

February 11, 2025

The Honorable Sean Tarwater, Chairperson  
House Committee on Commerce, Labor and Economic Development  
300 SW 10th Avenue, Room 346-S  
Topeka, Kansas 66612

Dear Representative Tarwater:

**SUBJECT:** Fiscal Note for HB 2310 by House Committee on Commerce, Labor and Economic Development

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2310 is respectfully submitted to your committee.

HB 2310 would amend the CARES Act with the intent to increase support and management of direct support workers, as well as recruit more direct support workers. In partnership with the Kansas Department of Education, the Kansas Department for Aging and Disability Services (KDADS) would develop career education programs for use in high schools and community colleges that inform students about direct support professional careers. The bill would include the partners and outline the content for these programs.

The bill would require KDADS to adopt a performance-based contract program which would measure and implement improvements based on management quality. The bill would include goals which would be implemented for direct support staff quality improvements. The bill would require that each managed care organization or other large providers to adopt a model which shows the total cost of care for each patient and show the maximum possible savings for each patient. Small providers would be subject to individual consideration based on capacity.

The bill would require KDADS to create a set of procedures and guidelines to be followed by direct support providers intended to increase compatibility with waiver participants. Additionally, all waiver programs would receive pay increases at the same time at the same rate. Also, the bill creates a registry of direct support workers so that individuals with intellectual and developmental disabilities are aware of and could access direct support services. Business contact information and services would be listed on this registry. The bill would require the Kansas Department of Labor (KDOL) to initiate or expand collection and tracking of labor statistics for direct support professionals and personal care attendants to include at a minimum the current open positions, future need for such workers, and the number of qualified workers in the state by October

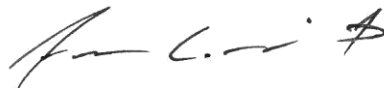
1, 2025. This information would be published with similar occupational statistics. KDOL would provide this information to KDADS at least annually.

The bill would require the creation of an online portal to support waitlist management for KDADS staff and provide waitlist information and waiver program information to individuals who are on the intellectual and developmental disabilities and physical disability waiver waitlists. This would allow those on waitlists to communicate with KDADS and provide any nonconfidential information about the waiver waitlists and programs while still maintaining HIPPA mandated confidentiality. The portal would be required to be implemented by December 31, 2026.

According to KDOL, enactment of HB 2310 would have a fiscal effect on expenditures for the agency beginning in FY 2026. Expanding collection and tracking of labor statistics for direct support professionals and personal care attendants including current openings, future demand, and workforce numbers can be accommodated within the existing data collection framework. Adoption of new occupational codes would not be feasible as these codes are federally defined and cannot be modified. It would take additional tracking independent and separate from normal operations. KDOL states that it is unsure of the effort needed to accomplish separate tracking. However, any expense would not be allowable under current KDOL grants. The development of a new workforce registry portal that supports waiting lists management would require additional software development and ongoing maintenance. KDOL estimates an initial cost of \$400,000 to develop this software and ongoing maintenance of \$40,000 annually all from the State General Fund.

KDADS indicates that enactment of HB 2310 would have a significant fiscal effect on expenditures but is unable to provide an estimate of costs. The Department of Administration indicates that enactment of HB 2310 would have no fiscal effect on the agency. The Kansas Department of Education indicates that enactment of HB 2310 could have a fiscal effect on expenditures but is unable to determine if it would need additional staff to coordinate the requirements of the bill. Any fiscal effect associated with HB 2310 is not reflected in *The FY 2026 Governor's Budget Report*.

Sincerely,



Adam C. Proffitt  
Director of the Budget

cc: Dawn Palmberg, Department of Labor  
Samir Arif, Department of Administration  
Gabrielle Hull, Department of Education  
Leigh Keck, Department for Aging & Disability Services