

**Joint Legislative Budget Hearing Testimony  
New York State Office for People With Developmental Disabilities**

**State Fiscal Year 2013-14 Executive Budget  
February 27, 2013**

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Good morning Senator DeFrancisco, Assemblyman Farrell, Senator Carlucci, Assemblywoman Gunther and other distinguished members of the Senate and Assembly, I am Courtney Burke, Commissioner of the New York State Office for People With Developmental Disabilities (OPWDD). I would like to thank you for the opportunity to testify today regarding Governor Cuomo's 2013-2014 Executive Budget proposal for OPWDD.

Governor Cuomo's Executive Budget proposal for this year provides the resources needed to continue to implement the important reforms we have begun, including the transition to the People First Waiver, continuation of critical health and safety reforms, and continuing the administration's commitment to provide services to New Yorkers with developmental disabilities in the least restrictive settings appropriate to their needs.

As you are aware, the Governor included actions to address the loss of Federal revenue resulting from modifications to the current Medicaid financing system for developmental disability services in the 30 day budget amendments. These actions generate \$500 million of state savings, including \$180 million from accelerating Medicaid Redesign Team initiatives and delaying investments, leveraging \$200 million in current-year under spending to generate 2013-14 savings, and \$120 million from a 6 percent reduction to OPWDD Medicaid rates for not-for-profit providers.

Further, under Governor Cuomo's leadership and consistent with his Olmstead platform, we continue to move individuals from institutions into the most integrated community settings appropriate to meet their needs. Since Governor Cuomo took office in 2011 the number of people living in OPWDD campus-based institutions has declined by nearly 300 people; this includes the closure of the campus in West Seneca and the Multiple Disability Unit located in Staten Island. The Executive Budget proposal furthers this commitment by providing appropriate funding to support the movement of 300 additional individuals into integrated community settings by March 31, 2014, which takes into account the continued census decline as a result of the closure of the Monroe and Taconic campuses programs announced last year. By 2014, the number of individuals living in institutions will have declined by 44 percent.

In addition, Governor Cuomo's Executive Budget proposal includes the necessary resources to help OPWDD begin the transition to managed care under the People First Waiver by authorizing the establishment of Developmental Disabilities Individual Support and Care Coordination

Organizations which, upon federal approval, will be authorized to coordinate care for individuals receiving services through the OPWDD service delivery system. Governor Cuomo's Executive Budget proposal also provides individuals with maximum choice in receiving services in other managed care settings when appropriate protections are in place.

Governor Cuomo's Executive Budget proposal also provides the necessary resources for OPWDD to meet its staffing and contractual needs, while focusing on strengthening our services and supports to protect the health and safety of the individuals we serve. We are thus able to maintain our focus on quality oversight, including in the areas of provider performance, incident management, and investigations; and workforce recruitment, training and development.

The Executive Budget will enable us to build on our accomplishments of the past year, which include:

- Continued- efforts to implement health and safety reforms to ensure the well-being of all individuals served in our system, including making critical enhancements to our provider oversight and accountability system through the development of a new person-centered behavioral intervention regulations, designed to increase the use of positive behavioral approaches, reduce the use of restrictive interventions, and increase reporting requirements and monitoring of these events by OPWDD.
- Implementation of several critical workforce development initiatives, including the development of direct support professional core competencies, the adoption of a national code of ethics for direct support professionals, and regional centers of excellence.
- Began implementation of the system-wide required training program called PROMOTE, which stands for Positive Relationships Offer More Opportunities To Everyone to help OPWDD meet its goal of preventing and reducing interventions. PROMOTE is based on the understanding that people with developmental disabilities live fuller lives when relationship-based supports are provided, thus reducing the likelihood of challenging or dangerous behaviors. PROMOTE teaches staff the importance of forming connections with others, creating opportunities for relaxation and recreation, and building self-confidence. PROMOTE teaches these values by first stressing their relevance to staff and then applying them to the people they support thus creating a positive culture.

Looking forward, and as part of our commitment to ensuring that individuals receive the care they need in a way that takes into account their unique strengths, needs and preferences, OPWDD will this year roll out a new assessment tool. The assessment includes an open conversation with the individual, their family, and other relevant people, to determine their needs and desires, including where they want to live and work. The new approach will help us achieve our goal of offering a more person-centered array of choices.

OPWDD looks forward to working with our partners in the legislature and all of our stakeholders to continue improving our system and make it the best in the nation and one New Yorkers can all be proud of.

Thank you. I welcome your questions.

