

Thank you so much for allowing us to come and speak with you all today.



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For those that might not know me, I am Kim Culliss. I have been the Executive Director for Lawrence Meals on Wheels since 2001. During that time, I have been trained by KDADS staff as well as JAAA staff, on the ins and outs of the Older Americans Act funding, assessments and policies. During the entirety of my tenure with LMOW, we have been doing our participant AUI assessments in house, free of charge, without ever receiving any reimbursements. I was told that if we asked for reimbursement it would reduce the number of meals we could serve as the funding for meals and assessments all came from the same pot so to speak. Since we had never been reimbursed we certainly didn't want to change and reduce the number of clients we could serve.

I never had an issue with my staff doing the assessments ^{free} as it is truly just a part of our daily doing business. In fact, we use the same assessment, the AUI instrument for all our clients. So whether a client is receiving OAA funded meals or is 23 and getting meals that are subsidized solely by LMOW, we are collecting the same exact data. In fact, we collect 1/3 – 2/3 of the information on the AUI during our initial phone intake.

So in February, I was off on FMLA and when I returned in May, I was aware that JAAA was proposing to take over the assessments for all new participants and reassessments. This was proposed about 10-15 years ago. I was told it was happening but that there would be many meetings and time to iron out all the issues and details before it took effect 10/1. Well that didn't happen. In fact, we finally had a meeting in Sept. which did not actually answer any questions and concerns but created even more. Every question I asked was met with a different answer and finally I was told it is happening no matter what simply because the Board says so. I didn't receive an actual corrected contract until Sept. 23, and the current grant period started on Oct. 1st. Now before I can sign any contracts in good faith on behalf of Lawrence Meals on Wheels, I need to have time to do my due diligence and share it with my Board as I am sure you all understand as part of your fiduciary duties as members of the JAAA Board of Directors.

My first question ¹⁵ was why are we taking a service that we have been doing free of charge for the past 25 years and all of a sudden, JAAA gets reimbursed to do it? For at least 25 years, JAAA has been totally ok with us doing them for free but now they need to be paid to do it? I was given numerous answers to this simple question, in no particular order-

1. KDADS is mandating it. – That is false per KDADS and we are the only programs in the State being told to do this! That isn't a state mandate
2. Higher up than KDADS is mandating it – That also turned out to be false per KDADS and because no one has yet provided me with such documentation and other info.
3. It is a Federal Mandate – again that is false per simple research and since I have been asking for the actual written mandate since May and no one can produce it. I do receive emails and newsletters from the ACL as well as have full access to the ACL and OAA guidelines etc. In fact, I believe that this proposal actually goes against the actual regulations for OAA. Again no other program in KS is being mandated to do it this way. The regs are very clear that the way we have been doing it is legally acceptable.
4. The meals programs have been doing things wrong for ²⁰ years and JAAA has had to defend us to the higher ups that entire time – false as no one has told us what we are doing wrong in all that time, trained us properly and still haven't!
5. Because the Board says so!
6. Because it is a Conflict of Interest issue per the Feds – this is false.

Most recently when I questioned what the added value for the participants, the actual meal programs and for JAAA is I was told that Susan had been instructed by this Board not to answer any questions. I was told you had your chance to ask questions during the question period of the RFP process. But I have never requested payment for assessments during the RFP so nothing changed and I had no questions with the RFP process. I was told there would be plenty of time to ask my questions later. Then I was told no I couldn't???? This makes working out the details and such very difficult.

So let's take the Conflict of Interest issue. I did ask if there was only one program, then what would the conflict of interest be and was told that if that was the case, then it wouldn't be a conflict of interest and it would be ok for

that one program to do their own assessments?!? If that is true, then why is JAAA demanding that they do all the assessments in Shawnee and Jefferson where there is no conflict of interest as there is only one program?

Lawrence Meals on Wheels is being targeted then since Lawrence has two programs. The two programs in Lawrence are two distinct programs. Lawrence Meals on Wheels serves primarily ^{not exclusively} specialized diets, we do require a doctor's order and we also serve all ages.

So for years, you all and the meal programs have agreed that there is no conflict of interest. Now that has changed but no one can answer what has changed. Tuesday, I met with 18 or more different Meals on Wheels providers in the state of Kansas. Many of these providers do their own assessments just as we have been doing. No one has been told by anyone that they have to change as it is a COI per the Feds. In fact, as was the case the last time this came up, many of the AAA's have their own CHAMPSS programs where they register/do intakes participants, run the CHAMPSS program and invoice for the meals and get paid. Many AAA have their own in-house meal program. Again, they do the assessments, provide the service just like we do and then they input the data into KAMIS like we do and then they themselves get paid for the service out of the money that KDADS gives them from OAA. Currently there is a checks and balance. Once JAAA takes over assessments and data entry MOW will not have any checks and balance that JAAA is correct and a level of checks and balances by JAAA will be lost. That seems much more likely to be a probable COI. I did mention this and was told that they sign paperwork to take care of the COI. LMOW would be happy to sign such paperwork in this case.

Taking a service that we have to do for daily business, one that we have been doing for free without any issues, and deciding that you will now do that exclusively, you will set the dollar amount per assessment or just the overall pot of money that will be used for them and then paying yourself for something that was previously done for free – seems to be a much more probably cause for conflict of interest and possible liability.

In addition, it is my understanding that there is a current waitlist. LMOW had over 6000 meals that were eligible for OAA funding but that couldn't be funded this past year. We served those individuals we didn't put them on a waitlist. Even with the increase in funding, we will again have meals that we serve that

are OAA eligible but that there won't be any funding for. We are lucky to have never had to turn anyone away so far due to their inability to pay. Times are changing and things are getting tough. We have added an unprecedented 3 new routes in the past 8 months alone. Need is increasing and fewer are able to private pay. Midland Meals on Wheels has had over 100 participants on a wait list. The amount of money that is now up to be used for assessments would wipe out 50-80% of the current waitlist. It won't serve everyone but even feeding 50 more people for a year makes more sense than using the funds to pay for a service that has been done for free and will also need to still be done by the actual provider. Where is the funding coming from full transparency?

Yes it will be an actual duplication of services. As I have said, 1/3 – 2/3 of the information on the AUI is information that we get during our initial interactions with potential clients. We will still need to go to the participants house in order to assess their situation and make sure that we can safely serve the participant using our volunteers. Yes, we will need to ask almost the exact same questions that JAAA is proposing that they will do for us.

A new client calls LMOW and within the first 30 seconds of the call, we can determine eligibility as that is if they are over 60, homebound and on a special diet for us. If they aren't on a special diet, we immediately refer them to our partner, Midland Meals. In fact we field calls as do they from each other's clients on a regular basis. At that point, my staff starts working to get them routed, get their doctor's orders, schedule and complete their AUI and educate them on our program policies and procedures. We can generally get them started within 2-5 days and the only reason that might take us longer than MM is because some doctor's are slower to respond than others.

Under the new proposal, a new client will supposedly call us, then we will refer the name and phone number to JAAA, and JAAA will have 13-15 days to complete the assessment and get it back to us???? This is not a value added. It may take this long because no one, especially our participant demographic, answers unknown numbers. If they do, or once they get a letter, they will call, they are hard of hearing, possibly suffering confusion/dementia, and more commonly, they do not trust and have been told by everyone from the news talking about scam farms to their families, telling them not to give out any information, not to answer the phone and to ignore anything that they think is a scam. So potentially, JAAA will deem them ineligible because they couldn't

complete the assessment. As their trusted provider, as someone they contacted, we can get the assessment done in a much more timely and efficient manner. We can also get a much more accurate and detailed assessment done because we have a relationship with them and we know them. From the paperwork I recently received from JAAA this is a proven fact. A program I visited in Missouri recently, found that the majority of participants were deemed ineligible when a 3rd party took over assessments. They had to start an entirely new program; snack and smile, to make sure those clients did receive some kind of services and social interaction and wellness checks!

It is very prevalent that so many people are scared that they will be forced to move to a nursing home. So when someone they don't know calls and starts asking questions like whether they have issues and problems with daily living activities, eating/nutrition, etc., they are not always honest. They want to be independent and they want to stay in their own homes. So they may not answer truthfully. We are known to them as they initially called us and we have relationships with them. When we ask them if they have fallen as an example, they know that we have been the ones to actually find them, so they answer truthfully. This is again, why we are way more qualified to do a proper assessment. Dignity is an issue. Sometimes participants answer differently depending on how the question is asked. It is a matter of dignity. How will the assessors who have no relationship to the clients, know this? Account for this?

What are the qualifications to be an assessor? Who has trained them? How much experience do they have working with this specific population? Do they know Lawrence? Are they familiar with Lawrence resources and services? Are you currently fully staffed?

Another issue with this new plan is liability.

It has been a long time question of mine as to why LMOW isn't getting any referrals from JAAA case managers. Currently out of 150 clients, only 3 have case management services with JAAA. That means not one has been a referral from JAAA. For the first time in ages, I received NOA's from the JAAA case manager. Getting their paperwork in order to start this new plan. There were numerous issues with the paperwork. Clients who were receiving MOW didn't have us on the long form as a service provider. We haven't ever been notified that the assessment was done even when the client told them they

were getting MOW. Assessments were due in Feb/March but weren't actually done until July. One client clearly told the case manager they had a doctor ordered diet and no referral or notification was ever sent to us. So I called the case manager to get clarification I also asked why we didn't receive any referrals. I was shocked when he said, I don't ever refer to you because you only do special diets, right? The data backs that up but then I asked him if he had anyone that needed a low sodium, low cholesterol diet or if any of his clients were diabetic and he responded well of course. The actual paperwork he sent to us showed that the client had told him they needed a special doctor ordered diet, yet he didn't notify us, nor add us to the POC! So now we are expected to turn over new clients and supposedly we will get them back as referrals? Additionally, we have 150 OAA clients out of over 200 clients total. Those 150 basically do not have any other services from JAAA. That means that the Abbreviated UAI is the appropriate assessment tool for them. The long form is only to be used when other services are going to be used. This seems like a client grab. Our clients aren't asking for JAAA services. They are asking for ours. We do let them know there are additional services, 800-798-1366, so we are giving them referrals to JAAA. We would be happy to distribute a brochure to them as part of their intake but I don't know how or why it is appropriate for them to have the long form. The AUAI is the appropriate tool and as I have stated, we do that already.

This is crazy! This means that the case managers know so little about our program and that they truly aren't even doing the assessments correctly. The nutrition part clearly, in at least 2 different areas, asks about special dietary needs. It is not statistically feasible that not one of his clients in Lawrence needs a special diet and he admitted as much. So that tells me that everyone is automatically being referred to MM! Even the ones that have said they have special dietary requirements. The paperwork I received just last week supports and proves this. Statistically it is impossible that the JAAA case managers don't have anyone on a special diet??? IT is a liability for JAAA. It is a liability for MM. They receive referrals and believe that the person is on a regular diet but there is really no guarantee that is accurate. If a case manager, isn't ever saying there are two programs, the possible participant, thinks they have to accept the regular meals, eat what they can etc. or they just won't get meals at all????? Huge liability!!!! That means that MM is quite possibly serving the wrong food to a client. That means that someone could be harmed and JAAA would be liable for making that referral erroneously. Now

I believe that MM is doing their due diligence as we do get referrals from them. They do catch when paperwork says they are on a special diet but they get the referral anyway. If the client doesn't share they are on a special diet as they don't know there is another option, then that is also a liability for everyone.

Under this new plan, LMOW and MM will be tasked to re educate discharge planners, doctors/nurses, hospitals, VA's on the new referral procedures? So are they supposed to call JAAA directly with meal referrals or call us and then we have to explain why now a third party will be involved and why that may take considerably longer than our current level of quality customer service? We have to explain why they may not qualify for an OAA meal but that doesn't mean we won't serve them??? We also don't have plans in place to notify the assessors when someone passes, is at the ER etc. so they won't be calling them at inopportune times. So many details still aren't solved.

When a new potential client calls LMOW, I do not believe that JAAA has any right to nor do I have authority to share their personal information with JAAA. I would need to get them to sign a release of information, and that would be when I would normally do the AUAI. In order to get my USDA per meal reimbursement and the MOW Tax checkoff funds, I will still be required to complete an AUAI and enter them into KAMIS even if they don't receive OAA funded meals, but instead if they are getting meals funded otherwise. This has always been the procedure, as I have always run out of OAA funding but have entered the overage meals in order to get the USDA and Tax check off that we are due.

I did ask about this and was told that once they sign the AUAI, it gives JAAA the right to their information. Now, I just sat in on the training for a new staff member for the AUAI in Sept I think. There was no training at all given to explain to them that by signing the document they were agreeing to anyone other than LMOW to be calling them, trying to see if they wanted additional services and information. Previously, I was trained by KDADs and JAAA, that by signing it, we did in fact tell them that their info would be entered into Kamis and used for billing purposes, to enable the delivery of services and program monitoring since their meals would be funded in part by OAA.

I did not get the signature page with the most recent paperwork I was sent, so I still don't have anything for those current customers saying they agreed to this. In fact, there is no release of information for JAAA to give me their

information, which is another possible liability. I believe that we would need that.

So at the very least, JAAA would only legally be allowed to their information after we did the initial AUI and they are a current client and that would be an annual reassessment. If we are able to do the initial assessment, then we are able to do the reassessment.

I am concerned that the negative impact to participants and the actual home delivered meal programs hasn't been thoroughly discussed and addressed with written SOP's. We are rushing to start new procedures that haven't been properly vetted. I have not seen the proof that this will actually work, without negative effects and with added value and a benefit to the participants and providers. The amount of confusion is going to be huge. The frustration from clients that call us directly and then are told a third party must contact them will land squarely on us and affect our reputation. The delay in actual services starting is only going to negatively impact our programs. The duplication of services has always been a concern and this will be a duplication of services. People that need services will have their services delayed, they will be deemed ineligible if they can't get the assessment done in time or due to an inaccurate assessment, they will be denied OAA services but then we will have to inform them that they qualify for LMOW or MM meals just not OAA???. Our current referral sources will be frustrated and disappointed that the level of quality customer care they are used to is now being downgraded by adding an unnecessary third part assessor. That is not going to be a great look for Meal Providers. Our donors will get wind that there are some negative and adverse attitudes towards our programs and that could be a liability for us and our ability to raise funds.

That coupled with the fact that the money could be used to provide actual meals and serve more people, make it very hard for us to want to partner in this way.