



***KHA's Capitol Comments***  
***September 30, 2022***

**Mental Health Bed Interim Committee Meets**

Yesterday, the special committee on mental health beds, chaired by Senator Carolyn McGinn (R-Sedgwick), met at Wichita State University. Kansas Hospital Association members Vallerie Gleason, president and CEO, NMC Health, Newton and Preston Sauers, CEO, Kingman Healthcare Center, Kingman testified before the committee.

The committee heard about the need for additional mental health beds, in addition to some interim steps that can be taken to create a fund designed to reimburse for staffing for patient observation in hospitals, law enforcement agencies, designated county facilities and community mental health centers.

Gleason's overview included:

- State of mental health needs in the area, including the adolescent population
- The relationship between the emergency department and access to behavioral health care in acute care settings
- Scenarios and the toll on hospital staff, other patients and the broader community
- A compelling description of what it is like to care for this patient population.

The testimony Sauers gave was from the perspective of a rural hospital system with access to services in nearby Wichita. He shared with the committee staffing solutions his organization has deployed to address unique patient needs and highlighted the challenges in both patient observation costs and transportation.

Representing the Kansas Association of Counties, Jay Hall and Lon Pishny from Finney County spoke about locals having to budget for patient observation and transportation in addition to the tolls on emergency medical services.

Ed Klumpp, Kansas Association of Chiefs of Police, the Kansas Sheriffs Association, and the Kansas Peace Officers Association, spoke about the programs the Kansas Department of Aging and Disability Services has instituted to assist in these areas. The committee heard about the constitutional concerns of law enforcement holding these patients without treatment and about a lawsuit filed against the state relating to the topic. He highlighted the wait times reported by KDADS at Osawatomie and Larned and the costs produced by the wait times. He emphasized that in fiscal year 2022, the total wait time was 107,821 hours or 12.3 years on a waitlist for admission. He stressed more beds are needed, but this immediate step is also required.

Michelle Ponce, Association of Community Mental Health Centers testified about the work that they are doing to alleviate strains on the system and added support for a behavioral health observation program.

In the afternoon, testimony was received from the following area delegates on current approaches, needs and options for possible solutions:

- David Dennis, Sedgwick County Commissioner
- Jeff Easter, Sedgwick County Sheriff's Office
- Marc Bennett, district attorney, Sedgwick County
- Tom Stolz, county manager, Sedgwick County
- Tim Kaufman, deputy county manager, Sedgwick County
- Steve Dixon, Workforce Development Committee chair, Sedgwick County Mental Health and Substance Abuse Coalition

State agencies presented testimony on statewide mental health workforce initiatives, including:

- Scott Brunner and Andy Brown, KDADS
- Leisa Dipman, Superintendent of Larned State Hospital
- Dr. Michael Burke, Larned State Hospital
- Dr. Mike Dixon, Acting Superintendent Osawatomie State Hospital

Ascension Via Christi Hospitals Wichita, President Robyn Chadwick spoke regarding the need for Medicaid, Medicare and private insurance reimbursement. She highlighted that 75 percent of patients are Medicare, Medicaid or uninsured, with Medicaid reimbursements equating to less than the cost of care. She walked the committee through patient diagnosis-related group and reimbursement realities and emphasized reimbursements are often tied to days dependent on the DRGs but that often patients have to receive care for far longer than the DRG codes allow. She requested a 10 percent increase in in-patient and outpatient Medicaid reimbursement rates. She highlighted how as reimbursement rates have fallen; private industry has closed lines of service to behavioral health patients.

The next meeting will be Oct. 27, with workforce being the primary area of focus.

## **Bethell Committee Met on Monday and Tuesday**

The Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight met on Sept. 26-27. The committee heard from private citizens and advocacy organizations about user experiences and issues needing attention.

KanCare Ombudsman Kerrie Bacon testified about response times for the office and cases. The committee inquired about home health employees specifically in relation to a lack of Medicaid expansion and impacts on that sector.

Office of Medicaid Inspector General Steven Anderson reported they received more than 1,400 complaints this calendar year. He recommended the legislature consider addressing the state's capacity for Medicaid eligibility fraud investigations by amending the OMIG statute to expand its director and provide additional resources to combat eligibility fraud in other agencies.

Kansas Department of Health and Environment staff, including Secretary Janet Stanek, Medicaid Director Sarah Fertig, and Medicaid Director of Operations Chris Swartz reported on new staff and new definitions of service including home health services, supportive care services and attendant care services. The Health Care Access Improvement Program also updated the committee on the postpartum extension, and adult dental coverage. The agency reported the public health emergency is unwinding. The KDHE clearinghouse is operating at 88 percent capacity, and the current 1115 waiver set to expire in 2023. The agency recommends moving to a new waiver type.

The Kansas Department of Aging and Disability Services updated the committee on nursing facilities, as well as home and community-based services. The agency reported on waivers, wait lists and priority issues, including the implementation of the bill passed during the 2022 session that allows certified nurse aides to train in hospitals, hospices and PACE program sites. The agency also gave an update on the 24/7 facility pay plan for state hospitals and reported Osawatomie has added 14 patient rooms.

Managed Care Organizations provided updates on new benefits for beneficiaries. MCO representatives included:

- Michael Stephens, Sunflower Health Plan
- Jane Brown, CEO of Aetna Better Health of Kansas
- Kevin Sparks, CEO of UnitedHealthcare Community Plan

On the second day, committee members received updates on items outstanding before the committee. [This is the list of outstanding items.](#)

## **Committee on Intellectual and Developmental Disability Waiver Modernization Considerations Meets**

This past Wednesday, the Committee on Intellectual and Developmental Disability Waiver Modernization Considerations, chaired by Representative Will Carpenter (R-El Dorado), met to review the waiver process and waitlist. Emily Shea Tanis, Ph.D., The University of Kansas gave a state-of-the-state in intellectual and developmental disabilities longitudinal data projects of national significance.

The committee heard from staff on the history of the waiver programs over the last ten years and Kansas-specific considerations. Private citizens and families also shared their personal challenges with the waitlist. The committee heard from advocacy groups and agencies, including:

- InterHab
- Disability Rights Center of Kansas
- KDADS

The committee also heard from Medicaid Director Sarah Fertig and other state representatives from Tennessee, Pennsylvania, Ohio, Washington, Oklahoma, and Missouri.

The committee will meet again on Oct. 13 and Nov. 1.

## **Special Committee on Workforce Development Meets**

Yesterday, the Special Committee on Workforce Development, chaired by Representative Sean Tarwater (R-Stillwell), heard from Legislative Research staff on the current state of workforce. Patrick Baker, Midwest Region, Western Governors University, updated the committee on reducing workforce barriers.

Andrew Schlapp, Wichita State University, and Kevin Walker, senior vice president of public policy for Overland Park Chamber joined the committee to discuss Kansas-based solutions. The committee also heard from the following on higher education perspectives:

- Heather Morgan, Kansas Association of Community College Trustees
- Alyisa Johnston, Fort Scott Community College
- Elisa Waldman, Johnson County Community College

Jeff Maxon, Kansas Information Security Office, provided a presentation on the Governor's Cybersecurity Taskforce Recommendations for Workforce Development. Randy Reinhart, CEO, Zephyr Products, Inc. testified on its partnerships with Lansing Correctional Facility for a program that trains inmates to return to the labor force.

Emily Lopez, senior director of human resources, Spirit Aerosystems, updated the committee on the challenges and possible solutions in the aviation sector and highlighted the use of the Aviation Tax Credit. The committee inquired about the partnership with Wichita State University Tech that brought the National Institute for Aviation Research Works programs.

Committee members also inquired about childcare as a future topic and suggested loosening regulations through the Kansas Department of Health and Environment and making ages match between centers and home centers. The committee requested information on the status of those regulations. Childcare will be a priority at the next meeting.

The committee will have more discussion around possible suggestions at the next meeting, scheduled for the last week in October.