

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 64.—Developmental Disabilities—Community Developmental Disability Organizations (CDDO's)

30-64-22. Implementation responsibilities of CDDOs.

Each contracting CDDO shall perform the following:

- (a) Implement the approved service area procedures specified in K.A.R. 30-64-21;
- (b) collect and report to the secretary, in a manner specified by the commission, all information requested by the commission, including the following:
 - (1) Information required by the basic assessment and services information system (BASIS);
 - (2) copies of the plans of care detailing home- and community-based services to be provided to persons served by that program;
 - (3) copies of independent financial audits obtained by the CDDO, as well as any management letters generated as a result of the audits; and
 - (4) any other information or records the CDDO has that the commission needs in order to monitor how services are provided in the CDDO's service area;
- (c) organize a council of community members as specified in K.A.R. 30-64-31;
- (d) organize a local committee on quality assurance as specified in K.A.R. 30-64-27;
- (e) ensure that all services are provided in a manner that meets these requirements:
 - (1) Provides to all persons equal access to services, including to persons currently residing in any ICF/MR or institution but referred to the CDDO for possible services;
 - (2) provides that each person receiving or applying for community services, and that person's guardian if one has been appointed, receives information at least annually, communicated in a format appropriate for the person to understand, regarding the following:
 - (A) The types of community services available in the person's service area and information concerning the providers of those services; and

(B) the rights of persons served pursuant to the developmental disabilities reform act and implementing regulations, the content of which shall be approved by the commission;

(3) enables a person or the person's guardian, if one has been appointed, to choose the person's community service provider; and

(4) promotes the efficient delivery of services within the service area; and

(f) ensure that each community service provider entering into an affiliating agreement with the CDDO and operating within the CDDO's service area abides by the procedures applicable to that service area as established by the CDDO according to K.A.R. 30-64-21. In meeting this requirement, the CDDO may establish a procedure that would allow the CDDO to refuse to enter into or continue an affiliation agreement with any community service provider under any of these circumstances:

(1) If the provider refuses to accept a reimbursement rate for services to be provided that is at least equal to that established by the secretary to apply to the CDDO, or as agreed to in the affiliation agreement with the CDDO;

(2) if the provider has established a pattern of failing or refusing to abide by the service area procedures established by the CDDO according to K.A.R. 30-64-21, or failing to comply with its affiliation agreement with the CDDO; or

(3) if the CDDO demonstrates to the satisfaction of the secretary that being required to enter into the affiliating agreement would seriously jeopardize the CDDO's ability to fulfill its responsibilities either under these regulations or pursuant to its contract with the secretary.

(Authorized by and implementing K.S.A. 39-1804, 39-1805, 39-1806, and 39-1810; effective July 1, 1996; amended Oct. 1, 1998; amended Feb. 1, 2002.)

***** Authenticated Kansas Administrative Regulation *****