

State of Kansas

Fort Hays State University

Notice to Bidders

Fort Hays State University encourages interested vendors to visit the Fort Hays State University Purchasing Web site, <http://www.fhsu.edu/adminfin/purchasing/bids/>, for a complete list of all goods and services currently out for bid. Paper postings of all open bids may be reviewed at Purchasing, Room 318, Sheridan Hall, 601 Park St., Hays. Copies of open bids also may be requested by contacting Purchasing at (785) 628-4251, by fax at (785) 628-4046, or by e-mail at purchasing@fhsu.edu.

Kathy Herrman
Purchasing Director

Doc. No. 036249

State of Kansas

Kansas Health Policy Authority
Department on Aging

Notice of Proposed Nursing Facility Disaster Relief Provision, Methodology for Calculating Rates for Disaster Relief, and Rate Justifications; Notice of Intent to Amend the Medicaid State Plan and Request for Written Comments

Under the Medicaid program, 42 U.S.C. 1396 et seq., the state of Kansas pays nursing facilities, nursing facilities for mental health and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The Kansas Secretary of Aging administers the nursing facility program, which includes hospital long-term care units. The secretary acts on behalf of the Kansas Health Policy Authority (KHPA), the single state Medicaid agency. As required by 42 U.S.C. 1396a(a)(13), as amended by Section 4711 of the Balanced Budget Act of 1997, P.L. No. 105-33, 101 Stat. 251, 507-08 (August 5, 1997), the Secretary of Aging (KDOA) is publishing the proposed methodology underlying the establishment of the nursing facility rates and the justifications for the proposed rates for disaster relief. The KDOA also is providing notice of the state's intent to submit proposed amendments to the Medicaid State Plan to the U. S. Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS) on or before December 31, 2008.

I. Methodology Used to Calculate Medicaid Per Diem Rate for Disaster Relief.

As provided for in L. 2008, ch. 184, sec. 40, to recognize the high cost of cleanup and renovations made necessary by the 2007 natural disaster that occurred in Southeast Kansas, per diem rates for providers forced to close and subsequently reopen as new providers within the affected area will be determined from a projected cost report.

Qualifying Providers

Only providers located within a county designated by major disaster declaration FEMA-1711-DR, which also remained closed for a period of nine months or more as a result of such 2007 disaster caused by the flooding and

other severe weather in Southeast Kansas, and which subsequently reopened as new providers (unrelated to the previous operator or owner), will be eligible for this provision. These providers will be considered in disaster relief status.

Rate Determination

The per diem rate for each qualifying provider shall be determined on an interim basis from a projected cost report. Once the qualifying provider has completed its first 12 months of operation, the provider will be required to file an historical cost report covering the same period as the projected cost report. The historical cost report will be used to recalculate all rates set from the projected cost report and a direct cash settlement will be required to cover the cost of any overpayment or underpayment.

All cost data used to set rates for qualifying providers shall be adjusted to the midpoint of the rate payment period. This adjustment will be based on the Data Resources, Inc., National Skilled Nursing Facility Market Basket Without Capital Index (DRI Index). The DRI indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to the midpoint of the rate payment period. The provider shall remain in disaster relief status until they have completed one full calendar year in the Medicaid program and the base data is reestablished. During this time, the adjusted cost data from the projected and subsequent historical cost reports shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in disaster relief status.

Once the provider exits disaster relief status, the per diem rates will be determined from its historical calendar year cost reports that fall within the base period.

II. Proposed Medicaid Per Diem Rate for Kansas Nursing Facilities.

One provider meets the qualifying provider criteria established for the disaster relief provision. The estimated rate for Windsor Place of Independence is \$135.00.

III. Justifications for the Proposed Rates.

1. The proposed rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan and pending amendments thereto.
2. The proposed rates are calculated according to a methodology which satisfies the requirements of L. 2008, ch. 184 sec. 40, K.S.A 39-708c(x) and K.A.R. Article 30-10 implementing that statute, and applicable federal law.
3. Estimated impact of the rate change due to the implementation of the per diem rate for disaster relief provision:

a. Estimated average rate October 3, 2008	\$136.36
Average payment rate July 1, 2008	\$136.30
Amount of change	\$0.06
Percent of change	0.04%
4. Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will increase by approximately \$190,793.

5. The state estimates that the proposed rates will continue to make quality care and services available under the Medicaid State Plan at least to the extent that care and services are available to the general population in the geographic area. The state's analyses indicate:
- Service providers operating a total of 294 nursing facilities (representing 97% of all the licensed nursing facilities in Kansas) participate in the Medicaid program, while an additional 40 hospital-based long-term care units are also certified to participate in the Medicaid program;
 - There is at least one Medicaid-certified nursing facility and/or nursing facility for mental health, or Medicaid-certified hospital-based long-term care unit in each of the 105 counties in Kansas;
 - The statewide average occupancy rate for nursing facilities participating in Medicaid is 84.1%;
 - The statewide average Medicaid occupancy rate for participating facilities is 55.8%; and
 - The proposed rates would enhance the coverage that is already at 96.84% of the estimated Medicaid health care costs incurred by participating nursing facilities statewide.
6. Federal Medicaid regulations at 42 C.F.R. 447.272 impose an aggregate upper payment limit that states may pay for Medicaid nursing facility services. The state's analysis indicates that the proposed methodology would result in compliance with the federal regulation.

IV. Request for Comments; Request for Copies.

The state requests providers, beneficiaries and their representatives, and other concerned Kansas residents to review and comment on the proposed disaster relief provision, the methodology used to calculate the proposed rates, the justifications for the proposed rates and the intent to amend the Medicaid State Plan. Persons and organizations wishing to submit comments must mail, deliver or fax their signed, written comments before the close of business November 7 to:

Dave Halferty
NF/PACE Division Director
New England Building
503 S. Kansas Ave.
Topeka, KS 66603-3403
Fax (785) 296-0256

V. Notice of Intent to Publish Final Rate.

The state intends to publish the final methodology used to calculate the disaster relief rates, the final rates, and the justifications for the final rates in the Kansas Register after any timely submitted public comments have been reviewed.

Notice of Intent to Amend the Medicaid State Plan

The state intends to submit the proposed Medicaid State Plan amendment to CMS on or before December 31, 2008.

Kathy Greenlee
Secretary of Aging
Marcia J. Nielsen, Ph.D., MPH
KHPA Executive Director

State of Kansas

Department of Health and Environment

Notice of Hearing

A public hearing will be conducted at 10 a.m. Wednesday, November 5, in the Azure Room, fourth floor, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to discuss the Draft FY 2009 Priority System and Project Priority List and the Draft FY 2009 Intended Use Plan for the Kansas Water Pollution Control Revolving Loan Fund.

The Kansas Department of Health and Environment, Bureau of Water, has proposed these draft documents for the state fiscal year 2009. The draft documents are available on the KDHE Web site at <http://www.kdheks.gov/muni/index.htm>. Comments on the Priority List and the Intended Use Plan are welcome and requested. Any questions should be directed by e-mail to rgeisler@kdhe.state.ks.us or by regular mail to Rodney R. Geisler, P.E., Chief, Municipal Programs Section, KDHE, Bureau of Water, Suite 420, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612-1367.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 036255

(Published in the Kansas Register October 2, 2008.)

City of Wichita, Kansas

Notice to Bidders

The city of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67202, until 10 a.m. Friday, October 31, for the following project:

(KDOT Project No. 87TE-0231-01/472-84194/205387)

(OCA Code 706921)

Bike Path

Bike Path along I-135, Gypsum Creek and George Washington Blvd., from north of Pawnee to the Kansas Turnpike

Requests for the bid documents and plans should be directed to City Blue Print at (316) 265-6224 or Marty Strayer at (316) 268-4488. Other questions should be directed to the respective design engineer, (316) 268-4501.

All bids received will thereafter be publicly opened, read aloud, and considered by the Board of Bids and Contracts. All work is to be done under the direction and supervision of the city manager and according to plans and specifications on file in the office of the city engineer. Bidders are required to enclose a bid bond in the amount of 5 percent with each bid as a guarantee of good faith. The Wichita City Council reserves the right to reject any and all bids.

The successful bidder may contact Kim Pelton at (316) 268-4499 for extra sets of plans and specifications.

Marty Strayer
Administrative Aide
City of Wichita—Engineering

Doc. No. 036265

Doc. No. 036247