



Harvey-Marion County CDDO

Supporting increased independence, integration, inclusion, and productivity in individual homes and communities.

Harvey-Marion Community Council

500 Main Place; Suite 204 Newton KS, 67114

(Meeting held via virtually with Zoom)

MEETING MINUTES: 02/25/2025 @ 1:00pm

Note: this meeting was rescheduled from 2/18/2025

Persons with IDD/Family Members/Guardians: Nicole Anderson, Melissa Ratzlaff

Representative of CDDP/CSP's: Kevin Gaeddert (HMCDDO)

Public Non-members Present: None

HMCDDO Staff Note-Taker: Nancy Plenert

Persons with I/DD/Family Members/Guardians Absent: Jessa Marsh, Jessica Peugh, Bailey Moore, David Welfelt

Representative of CDDO/CSP's Absent: Trinity Heights Respite Care; Jim Black, GPSS, Ben Swinnen, Heart Land Supports

1. Call to Order – Facilitator: Kevin Gaeddert. Kevin called the meeting to order at 1:07 p.m.
 - Quorum: (Membership majority must be persons with disabilities, family members, and guardians) Yes, we have a quorum. There were two persons with disabilities/family members/guardians out of three persons/provider entities present.
2. State & Local Updates:
 - **FROM ANCOR:** Last Friday, the Senate passed a fiscal year (FY) 2025 budget resolution in a 52-48 vote, with Sen. Rand Paul (R-KY) as the only Republican to oppose the measure. The resolution marks a key step toward advancing President Donald Trump's legislative priorities, although tensions remain between Senate and House Republicans over how to proceed with the budget reconciliation process. This week, Speaker Mike Johnson (R-LA) plans to bring the House GOP budget resolution to a House vote, that would direct the Energy and Commerce Committee—the committee overseeing Medicaid—to **cut at least \$880 billion in spending. If passed, this would likely mean that the committee would have to consider drastic reductions to Medicaid funding, putting community-based services for individuals with intellectual and developmental disabilities (I/DD) at risk.**
 - <https://www.ancor.org/actions/house-vote-could-lead-to-deep-medicaid-cuts/>
 - **Targeted Case Management (Information from KDADS IDD Modernization webpage)**
 - The Conflict-Free Case Management (CFCM) issue arises from federal regulations under 42 CFR 441.301(c)(1)(vi), requiring clear separation between case management and service provision in HCBS. These rules have been in place since 2014 and are designed to ensure person-centered care by removing financial or organizational incentives that could

Harvey-Marion County Community Developmental Disability Organization

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compromise an individual's choices. Without this separation, there's a *real or perceived* risk that decisions about services could favor the provider's interests over the individual's needs.

- This issue is currently part of the state's Corrective Action Plans (CAPs) with CMS. CMS has recently issued specific guidance to Kansas requiring the state to resolve these conflicts across its HCBS waivers to maintain compliance and continue to secure federal HCBS waiver funding.
- **Compliance Options:**
 - **Potential Option #1:** The first option would be to fully separate case management and service provision. This means agencies would either focus on case management or providing services, but not both. Full separation removes any possibility of a conflict of interest, ensuring that decisions about an individual's care are based solely on what's best for them. While this may require changes for some providers, KDADS is committed to supporting the transition with grant funding, technical assistance, and collaboration to make the process as smooth as possible.
 - **Potential Option #2:** For providers who are unwilling to separate fully, the second option would require introducing strict safeguards and oversight. Agencies could still provide both case management and services, but they would be prohibited from serving the same individual in both roles. This would prevent conflicts of interest while allowing agencies to continue offering services within these limitations. The state must establish clear monitoring protocols to ensure compliance and support providers in meeting these requirements.
- The HMCDDO Board of Directors met yesterday with KDADS regarding the TCM conflict of interest issue. Currently, our service area has 238 individuals that receive TCM services. Considering the language from the corrective action plan issued by CMS to KDADS, our service area has around 40 individuals that would be defined as part of the conflicted population regarding case management. Our service area also recently lost a large TCM provider in Goodwill and we will need a way to build capacity for TCM. The HMCDDO Board of Directors will be evaluating the possibility of establishing an agency associated with the HMCDDO to assist with case management capacity issues. The ultimate goal of this agency would be to enhance and promote conflict-free TCM, alongside all of our current TCM providers. The purpose is to enhance the affiliate network, not take away provider options. Melissa asked a good question: What does conflicted TCM mean? Kevin explained that if a person receives Residential and Day services **and** TCM from the same provider, their services are conflicted. Nicole and Melissa both happen to be in this situation, and Kevin explained that they may eventually need to choose a different case manager. He assured them that nothing with their TCM will change for awhile, as the whole situation with conflicted TCM is still being discussed and nothing has been decided for now. If/when the HMCDDO approves formation of a TCM agency, the Community Council will need to vote to

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approve moving forward with the new agency. We will need everyone on the Community Council in attendance should this be presented at a future meeting.

3. HCBS by the Numbers:

Service Management Report:	January	February	March
Statewide Total Number Eligible for HCBS services:	9,399		
Statewide Total Number Waiting for HCBS services:	4,320		
Total Number of Individuals System Eligible in Harvey & Marion	352		
Total Number Using TCM:	238		
Total Number Using Day Supports:	129		
Total Number Using Residential Supports:	98		
Total Number Using Personal Care Services:	79		
Total of Those Waiting in Harvey & Marion Service Area:	146		
Eligibility Packets Requested:	0		
Packets Returned:	1		
Determined System Eligible:	1		
Determined System In-Eligible:	0		

4. HMCDDO Capacity Report:

Our service area currently has 2 residential, 3 day service, 1 TCM, and 5 FMS service providers available for referrals.

5. Sharing & Announcements: Nicole shared that she turned 30 last week! She is looking forward to Special Olympics basketball regionals this weekend, and then on to state! Melissa plans to sleep in next weekend!

6. **Next Community Council meeting date/time/place: 04/15/2025 @ 1:00pm on Zoom**

Adjourn. The meeting was adjourned at 1:22 p.m.

Minutes recorded by: Nancy Plenert