

DATE: March 12, 2013

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

FROM: Mary Rose Sudbeck, CDDO Director  
Nemaha County Training Center, Inc. – Seneca

RE: Community developmental disability organizations: performance of  
functional assessments, Senate Bill No. 194

Thank you, Committee members for this opportunity.

My name is Mary Rose Sudbeck and I am the CDDO Director of the Nemaha County Training Center, in Seneca. We are the smallest of the CDDOs in the state.

On behalf of the members of InterHab, I offer the following comments for your consideration.

Since the enactment of the Developmental Disabilities Reform Law in 1995 and development of subsequent regulations, it has been the charge of Community Developmental Disability Organizations (CDDOs) to assure the administration of an annual assessment to determine eligibility for Home and Community Based Services under the Kansas Medicaid Waiver. The assignment of those duties has evolved over the years by local CDDO design as well as by negotiations in Kansas Dept of Social and Rehabilitation/CDDO operations contracts.

Today the 27 CDDOs across Kansas have established differing methodologies to assure elimination of bias and seek consistency in the assessment of need.

- 3 very large CDDO's administering 30% of the assessments are county run or fully separated from any service provision
- 6 large CDDO's, who are not county run or fully separated from service provision, administer another 39% of the assessments; they are doing so with dedicated staff working out of separated departments or offices that serve to neutralize the performance and duties of CDDO operations.
- 3 more mid-sized CDDO's representing another 6% are county run operations providing no services.

75% of the assessments across the state are being performed by these organizations.

The remaining 15 organizations ranging from the smallest to mid-sized organizations have addressed assessment consistency in differing ways:

- Several have formed formal relationships with other CDDO's to have assessments performed by specialized assessment personnel
- The remaining CDDO's have demonstrated full cooperation with contract negotiations seeking to improve assessment consistency and participated in BASIS Assessment Committee and work groups seeking to fine tune interpretations of the assessment questions.

### **Conclusion:**

The functional assessment, BASIS Assessment as many of us call it, is the means whereby individuals are determined to be eligible or not eligible for the HCBS MR/DD Medicaid Waiver in Kansas. It is also used as a funding distribution tool to allot, by Tier, the amount of Medicaid Waiver funding that may be used to purchase services for an individual. Of course, the linkage to amounts of funding makes it a very important and debatable process in the management of the DD system.

The 27 Community Developmental Disability Organizations contracting with the State of Kansas take very seriously their duties of eligibility determination, functional assessment, funding management and quality assurance, and have developed strategies over the 17+ years of DD Reform to fulfill the contracted duties.

This Senate Bill as presented has been taken up without reasonable study of any facts about assessment trends and funding distributions. It offers no beneficial changes to the DD system for individuals served or for State administration.

Therefore, I strongly oppose the passage of Senate Bill 194. The CDDOs in the State of Kansas who currently perform the functional assessments have already taken steps to protect the integrity of the current system and processes for administering the assessments. Due diligence has been shown by all CDDOs to perform their duties under the DD Reform Act; there are no grounds to support the revisions of SB194.

Thank you for your time and attention.