

Submitted Testimony



Testimony of Donn Rowe

New York State Correctional Officers and Police Benevolent Association, Inc.

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Chairman Carlucci, Chairwoman Gunther, and Honorable Members of the Committee, thank you for providing the New York State Correctional Officers and Police Benevolent Association, Inc. ("NYSCOPBA") the opportunity to present written testimony regarding the critical issues that impact our members who are employed by the New York State Office of Mental Health ("OMH") and New York State Office for Persons with Developmental Disabilities ("OPWDD").

NYSCOPBA represents over 26,000 New York State employees and retirees, including nearly 1300 Safety and Security Officers and Security Hospital Treatment Assistants who are employed in facilities operated by OMH and OPWDD statewide.

Our members are the lynchpins of their communities. They work tirelessly, in often dangerous conditions, to protect the public and individuals suffering from serious mental health problems. They serve on the frontlines, and are an essential part of the State's social safety net. Given the critical role NYSCOPBA plays in protecting patients and the public, we look forward to discussing Governor Cuomo's plan to reconfigure mental health services statewide.

Any conversation about the future of mental health services in New York must include the stakeholders that will be impacted by a radical restructuring that threatens to decimate jobs and upend a fragile

recovery – particularly upstate. We are those stakeholders. And too many of our members have been kept in the dark about their job futures and ability to provide care to those they serve every day.

In July, 2013, The Office of Mental Health (OMH) released a three-year plan that will reduce the number of State psychiatric centers and shift treatment to community-based programs. Under this Plan, OMH will shift from long-term inpatient treatment services at over 24 hospitals to 15 “Regional Centers of Excellence.” Also in July 2013, it was announced that four OPWDD facilities would be closing – Oswald D. Heck Developmental Center, Broome Developmental Center, Brooklyn Developmental Center, and Bernard M. Fineson Developmental Center.

The Cuomo Administration’s OMH proposal and OPWDD closures cannot exist in a vacuum – there must be a well-thought out plan that, with consultation from NYSCOPBA and others, details the number of positions expected to be reassigned, broken down by each facility, in addition to specific details on attrition plans.

Since the announcement of these plans, nearly seven months ago, NYSCOPBA has been endeavoring to obtain clarification from the agencies regarding specific aspects of the plan related to the State workforce. As the collective bargaining representative for the individuals who could be impacted by the Regional Centers of Excellence plan and by the closures of OPWDD facilities, it is incumbent upon NYSCOPBA to obtain as much information as possible for its membership regarding the proposal. Unfortunately, the specific details of the plan, particularly with respect to workforce issues, have not been provided to NYSCOPBA. Questions posed to the agency by NYSCOPBA relating to the number of positions affected, as well as the specific titles affected, have continued to go unanswered.

In many instances, the agencies themselves are unaware of how these closures and mergers will ultimately affect the employees of the facilities. There is a complete lack of a comprehensive plan.

NYSCOPBA represents nearly 1300 employees who could ultimately be affected by these proposals and closures. They could be displaced to a different facility, different agency, different title, or forced to move in order to keep employment. All of these are real possibilities for these employees, yet even after nearly seven months since the announcement, NYSCOPBA cannot give its members any information or guidance as to what is to come, because it remains either completely unknown by the agencies, or simply not shared. These employees should not be left in the dark.

Recently we witnessed just how the lack of a concrete plan with respect to closures and restructuring can affect employees when we saw the impact of the closure of Finger Lakes DDSO on our members. Originally, in October 2013, NYSCOPBA members at Finger Lakes DDSO were told that the closure of the facility would have no affect on their employment because there would be positions available nearby in the community placements that exist following the closure of the main facility. Then, on December 3, 2013, NYSCOPBA members employed at Finger Lakes DDSO were told that unfortunately, the initial information given was apparently incorrect, and members would need to voluntarily transfer, "involuntarily transfer," or lose their position and be deemed "resigned." The agency itself did not know how to deal with the workforce issues they were faced with during this restructuring. Ultimately, employees who were originally told they would remain, were faced with physical moves to different facilities, different agencies, and different titles (even with a salary decrease), in order to maintain employment. This is the result of a shortsighted plan.

With respect to OMH, this misguided proposal would close and merge various inpatient programs without incorporating community programs in a reasonable geographic proximity to where families are located. The Cuomo administration has yet to provide any meaningful details on how services will be provided or supported.

For over two decades, the State of New York has been shortchanging community mental health. As a result, there are few community mental health options available. At the same time, there is no credible evidence that the Regional Centers of Excellence plan will meet the needs of people in the communities.

Despite claims of up to \$20 million in savings over three years, we have yet to see a comprehensive plan that factors in economic and opportunity costs in a realistic way. Do the savings outweigh the disruption in quality services, geographic and logistical trauma that both patients and caregivers are facing, and other factors that undermine the current mental health safety net structure in New York State?

Whether the same security levels will be present within the newly designed OMH structure is undetermined based on NYSCOPBA's meetings with agency representatives. Clearly, any restructuring of the State's mental hygiene facilities should ensure an adequate level of safety and security. The State should not compromise safety under the guise of "cost savings."

The State's failure to properly treat the mentally ill has transformed our county jails into county psychiatric centers. This treatment model for the mentally ill has become the new normal. County jails are bursting at the seams to keep up with mental health inmates at the expense of local property taxpayers. While the tax burden has been shifted to local taxpayers, the State touts community services that may never exist.

According to reports, more than 50% of the inmates in New York's county jails and correctional facilities suffer from some form of mental illness. Many of these inmates would not have been incarcerated if the care they needed were available in their communities. The State has also failed to adequately provide for the re-entry of these individuals once they are no longer incarcerated.

By allowing seriously ill people in need of help to wind up on the street or in county jails at local taxpayer expense is a moral and public safety threat to the entire State. Any credible plan for OMH restructuring

must detail the State's obligation to providing long term care for people with serious and persistent mental illness.

This OMH restructuring plan and the OPWDD facility closures is further eroding the financial health of our local communities by eliminating decent, middle-class jobs and forcing families to move far away from the communities in which they live. It threatens the livelihood of small businesses, and undermines the Administration's overall economic goals of growth in many upstate communities. We are deeply troubled by proposals that leave already-economically crippled communities with no State support, and impose devastating new financial burdens on families and local taxpayers.

The current plan under consideration is shortsighted. All stakeholders must come together to ensure that public safety is protected without decimating our State's economy. We urge everyone to come together and work with Governor Cuomo to hit the reset button and develop a comprehensive plan that will protect New York's ability to treat the mentally ill.