

# Making Elder Care Better Since 1975

Kansas Advocates  
for  
Better Care



Founded in 1975 as *Kansans for Improvement of Nursing Homes* by concerned citizens like you.

March 13, 2013

Chairman Pilcher-Cook, and members of the Senate Committee on Public Health and Welfare:

Thank you for the opportunity to comment on HB 2025 establishing a statutory process for the legislative oversight of KanCare. I am Mitzi McFatrigh, executive director of Kansas Advocates for Better Care (KABC). KABC is a not-for-profit organization, beholden to no commercial interests and is supported almost entirely by donations from citizens who support our mission of improving the quality of care in all long-term settings. KABC was among a handful of non-profit consumer advocacy groups which worked to win passage of the landmark Nursing Home Reform Act of 1987.

We ask for your support and favorable passage of HB 2025 as amended by the House Committee of the Whole. KABC has consistently supported the establishment of legislative oversight of the KanCare program. We support the provisions proposed under HB 2025 and the amendments adopted by the House.

Creating a legislative review of the KanCare managed care program is critical in assessing the program's effectiveness. Legislative oversight provides an important check and balance for tax payers, citizens, consumers, the state agencies administering KanCare and managed care organizations. Kansas policy-makers must be able to provide active oversight of the outcomes and the impact of KanCare on the State's budget and on the people served through KanCare. The current advisory council, or any advisory council, lacks the authority that is needed for oversight on behalf of citizens.

KABC believes legislative oversight is particularly important because KanCare's first-year outcomes primarily set and measure administrative processes, not meaningful health outcomes for seniors. Measures that track business activity do not measure the health outcomes of elders and vulnerable adults. Only one metric, reducing resident falls, relates directly to health of adults in adult care homes. It is our hope that legislative oversight will encourage the tangible health outcomes for residents and the metrics to measure, such as tracking actual nurse staffing levels in nursing homes from payroll data and regular maintenance dental coverage for frail adults.

We support the House amendment to specifically include members of House Health and Human Services Committee and the Senate Committee on Public Health. Again, we believe it is essential for KanCare's effectiveness to be measured on its impact on the people served as well as in budgetary terms.

In addition, we support the House amendment, proposed by the Kansas Health Consumer Coalition, requiring a comparison and review of caseload data based on persons served among the information reported by the State agencies. Comparison and trend data is key to assessing

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KanCare's effectiveness in improving the health outcomes of Medicaid recipients as well as its impact on the State's budget.

Similarly, we support the addition in the House of comparison data for both caseload and expenditure data related to long term care facilities. Historically, the HCBS Oversight Committee did not provide oversight for long term care in all settings, specifically, adult care facilities such as nursing homes and assisted living facilities. In the recent past that data was reported to the Kansas Health Policy Authority (KHPA). After the KHPA was disbanded, the reporting of that data has been made only to legislative budget committees. With KanCare's heavy emphasis on home and community based services, it is critical that the program's impact on residents of adult care homes also be among the information measured and reviewed by the oversight committee.

KABC supports language added directing the committee to meet at least three times during the legislative session and at least once during each of the remaining quarters.

Thank you for the opportunity to express our support for HB 2025 as amended by the House Committee of the Whole. Legislative and public oversight of KanCare is a singularly critical protection for frail elders who rely on Medicaid for their long term supports and health care. Oversight by policy-makers must be in place for seniors, both residents of nursing homes and those who are still living at home.

On behalf of Kansas Advocates for Better Care members and volunteers,  
Mitzi E. McFatrach, Executive Director