

## **Senate Resolution No. 1831**

By Senators Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Kelly, Kelsey, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger and Vratil

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1 A RESOLUTION requesting that Governor Sam Brownback, the  
2 Secretary for Aging and Disability Services, the Department for Aging  
3 and Disability Services, the Secretary of Health and Environment and  
4 the Department of Health and Environment delay the implementation  
5 of the statewide KanCare program until July 1, 2013.  
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7 WHEREAS, Delay until July 1, 2013, will allow Governor  
8 Brownback's administration to receive necessary stakeholder and public  
9 input on the implementation of the KanCare program by Managed Care  
10 Organizations; and

11 WHEREAS, Such delay will allow the appropriate state agencies the  
12 opportunity to determine whether the state of Kansas home and  
13 community based service programs, especially the services for the  
14 developmentally disabled, and community mental health programs should  
15 be included within the KanCare program; and

16 WHEREAS, Such delay will give more time for the members of the  
17 Kansas Legislature to study and determine, during the interim period after  
18 the 2012 regular session, the 2013 regular session and the interim period  
19 after the 2013 regular session, how medical care and long-term services  
20 and supports should be administered to low-income, the disabled and the  
21 elderly citizens of our state; and

22 WHEREAS, Such delay will give more time for the members of the  
23 Kansas Legislature to study and determine, during the interim period after  
24 the 2012 regular session, the 2013 regular session and the interim period  
25 after the 2013 regular session, how the proposed KanCare program would  
26 affect the operation of hospitals, pharmacies, doctors, dentists, nursing  
27 homes and long-term care providers in rural Kansas communities; and

28 WHEREAS, Such delay will give more time for the members of the  
29 Kansas Legislature to study and determine, during the interim period after  
30 the 2012 regular session, the 2013 regular session and the interim period  
31 after the 2013 regular session, how the proposed KanCare program would  
32 affect the operation of all hospitals and adult care facilities throughout  
33 Kansas; and

34 WHEREAS, Such delay will allow the members of the Kansas

1 Legislature the opportunity, during the interim period after the 2012  
2 regular session, the 2013 regular session and the interim period after the  
3 2013 regular session, to gather information on proposed KanCare  
4 programs, hold important committee meetings and provide oversight on  
5 the KanCare program so that appropriate case management practices are  
6 employed to ensure proper medical and long-term care decisions are  
7 made; and

8 WHEREAS, Such delay will allow the members of the Kansas  
9 Legislature and the Kansas Commissioner of Insurance and Insurance  
10 Department sufficient time to review and assess the pending United  
11 States Supreme Court ruling on the constitutionality of the Patient  
12 Protection and Affordable Care Act, 124 Stat. 119 through 124 Stat. 1025,  
13 and to determine how the ruling will impact the implementation and  
14 operation of the KanCare program in Kansas; and

15 WHEREAS, Such delay will allow all appropriate state agencies to  
16 obtain required federal waivers, to write appropriate implementation  
17 plans, and to communicate these implementation plans to the thousands  
18 of service providers and consumers of services in Kansas; and

19 WHEREAS, Such delay will allow the members of the Kansas  
20 Legislature the opportunity to ensure that the thousands of medical and  
21 long-term care providers under the state Medicaid plan have been  
22 properly trained to carry out the implementation and day-to-day  
23 requirements of the KanCare program and further ensure that the  
24 Managed Care Organizations in KanCare have put in place adequate  
25 procedures to ensure proper timing in the billing of claims and that timely  
26 payments to all providers have been made and properly accounted for:  
27 Now, therefore,

28 *Be it resolved by the Senate of the State of Kansas:* That we urge  
29 Governor Sam Brownback, the Secretary for Aging and Disability  
30 Services, the Department for Aging and Disability Services, the Secretary  
31 of Health and Environment and the Department of Health and  
32 Environment and all other appropriate state agencies to delay the  
33 implementation of the statewide KanCare program until July 1, 2013, in  
34 order to ensure that all participants and enrollees will continue receiving  
35 quality services under Medicaid programs and to ensure that all providers  
36 operate in a most efficient system; and

37 *Be it further resolved:* That the Secretary of the Senate shall send an  
38 enrolled copy of this resolution to the Governor of the State of Kansas,  
39 the Secretary for Aging and Disability Services and the Secretary of  
40 Health and Environment.