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To: Health and Human Services Committee  
From: Linda Lubensky, Executive Director, Kansas Home Care Association  
Date: February 1, 2005  
Re: HB 2086, an Act concerning home health agencies, relating to surveys

On behalf of the Kansas Home Care Association, I appreciate this opportunity to comment on HB 2086, an act which would extend the home health survey period to “at least once every 36 months.”

In 1996, CMS created new survey frequency requirements for Medicare certified agencies. The new requirements included a 36-month frequency for those agencies that had received no deficiencies in their previous survey. However, CMS also delineated criteria for determining the need for shorter survey frequencies. It was left to the state survey agency to decide frequency for those agencies that had standard level or other deficiencies, changes in management or ownership, complaints, etc. There were even provisions for random mid-cycle surveys.

That system has worked well for the Medicare certified agencies in Kansas, as well as nationally. Consequently, in light of the ongoing need to conserve resources, KHCA has no objections to applying the 36-month frequency concept to all the agencies in our state. Our only concern might be that this bill is minimal and does not contain any details. We would hope that KDHE would utilize criteria, similar to that established by CMS, to determine when shorter frequencies are necessary to insure client safety and quality of care.

I would be happy to answer any questions that the committee requires.