

**Testimony in Support of House Bill 2663
Enacting the KanCare/Medicaid Ombudsman Act**

**Presented to the House Committee on Health and Human Services
By: Cody Gwaltney, Legislative Director
Kansas Department for Aging and Disability Services**

March 6th, 2018

Chairman Hawkins and Members of the Committee:

My name is Cody Gwaltney and I am the Legislative Director for the Kansas Department for Aging and Disabilities. Thank you for providing me with the opportunity to present proponent testimony for HB 2663, enacting the KanCare Medicaid Ombudsman act.

The KanCare Ombudsman office, as currently designed, resides within KDADS offices, with KDADS providing office space and administrative support. KDADS manages the Home and Community Based Services (HCBS) program, while the Ombudsman's office aids and provides information to members receiving those services. The Ombudsman provides members with information regarding the KanCare grievance, appeals, and state fair hearing processes for each MCO, Maximus and state agencies as well as informal resolutions to KanCare members.

With the original 1115 waiver establishing KanCare, CMS approved the state's plan to house the Ombudsman office at KDADS as a qualified independent, conflict free entity. However, with the KanCare Ombudsman office being located within KDADS, concerns have been raised by stakeholders over the influence that KDADS has over the Ombudsman's office. This bill will address that concern by moving the KanCare Ombudsman's office, from its current location within KDADS, to a new location at the Department of Administration. The Ombudsman's office will operate as an independent agency and address the concerns of stakeholders that the office is conflict free from KDADS.

This bill will allow the Ombudsman's office funding for five full time staff to address concerns with staffing coverage. The two-additional staff will also increase capacity to address the grievance, appeal and hearing process. KDADS will cover the costs of current staff, but will no longer cover the Ombudsman's office operational costs. KDADS will not have any authority over Ombudsman employees or volunteers and the Ombudsman will be appointed by the Governor.

KDADS supports the changes to the KanCare Medicaid Ombudsman program made in this bill and the ask the committee to pass HB 2663.