

Final Rule Stakeholder Call

Topics: Updates on Kansas' Final Rule Transition Plan Progress

7/15/2020

Noon Call (88 participants on the line)

- 1) **Question/Comment:** Russell said there was going to be additional guidance by questions on the website within the next few days. Where is that?

WSU: If you go to the Community Connections website and you go to the support tab at the top of the screen it is under remediation guidance.

<https://communityconnectionsks.org/remediation-guidance/>

- 2) **Question/Comment:** Would you give us the extended deadline again?

KDADS: CMS has extended the deadline for states to come into compliance to March 17, 2023. This provides an additional year to work on compliance.

- 3) **Question/Comment:** Your feedback on why questions didn't pass is so vague it makes it very difficult if not impossible to respond. I have sent emails and not gotten responses. I have talked to many providers who have gotten canned responses and find that it's unclear what you are looking for in remediation. For example I'm looking at C1.

KDADS: That is a heightened scrutiny question and most of what we were getting on those questions where you have to show more. That question will be sent to the heightened scrutiny team who will be reaching out. The remediation guidance on the support page referred to earlier in the call will give a lot of assistance in letting you know exactly what we are looking for with that. If you are still having questions after you have reviewed that guidance please reach back out to us with some more specific questions. For those items you will need to do that prior to logging in.

- 4) **Question/Comment:** We sent a Google Maps image and got back that we needed more and I don't know what is wrong with it so I am going to send you the same thing.

KDADS: I would need to see that picture specifically to give you feedback.

- 5) It sounds like a lot of providers have gotten feedback and have tried to respond and because you guys are so busy they are not getting responses to their questions. Would it be reasonable to say submit what you can but don't worry about it and when the team goes out to look at heightened scrutiny they will let you know what is happening? Because in the meantime providers are stressed.

KDADS: Part of this is noticing those questions and we will look at that and work with you but for now we are just going through those to try and further validate heightened scrutiny and those settings that must complete the assessments.

6) Question/Comment: The feedback I am getting is so general that I don't even know how to respond.

KDADS: For certain questions that are flagged there will be no remediation until the team has reached out about those. That is for Category 1 and 2 specifically.

7) Question/Comment: Where does it say what heightened scrutiny category it is in?

KDADS: C1 is Category 1, C2 is Category 2, and any of the other questions that come up and trigger heightened scrutiny will be a category 3. If you go in for remediation guidance under the support tab it really will clarify what we are looking at. From what I understand there is not a lot of clarity around what is expected and so providers want more specifics. We are trying to put more training documents out there to explain and who more providers what is going on with heightened scrutiny.

8) Question/Comment: We cannot start working on our heightened scrutiny until we hear from you, is that correct?

KDADS: Yes, that is correct. You will hear from KDADS staff once they get to your assessment for heightened scrutiny. This is specific to category 1 and 2 which is connected or adjacent to an institution. With category 3 there is the same goal that you can show us how you comply with the final settings rule. For Category 3 you can remediate now.

9) Question/Comment: It says we haven't started remediation yet how do we start it?

KDADS: You can go to the site, open up the remediation tab, go ahead and select a strategy. There will be a list of options that will come up for you. If one of those options doesn't match what you want to do, select "other" and then let us know how you plan to remediate. Let's say you don't want to change a policy, you want to make a room for privacy and modify your structure, you would select "other" and tell us about that and give us the amount of time you will have that evidence ready and we will review it and make it so that evidence can be submitted by whatever method was agreed upon. If you select one of the items from the list it will automatically open up for evidence. If one of your sites triggered for heightened scrutiny you will receive an email saying that and a remediation email. Our heightened scrutiny will also be following that as well. For category 1 and 2 they will be reaching out to you and they will ask you specifically for what they need.

10) Question/Comment: Can we work on other parts or do we need to wait until we hear from category 1 and 2 questions?

KDADS: Yes, you can go ahead and work on that. I would recommend looking at that guidance. It is important to work on the other questions other than heightened scrutiny while you are waiting on that.

11)Question/Comment: These calls are very helpful, but is there any way you could come out on the road again. I keep sending emails but I haven't heard anything back and we want to get it right but it feels like we are out here just floundering. If there is a way to get more personalized help we would take you up on it. It is great that remediation guidance is there, but I didn't even realize there was a support tab drop down. Having those things communicated more clearly would help, maybe you did and I missed it but I would appreciate that.

KDADS: Thank you for your comment, I know that this is frustrating. We have set up some virtual trainings and will look into some in-person trainings that would be more helpful. We also want to let everyone know that KDADS staff are not in the office. It is better to email if you have a direct question for KDADS staff. They do not have access to voicemail at this time.

12)Question/Comment: How do we sign up for the listserv?

WSU: You can sign up for the list serv on the Community Connections website, look at the bottom of the homepage for the sign-up form.

13)Question/Comment: The vagueness is extremely frustrating on our part. I have also tried to chat which I felt would be very helpful, they said somebody could call me and I still have not gotten a call and that was over a month ago. We want to do a good job and understand the importance, it is just very frustrating.

WSU: I am going to look for that after this call to see if I can get you an answer on that.

14)Question/Comment: I clicked to sign up for the update emails because I did not receive any updates. It says that I am already signed up.

WSU: You may have to check your spam folder but you can leave a message in the chat for them to be sure your email is on the list.

Adjourn

Evening Call (13 participants on the line)

- 1) Question/Comment:** What is the difference in not started versus waiting for a plan on heightened scrutiny?

KDADS: For categories 1 and 2, those will be waiting for heightened scrutiny staff outreach. Mainly because it has to do with location, so it would be adjacent to or attached to an institutional setting. So, we will be coming out to see the level of compliance and how we can come into remediation.

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