



**Robert G. Bethell Joint Committee on  
Home and Community Based Services and  
KanCare Oversight**

**April 28, 2015**

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**KDADS Update:**

**Kari Bruffett, Secretary, KDADS**

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# I/DD Transition into KanCare

## Provider Payment Update

### *Total Billed, Total Paid, Total In Process*

*Reporting Date 03/1/15*

<u>HCBS/IDD</u>	<u>Total</u>
HCBS/IDD Billed Amount	\$394,698,668
HCBS/IDD Amount in Process/Pending	\$3,523,473
HCBS/IDD Amount Paid	\$363,861,699
HCBS/IDD Amount Denied	\$21,180,647

  

<u>TCM/IDD</u>	<u>Total</u>
HCBS/IDD Billed Amount	\$13,568,784
HCBS/IDD Amount in Process/Pending	\$38,382
HCBS/IDD Amount Paid	\$12,520,065
HCBS/IDD Amount Denied	\$651,730

# I/DD Transition into KanCare

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## Provider Payment Update

*Total % of Claims denied*  
*Reporting Date 03/01/15*

- 4.81% denial rate for HCBS I/DD Claims
- 5.11% denial rate for TCM/IDD Claims

*Total % of Claims denied, excluding duplicate claims denials*

**Statewide: 1.4%**

# I/DD Transition into KanCare

## Provider Payment Update

### *Average Turn-around time from submission to processing*

*Reporting date 03/01/15*

<u>HCBS/IDD</u>	State Average*
HCBS/IDD Average Days Age Clean	6.2
HCBS/IDD Average Days Age All Claims	6.2
<u>TCM/IDD</u>	State Average*
HCBS/IDD Average Days Age Clean	5.5
HCBS/IDD Average Days Age All Claims	5.5

\*This is a weighted average based on the portion of MCO claims.

# I/DD Transition into KanCare

## Provider Payment Update

### *Reasons for Denial*

#### Top HCBS/TCM Denial Reasons

	Total
1. Non-covered service/item	387
2. Service not authorized	2,345
3. Service limit exceeded without PA	5,044
4. Member not eligible	1,041
5. Provider not contracted for service	32
6. Duplicate Claim	59,908
7. Error in billing (procedure code, NPI, etc.)	3,341
8. Date of service not covered	1
9. Exceeds filing time limit	3,745
10. Claim and PA not matching	492
11. Denial required from primary insurance (TPL)	470
12. Other	7,319

# PD Waiting List: Current Efforts

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## PD Waiting List Management

- 5,482 on the HCBS PD Program as of April 14, 2015
- Services have been offered to all individuals who have been on the waiting list since 2013 and earlier.
- 252 individuals were offered services in the first calendar quarter of 2015
  - Of those offers (as of March 31, 2015)
    - 55 have accepted services
    - 41 Other (declined services, unable to contact, deceased, referred)
    - 156 have not responded
- 451 individuals started services in 2015
  - 413 individuals started services in the 1<sup>st</sup> quarter of 2015
  - 38 individuals moved from institutions into services on MFP

The HCBS Monthly Summary is posted on the HCBS page at [www.kdads.ks.gov](http://www.kdads.ks.gov)

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# I/DD Waiting List: Current Efforts

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## IDD Waiting List Management

- 8,724 on the HCBS IDD Program as of April 14, 2015
- 25 individuals were offered services in the first calendar quarter of 2015
  - Of those offers (as of March 31, 2015)
    - 9 have accepted services
    - 2 have declined
    - 14 have not responded
- 149 individuals started services in 2015
  - 144 individuals started services in the 1<sup>st</sup> quarter of 2015
  - 5 individuals moved from institutions into services on MFP

# Update on DOL Rule

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## The Process

- ❑ October 2013, U.S. Department of Labor announced a Final Rule to change the FLSA requirements for direct service workers effective January 1, 2015.
- ❑ On Oct. 7, 2014, DOL announced their plan to not enforce these required changes between January 1, 2015 and June 30, 2015.
- ❑ On January 14, 2015, Judge Richard Leon of the U.S. District Court for the District of Columbia issued an order vacating the narrowed companionship definition in *Home Care Association, et al. v. David Weil, et al.*, Case No. 14-CV-967 regarding the DOL Final Rule (concerning HCBS direct service workers) after striking down the third-party employer portion of the new regulation on December 22, 2014.
- ❑ On January 22, 2015, the US Department of Labor appealed the District Court's order and requested expedited review, which was granted.

# Update on DOL Rule

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## Current Status

- ❑ On March 20, 2015, Secretary of Labor Thomas Perez sent letters to all governors regarding the importance of thoughtfully preparing for compliance with the federal minimum wage and overtime law in publicly funded home care programs and urged states to continue to work towards and budget for the states; obligations under the Home Care Final Rule.
  
- ❑ On April 6, 2015, several briefs were filed in the *Home Care Association* appeal, including a brief from Kansas joined by 8 other states – Arizona, Georgia, Michigan, Nevada, North Dakota, Tennessee, Texas and Wisconsin. Additionally, a brief was filed by 10 members of Congress including Senators Pat Roberts, Mitch McConnell, Marc Rubio and Representative Lynn Jenkins
  
- ❑ On May 7, 2015, oral arguments will be heard in the U.S. Court of Appeals for the District of Columbia in the *Home Care Association* case.