

STATE OF KANSAS

DEPARTMENT FOR AGING AND DISABILITY
SERVICES
COMMUNITY SERVICES AND PROGRAMS
COMMISSION
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GOVERNOR JEFF COLYER, M.D.
TIMOTHY KECK, SECRETARY

Rights for Individuals with Intellectual/Developmental Disabilities (IDD)

The Community Developmental Disability Organization (CDDO) is responsible for carrying out the duties as described in Kansas law and regulation (K.S.A. 39-1801 et seq. and K.A.R. 30-63-1 and 30-64-01 et seq. and for purposes of CDDO compliance with K.A.R. 30-64-22(e)(2).

As an individual who is receiving services from the State of Kansas IDD Waiver or has been placed on the IDD Waiver waitlist, my core rights in connection with the CDDO are as follows:

1. The right to have help getting the community services of my choice once I have been determined eligible for the HCBS IDD Waiver by KDADS based on my disability and finances.
2. The right to choose which targeted case management services I'd like to receive, from a provider affiliated with my CDDO.
3. The right to choose whether or not I'd like to have a targeted case manager if I am currently on the IDD waiver waitlist.
4. The right to receive services without discrimination as to the severity of my disability. If I currently pose a clear and present danger to myself or the community, the Secretary of KDADS may decide that I am inappropriate for community services.
5. The right to receive services for which I have been determined eligible from my choice of community service provider. Once I have been found eligible and funds are available, I should receive the service I have chosen, or it should be reported to the Secretary of KDADS that I am waiting for that service.
6. The right to continue to receive services for which I am eligible as long as state or federal funding support continues. I also have the right to transfer that level of state and federal financial support if I move from one service area to another within the state of Kansas.
7. The right to take advantage of the CDDO dispute resolution process, including internal and external appeal procedures to settle any disagreement with the CDDO, any affiliate, or any other component of the community service system.
8. The right to receive information regarding the CDDO local Quality Assurance Committee and Council of Community Members.
9. The right to receive information about self-advocacy groups.
10. The right to receive services provided in a way that is based on my Person-Centered Support Plan (PCSP) and listed in my Person-Centered Service Plan (PCSP). My services must offer me opportunities for choice and ensure that all of my rights are respected and protected, including those listed in K.A.R. 30-63-22.

As an individual who resides in an Intermediate Care Facility which services Individuals with Intellectual Disabilities (ICF/IID), my core rights in connection with the CDDO according to Kansas law and regulations (K.A.R. 30-64-22 and 30-64-29) include the following:

1. The right to have equal access to services if I am referred to the CDDO for possible services.
2. The right for myself or my guardian (if one has been appointed) to receive information at least once a year offered in a way that is easy to understand, including:
 - a) The types of community services available in my area and information about the providers of those services; and
 - b) My rights as described in the Developmental Disabilities Reform Act and implementing Regulations. The commission will approve the content of this information.
3. The right for myself, my family, and my guardian (if one has been appointed) to receive information on services or supports that are currently available or could be made available within 90 days in or near my home county once eligibility has been achieved.
4. The right to have the CDDO offer to provide or arrange to provide these services and supports when it's time to do so.

The above-mentioned rights have been approved by the commission May 8, 2018.



Amy Penrod, Commissioner
Kansas Department for Aging and Disability Services
Community Services and Programs Commission