

# I/DD Program Bulletin



Lunch and Learn Calls for **consumers, advocates** and other **stakeholders** are every other Wednesday at 12:00 p.m.

Email questions to:  
[kancare.ombudsman@kdads.ks.gov](mailto:kancare.ombudsman@kdads.ks.gov)

Please check the Bulletin for updated information regarding the

## DOL Final Rule

Public Information Sessions set for  
**November 12-14th**

Lunch and Learn Calls for **providers** will be held every other week, on Monday's from 11:00 a.m. to 12:00 p.m.

Email questions to:  
[providerforum@kdads.ks.gov](mailto:providerforum@kdads.ks.gov)

## Bulletin Update for October 22, 2014

- + DOL Update Regarding the Final Rule
- + Upcoming Public Stakeholder Meetings
- + Policy Updates: KS Authenticare/TPL and Client Obligations
- + Interhab Presentations - overview
- + I/DD and TBI Waiver Renewal Update
- + Updates for Lunch and Learn Calls
- + General Information

- + **DOL update regarding the Final Rule:** On October 7, 2014, the Department of Labor announced a six-month delay in enforcement of the Final Rule related to minimum wage and overtime. This delay will allow states to work towards compliance and find solutions to preserve protections for aging and disabled individuals receiving Medicaid-funded supports and identify strategies to ensure workers receive the protections under the FLSA.

“Governor Brownback was quick to recognize that the DOL’s new interpretations of FLSA rules would have a significant effect on the Kansas HCBS system and its stakeholders. Then he went to bat for Kansans and remained actively involved as our discussions with DOL unfolded. The State of Kansas will carefully review the newly announced policy.

“Secretary Bruffett is grateful that it now appears the DOL understands the impact of its new interpretations of FLSA rules. The voice of self-directed consumers in Kansas, whose care and services would be the most affected by the new interpretations, undoubtedly played an important role in the DOL’s announcement today.”

### For public comments on the possible changes:

1. You can call our offices at 785.296.4986
2. You can email us at [hcbs-ks@kdads.ks.gov](mailto:hcbs-ks@kdads.ks.gov)
3. You can write a letter to KDADS, 503 S. Kansas Ave, Topeka, KS 66603, Attn: DOL Rule

**For more information:** Visit the DOL website at [www.dol.gov/whd/homecare](http://www.dol.gov/whd/homecare) to see the policy.

## ✚ Upcoming Stakeholder Public Meetings – Save The Dates

KDADS will be hosting another round of public informational meetings on November 12, 13, 14. Times and locations are still being finalized so please check in with [www.kdads.ks.gov](http://www.kdads.ks.gov) frequently for updates. The finalized information will be posted as soon as locations and times are confirmed.

## ✚ Policy Updates:

- **KS Authenticare®:** Please review two-page information and FAQ document related to Third Party Liability enhancements and the recent KS Authenticare® updates.
- **Client Obligation:** Effective with eligibility dates November 1, 2014, when assigning client obligations, the following services are generally excluded:

<u>Codes</u>	<u>Service</u>	<u>HCBS Program</u>
H2015	Autism Specialist	Autism Waiver
T2040 U2	FMS – Admin	FE, I/DD, TBI, MFP, TA, PD
S5170	Meals Providers	PD, MFP, TBI
T1002	Interim Med Services	TA
S5160	PER- install, Home	FE, PD, MFP, TBI
S0315	Telehealth - install	FE, MFP
S5161	PER	FE, I/DD, PD, MFP, TBI
S5190	Wellness Monitoring	I/DD, PD, MFP
S5185	Medication Reminder	TBI
T1505 UB	Med Reminder Dispenser	TBI
T1505	Med Reminder Install	TBI
T1017	Targeted Case Management	I/DD

- MCOs will notify consumers and providers of the assigned client obligations. Please see earlier bulletins for detailed information about the policy.

## ✚ Interhab Presentations:

- **Conflict Free Case Management** – the presentation on Conflict Free Case Management provided overview of the federal regulation issued January 17, 2014, and effective March 17, 2014, regarding CMS expectations that case management will be free of conflicts of interests with case management separate from the functional assessment and care planning unless there are CMS-approved administrative firewalls in limited situations
- **Competing Federal Priorities** – the presentation on the CMS and DOL Final Rules and the ACA’s potential impact on FMS provided an overview of the federal regulations, expected timelines, and potential impact of those rules as they compete with each other for priority in complex system design decisions the state is making regarding HCBS services.
- **Shared Living** – the presentation on Shared Living provided historical view of shared living in the United States and Kansas while providing highlights about the system design changes and opening discussion between the attendees and current shared living providers in Kansas.
- **HCBS IDD Overview** – the presentation on the HCBS-IDD Program provided an overview of system policies and procedures with a review of current practices within our system.

*These presentations will be posted on the KDADS website under “Provider Information” under the “HCBS Provider” tab under the Training link. For questions or additional information, please email [HCBS-KS@kdads.ks.gov](mailto:HCBS-KS@kdads.ks.gov) for more information.*

- ✚ **IDD and TBI Waiver Renewal Update:** The Centers for Medicare and Medicaid has granted the State of Kansas a second temporary extension (through December 27, 2014) for the submission of waiver applications for the renewal of the I/DD and TBI HCBS waivers. This extension grants the State additional time to submit an application that comports with the HCBS transition plan requirements.

## Lunch and Learn Calls:

Registration for the calls is required (and must be completed by the day prior to the call). Registration can be completed online at: [http://www.kdads.ks.gov/CSP/IDD/KanCare\\_Imp/IDD\\_Implementation\\_Calendar.html](http://www.kdads.ks.gov/CSP/IDD/KanCare_Imp/IDD_Implementation_Calendar.html)

To register visit the KDADS website at [www.kdads.ks.gov](http://www.kdads.ks.gov)

### Call in Information for Consumer and Provider calls:

✚ Call in Number: 1.866.620.7326

✚ Conference Code: 4283583031

✚ **For Providers:** Calls are scheduled for every other Monday from 11:00 a.m. to 12:00 p.m. The next call will be on Monday, November 3<sup>rd</sup> and 17<sup>th</sup>. Callers may continue to submit questions to [PROVIDERFORUM@kdads.ks.gov](mailto:PROVIDERFORUM@kdads.ks.gov). If you experience difficulty registering for the Lunch and Learn calls you may also register by sending your name in an email to [providerforum@kdads.ks.gov](mailto:providerforum@kdads.ks.gov).

✚ **Lunch and Learn Calls for Consumers and Other Stakeholders:** Calls will continue on every other Wednesday from 12:00 to 12:50 for consumers and family members. Please send questions by email to [KanCare.Ombudsman@kdads.ks.gov](mailto:KanCare.Ombudsman@kdads.ks.gov) or call the KanCare Ombudsman's office at 855.643.8180.

Dates for upcoming calls and topics that will be discussed:

- November 5, 2014 HCBS Final Rule/Department of Labor Rule
- **November 19, 2014 Shared Living - NEW**
- December 3, 2014 Grievances Process
- December 17, 2014 TBA

✚ **Monthly Calls with Targeted Case Managers:** Monthly calls are held on the third Tuesday of each month. The next call will be held on November 18<sup>th</sup> from 3:00 pm to 4:00 pm. Questions can be e-mailed to [HCBS-KS@kdads.ks.gov](mailto:HCBS-KS@kdads.ks.gov). To ensure your question is delivered appropriately, please use the Subject Line: "TCM Conf. Call"

✚ Call in Number: 1.866.620.7326

✚ Conference Code: 2850442124

## Communication/Information: Please continue to use the following information.

Notifications and communication for all HCBS programs should be uploaded in KAMIS and submitted to [hcbs-ks@kdads.ks.gov](mailto:hcbs-ks@kdads.ks.gov) with the appropriate subject line (see the last IDD Bulletin)

- The CDDO should submit any documentation submitted to the CDDO, which was used as a part of its decision to recommend approval to KDADS, and include the following minimum requirements:
  - The I/DD Notification Form -
  - The Person Centered Support Plan (*note: it must have been updated in last 365 days*)
  - The Behavior Management Plan (if applicable) – *if the request includes behavior concerns*
  - DCF Information (if indicated) – *if related to CPS or APS involvement*
  - List of community resources that were exhausted prior to submitting the crisis to KDADS
  - MCO recommendation of Medicaid-funded supports and services – *if Medicaid eligible*
- KDADS will send an NOA (to approve or deny a request) to the consumer and guardian (if applicable) and copy the CDDO and MCO (when applicable). Access to services will not be approved retroactively. If the request is emergent, the CDDO should request an expedited review. KDADS will send the 3160 to DCF.
- For any questions or issues related to Crisis and Exception requests, please contact Kimberly Pierson at [Kimberly.Pierson@kdads.ks.gov](mailto:Kimberly.Pierson@kdads.ks.gov).