

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairperson Mary Pilcher-Cook at 1:30 pm on Tuesday, January 27, 2015, 118-N of the Capitol.

All members were present

Committee staff present:

Iraida Orr, Legislative Research Department
Randi Walters, Kansas Legislative Committee Assistant
Whitney Howard, Legislative Research Department
Rena Jefferies, Office of Revisor of Statutes
Nobuko Folmsbee, Office of Revisor of Statutes

Conferees appearing before the Committee:

Commissioner Gina Meier-Hummel, LMSW, Kansas Department for Aging and Disability Services (KDADS)

Dan Bryan, Principal Auditor, Kansas Legislative Division of Post Audit

Others in attendance:

[See Attached List](#)

Bill introductions

Chairperson Pilcher-Cook opened the meeting for bill introductions.

Nancy Clarkson, Arkansas City, introduced the Kansas disclosure of unanticipated medical outcomes and medical errors act and described the bill. With no objection, the bill was introduced.

Informational hearing:

Chairperson Pilcher-Cook opened the informational hearing regarding the audit of Community Developmental Disability Organizations (CDDOs).

Commissioner Gina Meier-Hummel, KDADS, briefed the committee on the Centers for Medicare and Medicaid Services' (CMS) rules regarding conflict of interest. The Commissioner indicated that in January of 2015, CMS came out with new rules. She stated that there has to be separation from folks that do assessments versus folks who provide services versus folks who do the planning. Commissioner Meier-Hummel described what has transpired in response to the new rules, and stated that she believed that the CDDOs themselves have taken a number of actions. No written testimony was provided.

Dan Bryan, Legislative Division of Post Audit, provided an overview of the Performance Audit Report: *CDDOs: Reviewing Issues Related to Community Services Provided for Individuals with Disabilities*, dated March 2014. Mr. Bryan presented the findings, conclusions, and recommendations from the completed report. The report can be found on the Kansas Legislative Post Audit website. Mr. Bryan indicated that they had several recommendations through the report. He stated regarding Question 1 on Page 13 of the report, that overall the agencies agree with most of their findings. For Question 2 on

CONTINUATION SHEET

MINUTES of the Committee on Public Health and Welfare at 1:30 pm on Tuesday, January 27, 2015, 118-N of the Capitol.

Page 33 of the report, the CDDOs, InterHab (an association that represents most CDDOs) and KDADS all disagreed with the finding that the money spent on InterHab membership dues was not allowable. Mr. Bryan indicated that they went back and addressed the Post Audit Committee to get a formal opinion from CMS. Mr. Bryan provided a copy of the response from CMS that agreed that using that money is a non-allowable expense. ([Attachment 1](#))

After questions from the committee were answered, the hearing continued with comments from KDADS.

Commissioner Meier-Hummel addressed the audit and highlighted what has been done to respond to the concerns and recommendations of the audit.

The meeting was adjourned at 2:13 p.m.

The next meeting is scheduled for January 29, 2015.