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Lee A. Norman, M.D., Secretary

Laura Kelly, Governor

## **KanCare Advisory Council Meeting Minutes of December 8, 2020**

### **Council Members Attending Via Zoom:**

Mark Hinde  
Dr. Michael Kennedy  
Lora Key  
Edward Nicholas  
Njeri Shomari  
Beth Simpson

### **Council Members Absent:**

Susan ConCannon  
Jerry Henry  
Walt Hill  
Larry Martin, Chairman  
Mary Pilcher-Cook  
Allen Schmidt

### **Council Member Candidates Attending Via Zoom:**

Dr. Rebecca Reddy  
Jay Rowh

### **Council Member Candidates Absent:**

James Bart

### **Other Participants:**

Dr. Lee Norman, Secretary, Kansas Department of Health and Environment.  
Sarah Fertig, Medicaid Director, Kansas Department of Health and Environment.  
Chris Swartz, Director of Operations/COO, Deputy Medicaid Director, Kansas Department of Health and Environment  
Janis DeBoer, Deputy Secretary, Kansas Department of Aging and Disability Services  
Amy Penrod, Commissioner, Kansas Department of Aging and Disability Services  
Kerrie Bacon, Ombudsman, KanCare Ombudsman Office  
David Livingston, Aetna Better Health of Kansas  
Jon Hamdorf, United Healthcare Community Plan  
Stephanie Rasmussen, Sunflower State Health Plan

**Welcome – Sarah Fertig.** Sarah Fertig welcomed Council members and public attendees, took roll, and briefed Council members on the requirements of K.A.R. 16-20-1.

### **Review and Approval of Minutes from Council meeting September 29, 2020**

Dr. Lee Norman briefly spoke on the updates of Covid-19. He advised counties within the state to continue increasing the number of testing sites. Dr. Norman advised the first shipment of the Pfizer vaccination is due to arrive early next week.

Sarah Fertig asked if the Advisory Council had any changes to the proposed agenda and there were none. Sarah Fertig asked if there was any discussion on the previous meeting's minutes. Dr. Rebecca Reddy moved the September 29, 2020 minutes be approved as written. Dr. Michael Kennedy seconded the motion and the minutes were approved by the Council.

### **Old Business – KanCare Advisory Council**

#### **Define the capable person policy in regard to the care of our disabled kids and adults in need of care per their personal care plans – Ed Nicholas**

Ed Nicholas expressed his concerns on whether all MCO's were in uniform continuity.

Stephanie Rasmussen stated since April, the MCO's are meeting weekly to review issues as Ed stated. The MCO's are being consistent across the board in their expectations, especially with the COVID-19 emergency order and what is being allowed to be paid. Topic will remain on old business.

#### **Regarding new CPT codes related to outpatient care for COVID related concerns, will the new codes 99072 (charge for PPE and additional time/resources spent related to COVID patients) and 87426 (outpatient rapid COVID antigen test including the SOPHIA and BD code 87426 being recognized to the KMAP system and assigned payment of #38.45, which does not cover the cost of these tests.**

<https://www.ama-assn.org/practice-management/cpt/covid-19-coding-and-guidance> - Dr Rebecca Reddy

Sarah Fertig stated code 99072 will not be reimbursed and code 87426 will be reimbursed. Sarah added the reimbursement rate has not been changed. Code 87426 is part of a broader COVID-19 testing policy that the clinical team has been working. At this time, Medicaid has covered all COVID-19 testing.

Sandra Akpovona stated code 87426 will be covered at 85% rate for Medicare. The Medicare rate is 45.23 and will be updated to 38.44. Sandra provided information regarding multiplex testing codes that have been released. The clinical team is in the process of reviewing HCPCS for the CPT codes and procedure codes. A policy has been written to cover codes 87636/87637 and is awaiting approval from leadership. This topic will be removed from old business.

#### **HCBS staffing for people and COVID PPE and testing. Some of the feedback I have received is that clients are afraid to have help in their home unless people are tested but they can't be tested unless they are symptomatic, and the tests aren't affordable. Also, the agencies aren't providing PPE – Njeri Shomari**

Janis DeBoer stated KDADS requested \$12 million from the SPARK recovery office for the HCBS providers. The requested money was received and distributed. This topic will be removed from old business.

### **New Business – KanCare Advisory Council (No agenda items received)**

**KDHE Update – Sarah Fertig, Medicaid Director, Kansas Department of Health and Environment and Chris Swartz, Director of Operations/COO, Deputy Medicaid Director, Kansas Department of Health and Environment and Dr Lee Norman, Secretary, Kansas Department Health and Environment**

Sarah Fertig stated questions have been received regarding whether Medicaid will cover the vaccine. The states will cover the vaccine and is in the process of working out details on the reimbursement and administrative fees. KDHE has been asked to testify remotely at the Bob Bethell Committee meeting scheduled for December 9, 2020. The interim committee on Mental Health Modernization and Reform will conclude with two meetings at the end of this week. The public health emergency declaration has been extended to January 21, 2021. The state of Kansas is eligible for a 6.2 percent increase for federal funding through the end of March 2021 as it currently stands. Sarah stated she has received positive feedback from the advocacy group on Telehealth. Medicaid expansion will be a hot topic during the upcoming legislative session. KDHE is nearing the finish line on completion of regulations that ties to the protected income limit to 150% of SSI. Sarah Fertig advised One Care Kansas has 37 providers who are participating and 885 members as of December 1.

Chris Swartz will follow up with Dr. Rebecca Reddy concerning kids who are in foster care regarding their determination of eligibility due to back and forth placement with biological families and foster care. Chris Swartz stated the first week of December, KDHE received 9,700 additional applications to the number that is usually received due to open enrollment for the federal market. At this time the state has received 30 percent less applications from prior years. Chris Swartz advised KDHE has a new contractor for processing of applications starting January 1, 2021. She stated Maximus was not a successful bidder and the contract was awarded to Conduent in August. The transition was originally set to begin in March but was delayed to September due to COVID-19.

**KDADS Update – Janis DeBoer, Deputy Secretary, Kansas Department of Aging and Disability Services and Amy Penrod, Commissioner, Community Services and Programs Commission, Kansas Department for Aging and Disability Services**

Janis DeBoer provided information on the disbursement of the money received from the SPARK recovery office. An update was given on the activity of receivership, one facility is remaining.

Amy Penrod provided an update on the completion of site-assessments. The assessments have been reviewed at least once by the team with feedback given to the providers.

**Update from KanCare Ombudsman – Kerrie Bacon, KanCare Ombudsman Office**

Kerrie Bacon provided a brief update. Document emailed prior to meeting.

**Updates on KanCare with Q&A**

***Aetna Better Health of Kansas – David Livingston***

David Livingston provided a brief update. Document emailed prior to meeting.

***Sunflower State Health Plan – Stephanie Rasmussen***

Stephanie Rasmussen provided a brief update. Document emailed prior to meeting.

***United Healthcare Community Plan – Jon Hamdorf***

Jon Hamdorf provided a brief update. Document emailed prior to meeting.

**Next Meeting: KanCare Advisory Council – March 11, 2021, 2:00-4:00 pm via Zoom.**



