



Harvey-Marion County CDDO

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

HARVEY-MARION COUNTY CDDO: BOARD of DIRECTORS

February 24, 2025

Meeting Minutes

Location: HMCDDO Meeting Room, 500 N. Main, Suite 204, Newton, KS 67114 (*Zoom option also available to anyone that requests access*).

Directors Participating: In Person: Marilyn Loganbill, Chair; Craig Simons, Vice-Chair; Kristi Berning, Secretary; Don Schroeder; Clarke Dirks

Directors Absent: Thomas Gill; Todd Weeks, Treasurer; Kimberlee Jost

Harvey-Marion County CDDO Staff Present: Kevin Gaeddert, Executive Director; Nancy Plenert, Meeting Recorder

Guests Present: Jaci Schrag, community member

Guests Present via Zoom: Michelle Heydon, KDADS LTSS Commissioner; Seth Kilber, KDADS Asst. LTSS Commissioner; Robin Lohman, KDADS Asst. IDD Director

Call to Order. Chair Marilyn Loganbill called the monthly Board meeting to order at 4:02 p.m. Clarke Dirks, Marion County Commissioner was welcomed as a new Board member, replacing Marion Co. Commissioner Jonah Gehring.

Proxies: None.

Quorum Status: Quorum present.

Public Comment: None. A web link for public access to this meeting was posted with the Newton Kansan and Marion Record. <https://harveymarioncddo.com/meetings>

HMCDDO/KDADS Targeted Case Management Discussion. KDADS staff were invited to the Board meeting to have a conversation about Conflict-free case management and HMCDDO's potential solution to have a conflict-free model. The conflict-free issue arises from federal regulations requiring clear separation between case management and service provision in HCBS. This issue is currently part of the state's Corrective Action Plans (CAPs) with CMS (Centers for Medicare and Medicaid Services). Kevin gave an overview of two potential options. Option 1: fully separate case management and service provision. Agencies would either focus on providing case management or waiver services, but not both. Option 2: for providers unwilling to separate fully, this option would require strict safeguards and oversight. Agencies could still provide both case management and waiver services, but they would be prohibited from serving the same individual in both roles. Robin shared that she prefers the conflict-free option, with everything separated. Seth stated that KDADS is in a unique position with trying to roll out the CSW (Community Support Waiver), but directed by CMS to present a plan for conflict-free case management before the CSW can begin. It would be ideal to have a system



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that allows us to be more collaborative; not arguing over interpretations. The more exceptions, the more oversight. Discussed that there are grant dollars available for entities that want to start independent case management agencies.

Kristi asked if KDADS sees the state moving away from case management. Seth replied that he doesn't anticipate that happening. Case managers serve a core purpose. When KanCare was implemented, case management was omitted from some waivers. For IDD case management, case managers fill many hands-on functions such as housing and home mods.

Kristi asked what KDADS is considering to resolve conflicted case management. They replied that they intend to have such a plan in place in 6-8 weeks to present to CMS.

Kevin asked KDADS if the CDDO could move forward with pursuing development of a case management entity. Michelle responded that she prefers having one plan statewide and we should hold off for awhile. When processing choice, offer caveat that in the future, an individual may not be able to have case management and service provision from the same provider. Kevin shared that HMCDDO currently has one provider who is nearly at capacity and one who is at capacity and not taking referrals. We received notice that an additional case management provider will cease that service effective 6-30-25 due to conflict of interest. If we started out small, we would become another choice, and the 40 individuals who are currently conflicted could either come to the new provider, or to the remaining two case management providers (provided they were taking new referrals). For options counseling, there could be a Zoom "presentation" by available case management providers, so that the individual's choice would be impartial. Our goal is to build independent case management capacity, not a competitive environment. If we were to get the go-ahead to begin, we would need to go through the credentialing process with the 3 MCO's, as well as setting up a company with a separate DBA name, Medicaid number, etc. Kristi asked if the statewide solution for conflict-free case management drags on for a long time, would KDADS give us a go-ahead to begin the process? Seth replied that what the CDDO is proposing doesn't seem that it would be disallowed. If we are not a waiver provider we would be eligible to go ahead. The RFA (Request for Application) for grant funds will tentatively be released in March, with applications due by late April. The funding would begin 7-01-25. These funds run through a specific timeline, but funding could be extended. Robin expressed support by saying "your plan is going above and beyond . . . it's a great idea". Kevin stated that "we want to be forward-thinking; we have a good work relationship with the one conflict-free case management agency in our CDDO area. Our goal is to enhance our TCM system to be conflict-free." Craig asked what kind of regulations we would have to meet with setting up a case management agency. KDADS replied that case management is not a waived service, so there is not a lot of CMS (federal) involvement, but would be licensed by the state. We are beholden to the requirements in Articles 63 and 64. At the end of our conversation, KDADS expressed that they appreciated the dialogue and are supportive and encouraged with our plan. They would like updates on our progress. At this time KDADS staff exited the meeting.



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Minutes of January 27, 2025 Board Meeting.

ACTION: *Craig moved to approve the January 27, 2025 Minutes. The motion was seconded by Kristi and passed by unanimous vote.*

Financials: Packets contain the January 2025 Profit & Loss by Class report, the check register report, ICS check register report (balance over \$250K), and balance sheet. At 07 of 12 months (58%), total Income reflects receipt of County Mill, State Aid, CDDO Admin Funds, & BASIS Assessment payments.

- Balance Sheet dated **02/13/2025** reflects HMCDDO Total Assets at **\$410,329.85**
- Notable Budget Overages: Overages reported last month remain the same.

ACTION: *Kristi moved to accept the financial report as presented. The motion was seconded by Don and passed by unanimous vote.*

National, State (KDADS/KDHE/InterHab) & Local Updates:

- **FROM ANCOR:** The newly released House budget framework calls for 1.5 trillion in cuts over ten years and directs the House Energy and Commerce Committee to **cut at least \$880 billion in spending—placing Medicaid on the chopping block**. While details remain uncertain, these reductions would likely result in deep cuts to Medicaid funding.
- These cuts would have devastating consequences for people with I/DD, potentially stripping away access to vital HCBS that allow individuals to remain in their communities. These are not just numbers—they represent real people whose independence and well-being are at stake. ANCOR has provided a tool for sending pleas to Legislators to oppose 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 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



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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.

Service Provider Capacity:

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

Action on Service Management and Director's Report. *Don moved to acknowledge receipt of and accept the Service Management and Director's Report as presented. The motion was seconded by Kristi and passed by unanimous vote.*

Note: a copy of the Service Management and Director's Report is available upon request.

Adjourn: the meeting was declared adjourned at 5:13 p.m.

Minutes recorded by: Nancy Plenert

Next Meeting: Monday, March 24, 2025

HMCDDO Board Room; Newton, KS

<https://harveymarioncddo.com/meetings>