How was the “Underserved” DD List Eliminated?

DRC Kansas and I/DD stakeholders advocated with the State and federal government that the “underserved” waiting list was illegal. Thanks to this advocacy, this “underserved” waiting list has now been eliminated! DRC wants to commend the State of Kansas for taking this historic action to eliminate the “underserved” waiting list.

In January 2014, the Kansas Department for Aging and Disability Services (KDADS) announced that Kansas was eliminating the DD “underserved” waiting list on the Intellectual/Developmentally Disability Home and Community Based Waiver (I/DD HCBS Waiver). Over the past 13 years, this DD “underserved” policy forced thousands of Kansans to illegally wait for I/DD Waiver services for which they were entitled.

What was the “Underserved” DD Waiting List?

The “underserved” waiting list was a list of Kansans enrolled in the I/DD Waiver but only receiving some, but not all, of the Waiver services for which they were eligible. In the past, a person could be receiving some DD Waiver services (like Day services) but they were placed on the “underserved” waiting list for their other DD Waiver needs (like Residential services). That terrible practice of getting only some, but not all, of the I/DD Waiver services you need has ended!

If you are a person on the DD “underserved” waiting list (or the parent or legal guardian) and you would like more information on these recent changes, please contact:

Disability Rights Center of Kansas
635 SW Harrison, Suite 100
Topeka, KS 66603-3726

Topeka Phone: 785.273.9661
Toll Free: 1.877.776.1541
info@drckansas.org

www.DDUnderserved.org

This document does not provide specific legal advices. Contact DRC for specific advice about your disability rights.
On Jan. 31, 2014, the State began sending out letters to individuals on the underserved wait list, including a “confirmation form.” By July 31, 2014, everyone previously on the “underserved” waiting list must be receiving services.

Important: In the confirmation form, Question 2 of the “self-assessment” section asks what additional services are needed. It is important to check ALL services the person will need to successfully live in the community, whether they are new or different services. If you need services, DO NOT leave this section blank!

For a complete list of key terms please visit www.DDUnderserved.org/terms

Q: Will my case manager be involved?
A: Yes. KDADS has stated that targeted case managers (TCMs) will conduct a needs assessment and work with the MCO regarding your service needs.

Q: If I disagree with a decision regarding the services I will receive, can I appeal?
A: Yes. Any reduction, termination, or change in services should be sent to you in writing. You can appeal this decision. Contact DRC for help.

Q: What happens if I don’t accept the service now? Can I get it at a later date?
A: Yes, you should. If you do not need the service now, you can reapply later when you do need it. Your MCO should then do a reassessment, and you should receive the new service if found eligible. You will not be placed on another waiting list. However, if you want the service now, you should take it.

Q: When I am reassessed by the MCO, is there a chance I will not get the services that I patiently waited for on the “underserved” waiting list?
A: Hopefully this won’t happen, but call DRC if it does! Because you have already been found eligible to receive these “underserved” services, and were just waiting to clear the “underserved” waiting list, DRC believes you should still be allowed to access them unless you no longer want these services or there has been a significant change in your needs. For people who believe that they need other services or additional services, then DRC thinks it’s a good idea to check “No” in the box that says “All of my needs are being met” (see Section 2 of the confirmation form). If you were on the DD “underserved” waiting list for specific services, but the MCO denies you access to those services, call DRC so that we can advise you of your legal rights. DRC’s services are free.