HB 144 PDS/CDO COMMITTEE RECOMMENDATIONS
June 2, 2016

The Participant-Directed Services (PDS) and Community Integration Committees make the following recommendations to HB 144 Committee. Employing one recommendation would have some impact, but implementing two or more would have a much more significant impact.

(1) Change the language regulating waivers to allow for flexibility in paying for the pre-employment and ongoing employment costs. KRS 205.6317 includes language prohibiting paying for "non-direct services" … Removing this language or amending it to "Direct services shall include costs associated with pre-employment and on-going employment requirements as dictated by regulations" in the Supports for Community Living waiver and then replicating it through the other waiver programs may allow for more flexibility in paying the pre-employment costs.

(2) Reduce employment-related costs. Costs are being substantially increased as waivers are being updated. New requirements in SCL II are expected to be incorporated into other waivers (as each is revised). Costs that could be eliminated (and made optional) include:

- First Aid & CPR Training provided through American Red Cross or Heart Association (cost $70 – 125)
- TB Screening (cost varies dramatically, up to $75)
- Drug Testing – regulation is unclear on what is required, and many individuals believe it is ineffective and overly invasive (cost varies dramatically, up to $75)

(3) Kentucky Medicaid should request technical assistance and implement suggestions from Centers for Medicare & Medicaid Services (via Molly Murphy) regarding how to adapt the infrastructure for the self-directed model to ensure that participants are not responsible for employment-related costs.

(4) Eliminate the 40-hour per week rule in the Michelle P Waiver regulations and maintain current system that allows flexibility to meet the needs of the participant.

(5) Eliminate the redundancy of multiple background checks for the same direct support professional who supports multiple individuals by amending regulations to reflect that a background check conducted within 30 days prior to date of employment of a direct support professional may be used to fulfill regulatory requirements.