

Final Rule Stakeholder Call

Topic: CMS Feedback and Transition Plan Timeline

02/21/2018

On both the noon and 5:30 PM call, the following clarification was provided by KDADS relative to privately owned homes. Consistent with technical assistance received from CMS on 1/29/19:

- Privately owned homes are presumed compliant and not subject to validation requirements that apply to provider-owned and operated settings;
- Quality oversight and monitoring of in-home services would continue as they currently are; and,
- What Kansas is currently doing sounds on par with other states.

Noon call (61 participants on the line)

1. I have a question about whether there are any pieces of legislation that are in this current session that are related to the final rule in any way.
 - a. KDADS: I'm not aware of any legislation in process, or being introduced that is specific to the final rule in this session. We're still working on the gap analysis, once it is complete if there are areas where we feel the regulation is silent or needs to be amended in some way, the typical regulatory process will have to be carried out for that.
2. I have a question about privately owned homes. If someone is living in an apartment that they are renting and they receive supported living services, is that different from a privately owned home?
 - a. KDADS: I know that there are certain provisions to the rule that would apply to that type of a situation. Obviously a person renting would need to have some type of rental agreement in place. Without being able to speak to a unique situation, since it is a rental and not a property owned by the individual that would raise some areas that would be open to review in terms of the setting. Particularly if the service is being delivered there. I think, if the person is renting their own apartment the exposure that the final rule would present in that situation is less than they would be if they were living in a group home.
 - b. WSU: I wouldn't be able to say for sure but I think it would depend on who they rent from. If it is owned by a provider, like if they rent from a service provider. The distinction that I'm aware of is whether or not the home is owned by the provider or rented from someone else and available for anyone to rent.

Adjourn

Evening Call (10 participants on the line)

1. none
 - a. none

Adjourn

