

Abbreviated Public Notice

Kansas Department of Health and Environment

Draft KanCare 1115 Demonstration Waiver Renewal Application

November 17, 2022

The State of Kansas will submit a five-year Medicaid 1115 demonstration waiver renewal application to the Centers for Medicare & Medicaid Services (CMS) in December 2022 for an anticipated effective date of January 1, 2024, through December 31, 2028, seeking federal approval to renew select initiatives of the KanCare program (Project Number 11-W-00283/7). No impacts to eligibility, services or benefits are anticipated because of this renewal.

This abbreviated public notice provides information regarding the proposed renewal request to CMS.

The renewal seeks to continue the authorization of the State of Kansas to provide critical elements of the KanCare 2.0 demonstration waiver that cannot be transitioned to more permanent Medicaid authorities. The elements that would continue under the KanCare 1115 demonstration waiver renewal include:

1. Substance Use Disorder (SUD) Coverage

Maintains access to specific SUD services and the SUD institutions for mental disease (IMD) exclusion to continue the success of enhanced access to care for members with a SUD.

2. 12-month Continuous Eligibility Coverage

Renews the 12-month continuous eligibility coverage for parents and other caretaker relatives using Modified Adjusted Gross Income (MAGI). This renewal will support continued access to Medicaid services and reduce churn in the Medicaid program, providing better opportunities to access care.

3. Public Health Emergency (PHE) Coverage

Maintains continuous eligibility for individuals enrolled in the Children's Health Insurance Program (CHIP) who turn 19 during the PHE in order to reduce gaps in coverage immediately after the PHE. It also maintains access to federal financial participation (i.e., federal share of funding) for this continuous eligibility coverage.

The draft KanCare 1115 demonstration waiver renewal, the full public notice and Tribal notification have been posted on the KanCare website accessible via this link: [KanCare.ks.gov](https://www.kancare.ks.gov).

About the Renewal

Given the success and stability of the current KanCare program, Kansas proposes to transition features of the Section 1115 demonstration that do not require 1115 demonstration waiver expenditure authority to more permanent federal authorities. While this transition will impact the way the Kansas Department of Health and Environment (KDHE) and the Kansas Department for Aging and Disability Services (KDADS) interact with CMS, the intent of this renewal is to ensure people still have access to the care and services they have come

to expect through the demonstration. This approach also seeks to preserve needed flexibilities for the KanCare program, while providing certainty to KanCare members that the program will continue for years to come.

Kansas's vision for the 1115 demonstration waiver renewal is to embed successful waiver programs within more permanent Medicaid authorities, thus creating a stable and supportive safety net for KanCare beneficiaries. The 1115 demonstration waiver renewal will maintain stability for continuous eligibility and SUD services that cannot be authorized elsewhere and therefore has a goal of providing enhanced access to services for Kansas Medicaid beneficiaries.

Opportunities to Provide Input

The draft KanCare Medicaid 1115 demonstration waiver renewal is open for public comment from **November 17, 2022, to December 17, 2022**. The State of Kansas encourages all interested parties — members, families, caregivers, providers, tribal partners, managed care organizations — to provide input through the process described below.

All materials related to the renewal package can be found on this web page: [KanCare.ks.gov](https://www.kancare.ks.gov). If you do not have access to the internet, a written copy of the draft demonstration waiver renewal can be made available upon request at the reception desks for:

KDHE-Division of Health Care Finance
900 SW Jackson, LSOB – 9th Floor
Topeka, Kansas 66612

Kansas Department for Aging and Disability Services
New England Building, 503 S. Kansas Ave.
Topeka, Kansas 66603

Where and When to Submit Written Comments

Any member of the public may submit written comments about the demonstration to the following email address KanCareRenewal@ks.gov or mail written comments to:

KanCare Renewal
c/o Kurt Weiter
Kansas Department of Health and Environment
900 S.W. Jackson Street, LSOB – 9th floor
Topeka, Kansas 66603

Deadline – Written comments must be received by KDHE at the above email or mailing address no later than **December 17, 2022, at 5:00pm CT**, which is 30 days after the date of publication of the abbreviated public notice in the Kansas Register. Written comments will be printed or summarized in the final demonstration waiver renewal application submitted to CMS and made available on state and federal websites.

Public Hearings

In addition to the opportunity to submit written comments, KDHE will seek public input on the demonstration at the following formal public hearings, both of which will include opportunities for the public to provide comments verbally.

Public Hearing #1 – Tuesday, December 6, 2022, from 2:00pm–4:00pm

Location: Eisenhower State Office Building, Auditorium A and B, 700 SW Harrison Street, Topeka, Kansas

Public Hearing #2 – Wednesday, December 7, 2022, from 6:00pm–8:00pm

Location: Virtual Zoom Meeting, register at: <https://www.kancare.ks.gov>

As a reminder, the deadline to provide public comment is December 17, 2022, at 5:00pm CT.