March 3, 2016

Dear Governor Brownback:

LeadingAge Kansas and the Kansas Health Care Association are jointly sending this letter to you on behalf of the members of our associations. Between us we represent more than three hundred nursing homes across Kansas, hundreds more home and community based service providers, as well as the tens of thousands of Kansas elders who are served by our members.

We are writing because our members are in crisis, and very soon, the elders they serve will be in crisis too. We ask for your help, and the help of your executive agency, to resolve it in the most immediate manner possible.

Currently our nursing homes and HCBS providers are shouldering millions of dollars in unpaid care, due to the extreme delays of the state in processing Medicaid applications. What used to take forty five days, now frequently takes six to nine months. In addition, elders who have been receiving Medicaid for years are being dropped from the program through no fault of their own, and with no ability to pay for their care.

The delays started in July, 2015 when the state’s new Medicaid eligibility determination software (KEES) went live, causing many well-documented problems. The wheels really fell off the wagon on January 1, 2016 when the eligibility program moved from the Department for Children and Families to the Kansas Department for Health and Environment, where it was then handed over to a private contractor.

Nursing homes and HCBS providers have been providing care to low-income elders without payment for eight months, for some it’s been a year. Many of our members, for-profit and not-for-profit alike, are looking at their accounts and know they can no longer afford to go without payment, let alone care for any more elders with a Medicaid pending status. Not if they want to keep their doors open, make payroll and care for the elders they already serve.
As hard as this situation is for care providers, it is nothing compared to the harm that will befall our elders. When our providers are no longer able to admit Medicaid pending residents, those elders have to go without the care that they need during the long months it now takes to get their applications approved. Lack of access to care comes with a great risk of suffering, disability and death for frail elders. For those elders already living in nursing homes or receiving care in their own homes, quality of care will suffer as providers are forced to cut staff to stay afloat.

We understand that it takes time to fix a system that is struggling with such large difficulties. However, Kansas elders and their care providers have been waiting for nearly a year, and we are now all out of time. Our crisis magnifies with each passing day, and we need relief now.

We respectfully request that the following four actions be taken immediately to allow seniors access to the care they need, and to ensure our members are able to provide that care.

1. Grant presumptive Medicaid eligibility for elders in need of care until the state approval process becomes current.
2. Grant presumptive Medicaid eligibility for elders currently receiving uncompensated care until the state approval process becomes current.
3. Reinstate elders who have been dropped from the Medicaid program since July 1, 2015 for lack of returning a renewal application, and continue such coverage until the state approval process is current.
4. Suspend any further discontinuations of elders in the Medicaid program due to lack of a renewal application until the state approval process becomes current.

We appreciate your time and attention to this letter. It is our hope that this critical situation will become one of the highest priorities for you and your Administration. We are always available for questions and further discussion of these issues.

Sincerely,

Debra Zehr
President/CEO
LeadingAge Kansas

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President/CEO
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