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Proposed FY 2012-13 Executive Budget

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**Joint Hearing of the Fiscal Committees of the State Legislature**

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Testimony of Commissioner Courtney Burke

February 14, 2012

Chairman DeFrancisco, Chairman Farrell, Senator McDonald, Assemblyman Ortiz, and other distinguished members of the Senate and Assembly, thank you for the opportunity to testify today regarding Governor Cuomo's 2012-13 executive budget for the Office for People With Developmental Disabilities (OPWDD).

Our state's system of services and supports for individuals with developmental disabilities is among the most comprehensive in the nation. With that great responsibility comes the need for constant self-evaluation and improvement, and to identify innovative approaches to help us deliver quality care, protect services today, and anticipate our needs for the future. OPWDD currently serves more than 126,000 New Yorkers with autism, Down syndrome, intellectual disabilities, cerebral palsy, and other developmental disabilities. As you know, with advancements in health care and better diagnoses, ours is a growing field.

Under Governor Cuomo's leadership, OPWDD has transformed virtually every aspect of our operations to strengthen our services and supports, protect the health and safety of the individuals we serve, enhance qualifications, training, and supervision of our workforce, and improve oversight of nonprofit providers. Continuing this progress, the Governor has again demonstrated his commitment to individuals with developmental disabilities with a budget and reform proposal that supports OPWDD and implements the structural changes we need to strengthen the system by:

- Investing critical resources in more person-centered services, and creating new service opportunities that will support individuals with developmental disabilities who are: currently living in institutional settings; graduating from residential schools and other educational programs; and living on their own or with families and others.
- Reconfiguring OPWDD's service delivery system in a manner that will place our focus squarely on service quality and improvement, and ensure consistency in all OPWDD operations statewide.
- Shoring up fire safety standards in community-based residences through the Governor's five-year capital plan.
- Supporting an Olmstead implementation plan, announced in the Governor's state of the state address, which will develop the framework for the housing, employment, transportation, and other supports necessary to help individuals live in the most integrated community settings.
- Transitioning individuals with developmental disabilities currently receiving out-of-state services back to New York, with the proper supports in place here to help them succeed.

As a system undergoing significant change, it is important to understand our history, and how the reforms we have already enacted, and our next steps, relate to this budget and reform plan.

New York's current system for individuals with developmental disabilities began in the 1970s with the first closures of the state's large institutions. The ensuing decades saw a dramatic increase in community capacity, including residential opportunities and community-based services. Today, we continue our work in developing additional community-based opportunities, and must ensure higher quality care, improve efficiency in service delivery, and empower

individuals and family members to have flexibility and control over the services they receive to improve the overall quality of their lives.

Consistent with the Governor's call that the agencies focus on their core missions, we began our reforms last year, and we found that some needed changes were obvious: strengthening the OPWDD workforce by raising minimum qualifications; having targeted recruitment and more effective training; partnering with law enforcement to ensure that those who abuse individuals in our care are held accountable; and making information more transparent and available to the public. Other changes were more comprehensive: standardizing expectations for our vast system of nonprofit providers; and moving the system to be one that is less reliant on physical restraint or medicinal intervention.

I should also point out that we have been working with our federal partners at the Centers for Medicare & Medicaid Services, and they have been both supportive and complimentary of our reform efforts to date, and have provided assistance that will help make our system even stronger.

In addition to our renewed focus on safety and quality of care, we also must position our system for the future in a smart and sustainable way. To this end, the budget supports enactment of our most significant initiative: the 1115 People First Waiver, a federal research and demonstration waiver that will make our services and supports more person-centered and focused on the highest quality outcomes for the individuals we serve.

Given the diversity within our system, services cannot be one-size-fits-all. The People First Waiver will create a more efficient service delivery system and implement some long overdue flexibility in our care delivery so we can meet all of the needs of the individual. It will also continue to move individuals out of institutions and into more integrated settings.

The system has been successful over the last three decades in part because the service delivery capability of our nonprofit providers has grown dramatically. Today, nearly 80 percent of the more than 126,000 individuals with developmental disabilities in New York are supported by a nonprofit provider. And just 1,200 individuals (down from 26,000) live in institutional settings today.

The People First Waiver will break the service and agency silos that currently exist; empower individuals and family members; and create new community service opportunities in areas such as low cost housing, employment, and meaningful activities.

Since assuming office last January, Governor Cuomo has advanced reforms that are bold, yet practical. By continuing to work together, I am confident we can have another year of great success and historic achievement to give all New Yorkers the government they deserve.

Thank you for this opportunity. I am happy to take any questions.