

New York Self-Determination Coalition

www.nyselfd.org

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Comments on the NYS Executive Budget FY 2024 Proposal

New York Self-Determination Coalition is an independent group of volunteers who have been advocating for self-directed services for people with intellectual and developmental disabilities at the local, state, and federal level for over ten years. Self-directed services give people control over where and with whom they want to live, how to spend their days, and who supports them.

We want to express our strong support of two items in the Governor's budget:

Establish an independent intellectual and developmental disability ombudsman program

We applaud the inclusion of \$2 million in the budget to fund an ombudsman program for those served by OPWDD. People with I/DD and their families are often in need of assistance to deal with the complex and often inefficient systems they rely on for their most basic needs. This program should:

- Provide individualized assistance to people with I/DD, their family, and advocates
- Be available statewide
- Advise and advocate on individual cases and concerns: and
- Provide accessible education on various aspects of state programs and CCO services
- Be run by a non-profit, independent agency

However, we need to go further. The budget should include legislation to codify the program by including the language of Assembly bill 1577 (Buttenschon)/Senate bill 3108 (Mannion), so ombudsman services can continue to be available.

Provide flexibilities for delegated nursing tasks

An exemption from the NPA for people who use direct support professionals will do a great deal to allow people to live in non-certified housing in their communities. The Department of Health's Consumer Directed Personal Assistance program allows consumers (or their representative) to recruit, interview, hire, train and supervise staff to do health related tasks.

However, people who use OPWDD who live in non-certified housing are unable to use their direct support staff to perform these tasks. That means, if someone needs assistance taking

medicines, or insulin shots, for example they must live with their parents or in a congregate setting; they have no other options. We strongly urge you to support this legislation.

However:

The DSP Workforce needs to be paid a living wage

General comments:

- Supporting people with IDD in all aspects of their lives is not a minimum wage job.
- A COLA of 2.5% is inadequate. We need a minimum increase of 8.5%, as well as a \$4000 base salary increase.
- The disparity between the DSP wage for State and voluntary agencies must be addressed. The same wage levels should be available for DSPs in Self-Directed Services.

COLAs need to reach the people for whom they were intended

Individuals with Self-Direction Budgets were not able to access these funds to pay their staff until December 1 at the earliest. OPWDD required every participant to submit a full budget amendment (a multi-step process, involving the individual/family, Self-Direction broker, DD Regional Office, Fiscal Intermediary). Due to this complicated, lengthy process, most people have not received the COLA granted to them last year. How can this be avoided with the next COLA?

Further, traditional provider agencies will be getting the COLA retroactive to April. That is not being done for those using self-directed services (a more cost effective way to support people with IDD). How is that fair?

Do not extend the legal authority for OPWDD to implement managed care plans through 2028

There's no evidence that managed care significantly improves the quality of care or access for people with IDD; and it does not reduce costs. See the testimony of Jim Karpe for specifics.

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