

1 A JOINT RESOLUTION directing the Cabinet for Health and Family Services to
2 create the Task Force on Exceptional Support Waiver Services to study exceptional
3 support services and the Kentucky Exceptional Supports Protocol provided through the
4 Supports for Community Living Waiver Program.

5 WHEREAS, the Supports for Community Living Waiver Program provides
6 essential services to vulnerable populations; and

7 WHEREAS, Supports for Community Living Waiver Program participants with
8 high-intensity needs require exceptional levels of staffing and specialized care; and

9 WHEREAS, the required supports for community living waiver services are not
10 adequate to ensure the health, safety, stability, and welfare of waiver participants with
11 high-intensity needs; and

12 WHEREAS, the Cabinet for Health and Family Services has recognized that
13 supports for community living waiver participants who have high-intensity needs require
14 exceptional supports such as two-to-one staffing; and

15 WHEREAS, to ensure the placement of an individual is in the best interest of the
16 individual, there should be a review of the placement rules and regulations when using an
17 exceptional rate; and

18 WHEREAS, exceptional supports are for the purpose of ensuring the health, safety,
19 stability, and welfare of Supports for Community Living Waiver Program recipients and
20 are recommended and required by the person-centered team; and

21 WHEREAS, a robust Supports for Community Living waiver system requires
22 viable providers to provide these needed services;

23 NOW, THEREFORE,

24 ***Be it resolved by the General Assembly of the Commonwealth of Kentucky:***

25 ➔Section 1. The Cabinet for Health and Family Services shall establish the Task
26 Force on Exceptional Support Waiver Services. The task force shall have the following
27 members:

- 1 (1) The secretary of the Cabinet for Health and Family Services or designee, who shall
2 serve as chair;
- 3 (2) The commissioner of the Department for Medicaid Services or designee;
- 4 (3) The commissioner of the Department for Behavioral Health, Developmental and
5 Intellectual Disabilities or designee;
- 6 (4) One for-profit Supports for Community Living Waiver Program service provider;
- 7 (5) One nonprofit Supports for Community Living waiver service provider;
- 8 (6) The executive director or his or her designee, of the Kentucky Association of
9 Private Providers;
- 10 (7) One provider member of the Kentucky Association of Private Providers;
- 11 (8) The executive director or his or her designee, of the Kentucky Association of
12 Regional Programs;
- 13 (9) One provider member of the Kentucky Association of Regional Programs;
- 14 (10) One individual with an intellectual or developmental disability; and
- 15 (11) A representative from a statewide advocacy group for individuals with intellectual
16 or developmental disabilities.

17 ➔Section 2. The task force shall be attached to the Cabinet for Health and Family
18 Services for administrative staffing purposes. No per diem or travel expenses shall be
19 allowed for members of the task force.

20 ➔Section 3. The Task Force on Exceptional Support Waiver Services is directed
21 to study and make recommendations for:

- 22 (1) New exceptional support service and payment models which will allow waiver
23 service providers to provide the level of care necessary to support high-intensity
24 individuals. The task force shall examine cost data from direct service providers
25 when evaluating payment models;
- 26 (2) Creating efficiencies within the Cabinet for Health and Family Services to ensure
27 that participants receive high-quality exceptional supports when they are needed

1 without delay or interruption;

2 (3) Creating efficiencies within the Cabinet for Health and Family Services that support
3 quality care and outcomes;

4 (4) Which critical outcomes can be measured and used to improve the exceptional
5 support service model; and

6 (5) How federal, state, and local resources are being used to optimize these outcomes
7 and identify where resources can be better coordinated or redirected to meet the
8 needs of high-intensity waiver participants in the state.

9 ➔Section 4. The Task Force on Exceptional Support Waiver Services shall meet
10 monthly beginning in August 2020. The task force may submit initial findings and
11 recommendations to the Governor, General Assembly, and the Interim Joint Committee
12 on Health, Welfare, and Family Services prior to the 2021 Regular Session of the General
13 Assembly. The final report with the findings and recommendations of the task force shall
14 be submitted to the Governor, General Assembly, and the Interim Joint Committee on
15 Health, Welfare, and Family Services by August 1, 2021, at which time the task force
16 shall cease to exist.