

# SRS/CSS Policy

**Regarding:** K.A.R. 30-64-32 Reviews

**Final Revisions and Approval Date:** March 15, 2004

**Implementation Date:** April 15, 2004

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## Policy Language:

All disputes (excluding those related to eligibility\* or across the board funding cuts implemented pursuant to the SRS/CDDO Contract) shall follow the local dispute resolution process.

Pursuant to K.A.R. 30-64-32, the role of SRS/HCP/Community Supports & Services (CSS) is to provide a summary review of the decision made by the CDDO Governing Board (or other designated board). CSS reviews these decisions to ensure applicable policies, practices, and procedures are followed at the local level. If they have not been correctly implemented, the review process provides CSS an opportunity to instruct the CDDO to make a corrective action. This process insures the appropriateness of local decisions to avoid having parties unnecessarily request a Fair Hearing.

If CSS confirms the local decision, the party to the dispute will then be referred to the Office of Administrative Hearings (OAH).

## Procedures:

1. The CDDO Governing Board's letter of determination after completion of the local dispute resolution process should refer parties to CSS, not the OAH (see contact information below).
2. CSS reviews any relevant materials and/or discusses the issue with the parties involved.
3. If CSS determines there is a need to change any policies, procedures, or practices, the matter will be referred back to the local level so the situation can be rectified.
4. If disputes are filed directly to OAH, CSS may file a motion to dismiss so the summary review process can take place.

## K.A.R. 30-64-32 Contact Information:

CSS Appeals Representative  
SRS/HCP/Community Supports & Services  
DSOB 10<sup>th</sup> Floor East  
Topeka, KS 66612  
785.296.3561  
Fax: 785.296.0557

\*BASIS Assessments (i.e., tier changes) are not reviewed under K.A.R. 30-64-32, nor are they appealable to OAH as they do not directly effect services provided to the consumer and/or family. However, a tier change from 5 to 0 is considered a matter of eligibility and can therefore be appealed directly to OAH.