

**SRS PROVISOS**  
**Added or Modified by the 2005 Legislature**

**HCBS/DD Special Tier Rates**

*Provided further*, That, during the fiscal year ending June 30, 2006, of the expenditures from the mental health and retardation services aid and assistance account for HCBS/MRDD services as authorized by this or other appropriation act of the 2005 regular session, reimbursement rates for consumers with documented extraordinary needs who currently receive, have been approved for or leave a state institution or private institutional setting and are approved for special tier or individualized rates shall be maintained at a level no lower than the rate of reimbursement for these consumers on July 1, 2002: *And provided further*, That the department of social and rehabilitation services shall report to the legislature at the beginning of the regular session in 2006 with expenditure data regarding this group: *Provided further*, That nothing in this or any other statute shall prohibit a reduction or guarantee an increase in the reimbursement rate for consumers with documented extraordinary needs because of a change as a result of the annual basis assessment: *And provided further*, That any reductions in the HCBS/MRDD funding in fiscal year 2006 shall be implemented based on information and recommendations obtained in the most recent rate study required under subsection (a)(3) of K.S.A. 39-1806 and amendments thereto:

**Money Follows the Person**

(1) During the fiscal year ending June 30, 2006, the director of accounts and reports shall transfer the amounts specified by the director of the budget from the LTC — medicaid assistance — NF account of the state general fund of the department on aging to the LTC — medicaid assistance — HCBS/FE account of the state general fund of the department on aging or to the community based services account of the department of social and rehabilitation services: *Provided*, That such amounts to be transferred shall be certified by the director of the budget on December 1, 2005, and on June 1, 2006, to reflect the nursing facility rate paid for persons moving from a nursing facility to the home and community-based services waiver for the physically disabled or the frail elderly for the six months preceding the date of certification: *Provided further*, That the aggregate of all such transfers certified during fiscal year 2006 shall not exceed the amount required to support the movement of 80 individuals from nursing facilities to home and community-based services: *And provided further*, That each of the 80 individuals must meet the requirements described in a policy jointly developed by the secretary of aging and the secretary of social and rehabilitation services governing the operations of this transfer: *And provided further*, That the director of the budget shall transmit a copy of each such certification to the director of the legislative research department: *And provided further*, That the department of social and rehabilitation services shall report to the legislature at the beginning of the regular session in 2006 with expenditure data regarding this program.

**Mental Health Provider Pool**

*And provided further*, That the secretary of social and rehabilitation services shall not expand the existing public mental health provider system by opening up the medical card for the provision of mental health services to other than the existing medicaid eligible providers of mental health services as of March 1, 2005: *And provided further*, That the secretary of social and rehabilitation services shall work with the association of community mental health centers of Kansas, inc., to identify and address concerns related to service delivery, access and choice within the structure of the existing public mental health system.

**Analysis of Prevention Programs**

(g) In addition to the other purposes for which expenditures may be made by the department of social and rehabilitation services from moneys appropriated from the state general fund or any special revenue fund for the fiscal year ending June 30, 2006, as authorized by section 111 of 2005 Senate Bill No. 225 or by this or other appropriation act of the 2005 regular session of the legislature, expenditures shall be made by the department of social and rehabilitation services from moneys appropriated from the state general fund or any special revenue fund for the year ending June 30, 2006, for activities related to an analysis of programs related to low-cost or no-cost practices for prevention and social policy: *Provided*, That this analysis should include an investigation of potential funding sources: *Provided further*, That the secretary of social and rehabilitation services shall report to the legislature in January of 2006 on the results and findings derived from this analysis.

**Maximize Child Care Dollars**

(q) During the fiscal year ending June 30, 2006, money shall be expended by the department of social and rehabilitation services from the cash assistance account of the state general fund to maximize child care assistance dollars to serve the most children possible.