Landwehr and members of the committee, thank you for the opportunity to share this written testimony regarding the current Community IDD Service System in Kansas.

My name is Jerry Michaud and I am the President of Developmental Services of Northwest Kansas (DSNWK), a non-profit organization serving 550 individuals with intellectual and developmental disabilities (IDD) in northwest Kansas for over 55 years. I am grateful for the opportunity to share some insights on the current IDD service system in Kansas and the importance of keeping this system strong.

Community Services are vitally important and organizations like DSNWK and others across our state have been working collaboratively together for decades in partnership with the state of Kansas and KDADS and other state departments to serve people with IDD. During this last legislative session, positive outcomes occurred for many of these individuals who have been waiting for community services for years. For 500 plus individuals, they will soon be able to see the light for their long-awaited services to begin. Thank you for your leadership and support.

The community system continues to face monumental challenges in the area of workforce and capacity. This community IDD system has been held together by strong principles and hard work, for decades. This same locally established system has worked collaboratively with the state to create community options, when institutional approaches were the norm. This system is now facing proposed structural changes by the State as a 'fix' for the optics of Conflict of Interest. There is growing concern regarding the planned strategies of the state to respond to CMS's requirements. These state-shared strategies have the potential to create more harm than good, to improve such optics. With these proposed changes, the roles of Targeted Case Management (TCM) and Community Developmental Disabilities Organization (CDDO) duties, for organizations like DSNWK, may be structurally prohibited from continuing these duties and functions (TCM and CDDO), based on the concern surrounding the potential for conflict of interest. Other mitigation alternatives are available to the State.

In Kansas, of all places, we know and understand that we need to be practical minded good stewards, resourceful and perform multiple roles and wear multiple hats every day. This is true whether in farming, in business, or in the community IDD system. Being versatile has been a strength, has held down costs and remaining so is vitally important as we face the opportunity and challenge of serving more people in our IDD community system, while combating workforce shortages and locating experienced hands that are harder and harder to find.

We know and understand what mission, focus and purpose mean and the importance of maintaining integrity when performing the varied roles and duties. So to be clear, there is no question about the need to have strong oversight as a mitigating strategy, for it makes a strong system remain strong.

The conflict of interest argument raised regarding TCM and CDDO is something akin to our lives. With both of these responsibilities and functions, interest is in the wellbeing of people with IDD and maintaining a strong and sustainable system that helps meet their needs. To where is the conflict when the outcomes are consistent with the law that honors options and choice.

One can look back over the years and see how these distinct roles and services, now targeted as 'conflicted', are the very services, when underfunded, strained and challenged, continued forward because of the mission driven interest and focus it has been built upon.

With the noted challenges and even new ones, like the federal Department of Labor's overtime rule change that mandates higher salary thresholds without the new resources to pay for them, there is much work to do. Our focus, in all of this, should be on strengthening our system, not dismantling it.

We respectfully urge the Committee to challenge the State of Kansas to seek CMS resolution strategies that preserve and strengthen the current community IDD system. This can be accomplished through system oversight that strengthens the current mitigation strategies that already address the potentials for conflicts of interest.

Thank you for your leadership and continued oversight on behalf of the Kansas IDD community service network and for all those supported by it.