



NEW YORK STATE LEGISLATURE

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CHAIR
LEGISLATIVE COMMISSION
ON RURAL RESOURCES

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CHAIR
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July 2, 2021

Howard Zucker, MD, JD, Commissioner
New York State Department of Health
Corning Tower, 14th Floor
Albany, NY 12237

Dear Commissioner Zucker

We urge that a considerable portion of the \$1.6 billion **received from the American Rescue Plan of 2021 (ARP) and dedicated to home and community based services (HCBS) be spent on increasing wages for home care workers**, including personal care aides, home health aides, personal assistants, and other groups of workers providing home care services, administered by the Department of Health and the related “O-agencies.” Guidance by CMS has outlined how New York can maximize Federal matching to draw down even greater levels of federal funding, and that these funds may be used to increase wages to provide urgently needed incentives for home care worker retention and recruitment.

Federal Match: By providing higher levels of funding for wages, the state will be able to quickly spend the funds in a manner that maximizes the Federal match.

Addressing the Home Care Shortage: Increased reimbursement tied to wage increases is a framework for future investment in HCBS for the long-term.

Fair Pay for Women and People of Color: The low wages and resulting worker shortages in home care do not only affect seniors and those with disabilities. This also perpetuates inequities in our economic system. Women of color and immigrant women make up a large majority of workers in this profession. The low wages paid to this skilled workforce do not reflect the vital and difficult work they perform and perpetuates their poverty. To move forward with an equity agenda, New York must pay these workers at a level that respects the work they perform.

In 2006, home care workers made an average of 150% of the state minimum wage. Today, the majority earn only the minimum wage. Starting July 1, food service workers upstate will earn \$2.50/hr more than the minimum wage most home care workers receive in this area. In order to compete, retail businesses are increasing their wages, meaning home care agencies and self-directing consumers in CDPA will be left with fewer options. This problem is already playing out as we see locations such as Albany County have wait lists for home care services that are entitlements to those who require them and qualify for Medicaid.

President Biden has framed the conversation about infrastructure to acknowledge the human component. Care workers are essential to the success of HCBS programs like personal care and CDPA. Seniors and people with disabilities also have a right, supported by the *Olmstead* decision, to receive services in the least restrictive settings possible. Paying workers more will benefit workers, consumers, and their families, and contribute to local economies.

We urge the state to spend **funds received from the American Rescue Plan of 2021 on increasing wages for home care workers so we can treat these dedicated workers fairly and end the home care shortage crisis.**

Very truly yours,



Rachel May
Chair
Senate Aging Committee
Chair
Legislative Commission on Rural Resources



Richard N. Gottfried
Chair
Assembly Health Committee

Additional Senate and Assembly signatories in support:

Senator Andrew S. Gounardes
Senator Samra G. Brouk
Senator James Skoufis
Senator Diane J. Savino
Senator Liz Krueger
Senator Julia C. Salazar
Senator J. Gustavo Rivera
Senator Michelle Hinchey
Senator Toby Ann Stavisky
Senator Kevin Thomas
Senator John C. Liu
Senator Shelley Mayer
Senator Leroy G. Comrie, Jr.
Senator Roxanne J. Persaud
Senator James Sanders, Jr.
Senator Brad Hoylman
Senator Robert Jackson
Senator Elijah Reichlin-Melnick
Senator Zellnor Y. Myrie
Senator Jeremy Cooney
Senator Alessandra Biaggi
Senator Jessica Ramos

Assemblymember Linda Rosenthal
Assemblymember Carrie Woerner
Assemblymember Karen Mc Mahon
Assemblymember Anna Kelles
Assemblymember Gina Sillitti
Assemblymember Harry Bronson
Assemblymember Marcela Mitaynes
Assemblymember Billy Jones
Assemblymember William Magnarelli
Assemblymember Michaelle Solages
Assemblymember Philip Steck
Assemblymember Jeffrey Dinowitz
Assemblymember Michael Cusick
Assemblymember Demond Meeks
Assemblymember Andrew Hevesi
Assemblymember Thomas Abinanti
Assemblymember Jessica González-Rojas
Assemblymember Mathylde Frontus
Assemblymember Judy Griffin
Assemblymember Harvey Epstein
Assemblymember Sandra Galef
Assemblymember John Mc Donald

Senator Brian Kavanagh
Senator Robert Jackson

Assemblymember Charles Barron
Assemblymember Angelo Santabarbara
Assemblymember Jennifer Lunsford
Assemblymember Aileen Gunther
Assemblymember Steven Cymbrowitz
Assemblymember Deborah Glick
Assemblymember Jonathan Jacobson

cc: Dr. Theodore Kastner, Commissioner, OPWDD
Anne Marie T. Sullivan, Commissioner, OMH
Jillian Kirby, Department of the Budget
Angela Profeta, Executive Chamber
Philip Fields, Assembly Ways and Means
David Friedfel, Senate Finance