



ASSISTING INDIVIDUALS WITH DISABILITIES ALONG LIFE'S JOURNEY

P.O. Box 266
1200 Merle Evans Drive
Columbus, Kansas 66725
michael@classltd.org
620.429.1212 .x101

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Senator Beverly Gossage
Special Committee Chair
Kansas State Capitol
300 SW 10th St.
Room 445-S
Topeka, Kansas 66612

Dear Senator Gossage & Special Committee Representatives,

This serves as CLASS LTD's response to the Special Committee's request for feedback regarding Kansas' I/DD waiver rates.

For context, CLASS LTD is a 501(c) (3) nonprofit Agency which was established in 1975 and has five service locations in four counties in Southeastern Kansas. Currently there are 167 employees serving approximately 300 clients (hereinafter referred to as consumers) who have intellectual and/or developmental disabilities. It is vital to note CLASS LTD's reply *is not* intended to undermine the value of the current I/DD waiver rates, rather this is *an attempt* to address several fiscal disparities the Leadership Team identified which adversely impacts the operational budget and significantly hinders our ability to provide an exemplar level of care to our consumers.

From these perspectives, CLASS LTD is hyper focused on advancing our Mission of *assisting individuals with disabilities along life's journey* and the Leadership Team has conducted a thorough analysis and identified numerous issues with the I/DD waiver rates.

CLASS LTD's direct support professionals are trained to work with consumers who often have extreme medical fragility and exhibit one-or-more behaviors across a continuum. Once a consumer's behavior(s) are identified, systematic supports are implemented to help manage these behavior(s).

Under Kansas' I/DD waver rate model, the consumer will eventually transition, for example, from a *Tier II* to *Tier III*, because the specific behavior(s) are managed *but are not extinct*. Rather than being nefarious and falsely reporting behavior(s) that are managed, CLASS LTD receives less reimbursement because direct support professionals are successfully supporting our consumers. Unfortunately, the costs associated with providing the consumer direct support services have not decreased, but exponentially increased.

Essentially, the current model promotes and expects CLASS LTD to provide the same level of competent care with less reimbursement. Further, decreasing direct support based on reduction in funding for a consumer who transitions *Tiers*, would potentially result in the consumer reverting to behavior(s) that were once manageable.

Rather than providing an exhaustive list of scenarios, below are three (3) examples of how the Kansas' I/DD waver rates negatively impact CLASS LTD's operational budget:

1. The incurred costs associated with supporting a *Tier III* consumer who requires 24-hour one-on-one direct professional support due to their significant comorbid medical diagnoses far exceed the *Tier III* reimbursement rate CLASS LTD currently receives equating to an **(\$85,443.53)** annual deficit.

A leader leads by example not by force.
Sun Tzu

2. The incurred costs associated with supporting a *Tier I* consumer who requires 24-hour one-on-one direct professional support due to their significant behaviors and comorbid medical diagnoses far exceed the *Tier I* reimbursement rate CLASS LTD currently receives equating to an **(\$68,000.00)** annual deficit.
3. The incurred costs associated with supporting a *Super Tier* consumer who requires 24-hour one-on-one direct professional support due to their significant comorbid medical diagnoses and behaviors far exceed the *Super Tier* reimbursement rate CLASS LTD currently receives equating to an **(\$38,277.00)** annual deficit.

Given Kansas' *Wait List* consists of 5000+ individuals with intellectual and/or developmental disabilities, CLASS LTD's Leadership Team recommends adopting a ***new and sustainable*** model which provides funding for ***all*** eligible consumers (see Table 1 for *Services & Recommended Rates*):

- ***First.*** Revamp the assessment protocol to help ensure consumers meet Home & Community Based Services eligibility requirements while simultaneously ***not penalizing*** agencies for successfully providing quality services and decreasing behavior(s).
- ***Second.*** Under this new model, ***with the exception of Extraordinary Funding***, reallocate monies so ***all*** agencies providing direct support services for I/DD populations would receive reimbursement for ***all*** eligible consumers.
- ***Third.*** Reevaluate *Super Tier* because this appears to slightly reduce the fiscal impact and does not significantly benefit an agency. It is highly recommended to transition *Super Tier* one-one-one consumers to *Extraordinary Funding*.
- ***Fourth.*** Increase *Extraordinary Funding* reimbursement rates so agencies can functionally cover the direct service and administrative costs for ***all*** 24-hour one-on-one consumers.
- ***Fifth.*** Evaluate the new model biannually and make provisions to proactively address cost-of-living increases, hyperinflation, and/or other societal issues/trends (i.e., staffing crisis).

Table I: *Services & Recommended Rates*

Service:	Recommended Rates
• Day Services (15 Minute Units)	\$5.35*
• Residential (Day)	\$180.86*
• Extraordinary Funding (24-Hour)	\$975.00*

* Adjust biannually for cost-of-living increases

CLASS LTD's Leadership Team greatly appreciates the Special Committee dedicating time and attention to this important funding issue and look forward to collaborating with you to achieve our mutually aligned mission of meeting the unique needs of individuals with intellectual and/or developmental disabilities!

Please let me know if you have any questions via email or call 620.429.1212 .x101 if I can be of service now or in the near to distant future.

Respectfully,



Michael Fitzpatrick, Ph.D.
President & CEO