



**Developmental
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GERARD L. MICHAUD, President

March 11, 2025

TO: Senator Renee Erickson, Chair, and Members of the Committee on Government Efficiency

FROM: Gerard L. (Jerry) Michaud, President/CEO, Developmental Services of Northwest Kansas, Inc. (DSNWK)

RE: Hearing on HB 2240

Chair Erickson and members of the Committee on Government Efficiency,

My name is Jerry Michaud and I am the President of Developmental Services of Northwest Kansas (DSNWK), a non-profit organization serving 550 individuals with intellectual and developmental disabilities (IDD) for over 55 years. I am grateful for the opportunity to share some insights on the IDD system as well as share the critical need for legislative support for these essential community services in Kansas for people with IDD.

I offered testimony on February 11th before this committee regarding SB 161 and HB 2240 before the House Committee on Welfare Reform that same day. At that time I shared some of the history of the Community Service System in Kansas which began taking root in the 1950s and 1960s with parents urging their local communities to develop resources and supports for their sons and daughters and that DSNWK began its work in 1967. Our community system has stood the test of time because it has remained grounded on a bedrock of core principles and values that have helped it remain on mission.

The partnerships between local county commissions and non-profit organizations like DSNWK continues to operate and is managed at the local level. These local relationships remain connected with state and federal partners, like the Kansas Department for Aging and Disability Services (KDADS) and the Centers for Medicare and Medicaid Services (CMS). The Kansas Legislature, in the mid 1990's, embodied these relationships, roles and responsibilities into law and frankly they have stood the test of time. Our system has overlapping responsibilities while also having overlapping oversight. Both administratively and through direct services, we have built-in structures which provide appropriate firewalls that have effectively mitigated any potential conflicts of interest. There are pathways for reporting concerns and there are multiple methods that collect information from the individuals in services, as well as state and MCO oversight of those services. We have been effectively and efficiently serving people with IDD in their local communities both administratively and operatively. The legislature then, and today, have recognized the value and commitment of mission driven organizations like ours across the state. The Developmental Disability Reform Act (DDRA), remains a bedrock, common-sense law, with safeguards to mitigate conflicts, designed to be the strong base for the community IDD services.

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Roles/Functions: Organizations like DSNWK serve in multiple capacities, including that of a Community Developmental Disability Organization (CDDO) as well as providing direct services for individuals with IDD. In the CDDO system, the processes and expectations are applied similarly for all organizations who provide service within the CDDO area and all are evaluated consistently and thoroughly through a comprehensive quality assurance (QA) process. KDADS staff are informed of all of these QA efforts and outcomes. In addition, KDADS and CDDOs participate in another quality assurance process referred to as the Peer Review process. This Peer Review process is designed to ensure the system is operating well, and is another mitigating factor regarding potential conflicts of interest. Our “interest”, as an organization from our beginning through today, is embodied in our mission - to ensure the principles of the DDRA are honored and that people with IDD have choice. Implementing services that support those choices, in the most efficient and best way possible, is the desired outcome of that interest.

Wearing multiple hats is required in most every business. Doing so, businesses better manage their costs, and they are more nimble, effective and efficient. I believe this is also true for our current Kansas IDD service system, where the funding to cover those costs comes through the Kansas Legislature.

Since the passage of HB 2240 and SB 161 (similar bills), leadership at KDADS has come to the discussion table. With InterHab engagement and support, three workgroups (WG) have begun to take form. The focus areas include, a WG on Medicaid Functional Eligibility Instrument (MFEI) assessment, a WG on the Unbundling of Day Services and finally a WG on the perceived Conflict of Interest issues (CDDO and Targeted Case Management).

There are many aspects and questions that are still needing development and I am hopeful that through these workgroups (and subgroups) we'll make progress and achieve outcomes that will be values-driven and common sense based. The outcomes of modernization should not mean abandoning that which is grounded, mitigated and working. There have been concerns shared in prior hearings that call for extra eyes to ensure all goes well.

Although positive steps have started, I believe the direct involvement and support of the Legislature remains important to ensure that the Kansas plan for meeting CMS requirements is one that continues to engage the IDD service system in developing practical and accomplishable solutions. A relevant and common phrase important for individuals with IDD is, ‘Nothing about us, without us’ and this remains true for the IDD service system and any initiatives put into place to modernize it. **We remain diligent in our long-standing commitment to working collaboratively with KDADS to meet requirements and with the Legislature in serving and supporting essential community services for persons with IDD in Kansas.**

Our Mission to serve people with IDD in Northwest Kansas continues as does our need for Legislative oversight and support of the IDD community system; necessary to ensure our system remains compliant and strong. Thank you for your leadership in these extraordinary times. On behalf of individuals with intellectual and developmental disabilities, their families and the staff throughout the state who support them - Thank you!