



KANSAS

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Interim Executive Director

KANSAS HEALTH POLICY AUTHORITY

ANDREW ALLISON, PhD
Deputy Director

MEMORANDUM

TO: SRS Staff
KHPA Staff

DATE: August 2, 2006

FROM: Scott Brunner, Medicaid Director

RE: KLS Referrals for General Assistance/MediKan Eligibles

Effective July 1, 2006 funding for the Social Security Advocacy contract with Kansas Legal Services (KLS) was moved from SRS to the Kansas Health Policy Authority (KHPA). This memo outlines new procedures for sending referrals under the KLS-KHPA agreement. Note that only General Assistance/MediKan cases are covered under this agreement. These instructions are not applicable to TAF or Child Welfare case referrals.

This process is applicable to all new General Assistance/MediKan approvals processed between July 1, 2006 and August 31, 2006. Any changes in the protocol for Social Security Advocacy referrals on and after September 1, 2006 will be issued in the Presumptive Medical Disability Determination (PMDD) policy material. With these changes, the Presumptive Medical Disability Team (PMDT) will be responsible for disability determination for the MediKan program beginning September 1.

Procedures for retroactively referring cases approved after 05-19-06, the date referrals stopped under the prior contract, are also included in this memo.

A. Referral Process - Except for the changes noted below, the basic initial referral process outlined in KEESM 1724 continues to be used under the new contract:

1. Obtain a signed IS-3122, Referral to Kansas Legal Services, from the applicant. If the applicant indicates private advocacy has been secured, the name and other information on the advocate/organization shall be provided to the eligibility worker. A KLS referral is not sent for persons who have independent advocacy and the IS-3122 is not required.

For persons obtaining advocacy or mentoring services through a local provider agreement (e.g., Mentoring Works in the SouthEast Region), an IS-3122 is not required.

The GA/MediKan application may not be approved until the IS-3122 is secured. KLS will then become responsible for ensuring the applicant applies for SSI or SSDI benefits.

2. Following approval of the GA/MediKan application, send the COMPLETED IS-3122 and a copy of the ES-3151 to the regional KLS office.
3. Fax or mail copies of both the IS-3122 and the ES-3151 to KHPA. Materials are to be sent to the following address:

Presumptive Medical Disability Team
Kansas Health Policy Authority
Landon State Office Bldg, Room 900
900 SW Jackson Street
Topeka, Kansas 66612

Fax: (785) 296-4813
Phone: (785) 296-3981

Note: Regional offices may elect to bundle these materials and send all forms in weekly.

B. Communication - Changes in communication protocol between KLS, KHPA and SRS are also effective with the new contract. KHPA becomes responsible for coordinating ongoing communication between the entities. Although SRS and KLS will continue to communicate on individual cases, KHPA will serve as the primary contact point for KLS information. Concerns related to the communication process may be address to KHPA. The following protocols apply under the new contract:

1. **Request for Withdraw** - KHPA will process requests made by KLS to withdraw representation on a case. KLS must make the request in writing and it must include a detailed reason for the request. KHPA may ask the SRS eligibility worker for additional information on the case prior to making a decision. The results of that request will be forwarded to the SRS eligibility worker through e-mail, with a courtesy copy to the EES Program Administrator. Negative action may be necessary as a result of the decision.
2. **Changes** - KLS will report general changes in the client's situation directly to the SRS eligibility worker. For example, a change in address, living arrangement or marital status are reported directly to SRS. If SRS becomes aware of a general change, the information must also be shared with KLS.
3. **Disposition of Social Security Application** - KLS will report a decision by SSA regarding the status of the SSI or SSDI application to both the SRS eligibility worker and KHPA. KLS must also report any subsequent appeal request to both entities.

C. Referring Cases Approved After 05-19-2006 - Referrals must also be initiated for all persons who have been approved for General Assistance/MediKan after 05-19-06. In order to refer to KLS, the worker will have to secure the client's signature on the Disability Consultation Referral to Kansas Legal Services (the IS-3122). Once the signature is obtained, the referral form is sent to the regional KLS office. If the client has already secured private representation, the referral is not necessary. As this is a condition of eligibility, failure to cooperate with the referral process could result in negative action. A copy of both the IS-3122 and the ES-3151 are to be sent to KHPA at the address listed above.

The eligibility worker is encouraged to contact the recipient by phone to explain the advocacy requirement and the reason for the request. If this was already done as part of the interview process, a followup phone call may not be necessary. KLS is responsible for ensuring the recipient completes the Social Security application process. If this has already occurred, please note this fact on the referral.

To assist with the referral process, a list of all GA cases approved since 05-19-06 is attached. The printout is sorted by Section-Unit-Caseload. Cases which have been subsequently closed were excluded. Because this list does not reflect cases approved after July 1, a second printout will be sent when available in mid-August. New approvals that you are aware of, but are not on the current list, may be sent early.

Thank you so much for you cooperation with this process. If you have any questions about the process, please contact Jeanine Schieferecke, Medicaid Program Manager or Mark Votaw, PMDT Manager. Questions regarding General Assistance eligibility shall continue to be sent to Lewis Kimsey, GA Program Manager with SRS. The reception number for the KHPA is (785) 296-3981.

SB:JM:jmm

pc: T.K. Shively, KLS