



INDEPENDENCE  
INCLUSION  
INNOVATION

INTERHAB

March 12, 2013

TO: Senator Mary Pilcher-Cook, Chair  
Members of the Senate Public Health and Welfare Committee

FR: Tom Laing, Executive Director  
InterHab: The Resource Network for Kansans with Disabilities

RE: In opposition to SB 194

Thank you, Madame Chair and members of the committee.

I am here on behalf of InterHab to oppose the advancement of SB 194.

The bill proposes to make small but powerfully disruptive amendments to the nation's most far-sighted and successful community I/DD models, envisioned in the 1970s and further refined in the 1995 Developmental Disability Reform Act. The DDRA was written in part to establish a strong community/state partnership which was considered necessary to protect the interests of vulnerable Kansans against the potential that future Governors and Legislators could sell off the interests of publicly supported I/DD services to powerful external interests.

The bill's proposed language conflicts with promises of the Administration:

The bill proposes to disrupt the current efficiencies and competencies of the community-based governance of services for persons with intellectual/developmental disabilities (I/DD), in favor of a system which is friendlier to the tightened eligibility and service reductions which would be favored by insurance contractors preparing to take over I/DD services in your community.

Families and service providers have been given two promises by the Administration, as we all continue to discuss the merits of whether non-medical I/DD services should be a part of KanCare, or managed under the current community-based model:

1. That the Administration would not amend the DD Reform Act.
2. That there would be no interference into the vital and critical relationships that exist between persons served, their families and their targeted case managers.

Both those promises would be broken by SB 194.

Our objections to the bill are as follows:

- Commitments made by government to your citizens should be honored.
- These alterations to the DD Reform Act will increase the costs, complexity and conflicts in a system which is administratively efficient, cost effective, user-friendly and fair.
- Changes in the bill will cause confusion for persons and their families, will add new frustrations to those already been frustrated on the medical side of KanCare, and will cause chaos in the most conservatively administered and best State/Community partnerships in the State's array of human services programs.
- For the State or MCOs to choose case managers instead of families making that choice is without question antagonistic to the interests of families.
- Introducing unnamed third parties into the eligibility and assessment roles of the I/DD system opens the door for financial manipulation of the system in ways that block eligibility for those who are eligible and cuts services for those who are in need.

What is its stated purpose?

SB 194 creates an impression that men and women in your community who currently provide these services are not honest enough to do so in a fair and credible manner. That is an insult to your community. SB 194 ignores the documented high grades granted to the community system under a review model supervised by the State, and proposes to replace community management with an insurance management model obligated by contract to cut spending in the disability arena. (*The State's fiscal note on HB 2029 documents that \$99 million dollars is already planned to be cut from I/DD services during the first MCO contract cycle.*)

What is the real purpose of SB 194?

SB 194 is an intentional first step to eliminate the strong community I/DD system, and weaken its ability to protect the interests of Kansans with I/DD.

Summary:

InterHab opposes SB 194 because it proposes to substitute the calculations of insurance managers and actuaries for the experience and the professionalism of community disability service professionals who know, understand, and care about their neighbors with intellectual developmental disabilities. A vote for SB 194 is a vote to begin the dismantling of the community system services for persons with intellectual and developmental disabilities.

We urge you to vote in a manner which represents the interests of persons in your community who are affected by intellectual and developmental disabilities.

We urge you to not advance SB 194 for further consideration.