

Center for Disability Rights, Inc.

February 9, 2016

Re: Written Testimony to the Joint Budget Committee on Human Services in the 2016-2017 Executive Budget

Thank you to Chairwoman Young, Chairman Farrell, and the members and staff of the Joint Committee for this opportunity to comment on human services issues in the 2016-2017 Budget. My name is Adam Prizio and I am the Manager of Government Affairs at the Center for Disability Rights.

The Center for Disability Rights (CDR) is a disability led, not-for-profit organization headquartered in Rochester, New York. CDR advocates for the full integration, independence, and civil rights of people with disabilities. CDR provides services to people with disabilities and seniors through the Independent Living Model, which promotes independence of people with all types of disabilities, enabling choice in living setting, full access to the community, and control of their life. CDR works for national, state, and local change to advance the rights of people with disabilities by supporting direct action, coalition building, community organizing, policy analysis, litigation, training for advocates, and community education.

Increase Funding for Workers whose Labor Secures the Rights and Improves the Lives of People with Disabilities

CDR has already provided testimony in the hearing on Workforce Development that covers much of what I would tell the Committee today. The Governor has proposed to raise the wage without committing any funding to pay the many, many employees of state-funded entities, both in the Medicaid system and throughout the greater human services sector, which provide front-line services that secure and improve the lives of New Yorkers with disabilities who experience poverty, discrimination, hunger, segregation, and violence.

Without additional funding, many organizations will have to cut services or jobs. The human services and Medicaid provider sectors are not a free market in which organizations can pass the costs of higher wages on to consumers. Without an increase in funding to pay for increases to the minimum wage, and to pay for any wage premiums which are necessary to support an adequate workforce, these vital services will shrink and disappear. We call upon the legislature to require funding adequate to pay the increased wages for workers who provide these vital services.

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Increase Funding for Independent Living Centers

Of particular note are the 41 Independent Living Centers (ILCs) in New York, which are disability-led, cross-disability services and advocacy organizations which assist disabled people to be diverted from, and transition out of, institutions and facilities where we are segregated away from our communities and from the many opportunities that New York has to offer. ILCs are at the front lines of making sure that people with disabilities are able to live, work, and participate fully in our communities, from securing accessible housing and transportation to maintaining equipment closets where people with disabilities can borrow wheelchairs, walkers, and other assistive technology until they are able to purchase or receive their own equipment.

ILCs have been woefully underfunded for the past twelve years and have been losing ground. After receiving level funding for eleven years, ILCs finally received a much needed \$1 million increase in the 2015-16 SFY. This \$1 million increase was intended to provide each of the existing 39 state funded ILCs with a \$25,641 increase. While this amount doesn't come close to making up for eleven years with no cost of living adjustment given the rising cost of doing business - including the costs associated with general operating expenses, health insurance, workers compensation insurance, disability insurance, etc. - it was a start. However, SED used a significant portion of the increase to create two new centers. As a result, existing centers did not receive the fiscal relief this modest increase was intended to provide.

In 2013/2014, the state's network of ILCs served 91,769 people with disabilities, family members and others; an increase of almost 10,000 in just five years. This demonstrates the pressing need for IL services in communities, and the number served would likely be higher had the IL funding kept up with the capacity needs of centers. ILCs provide critical services to people with disabilities all designed to assist them in navigating the ever-changing service system in order to live independent, fully integrated lives in the community. As the state continues to redesign health care in ways that are intended to increase quality and decrease costs, ILCs play a crucial role. ILCs provide a wide range of services based on the local needs, all of which are aimed at addressing the social determinants of health: education, employment, housing, social skills.

Furthermore, adequate funding of ILCs is essential to ensuring successful Olmstead implementation in New York and would result in additional Medicaid savings to the State. Data from the New York State Education Department, ACCES-VR, show that the work of ILCs to transition and divert people with disabilities from costly institutional placements saved the State more than \$1.8 billion since 2001 as a result of avoided institutional care. ILC transition and diversion activities save the State more than \$9 in institutionalization costs for every state dollar invested in ILCs. The State has an unprecedented opportunity to utilize New York's Independent Living Centers to assist in implementing Olmstead and the Medicaid Redesign Team's reforms impacting people with disabilities, including the transition to mandatory managed long term care and implementation of the Community First Choice Option (CFCO) and the Balancing Incentive Program. The State should invest savings from implementation of CFCO into ILCs over a number of years, ultimately bringing the State appropriation to \$25 million. The New York Association on Independent Living, the association of ILCs, has urged the State to increase IL funding to \$18 million in the 2016-17 Fiscal Year.

CDR calls for the creation of a new State Office on Community Living in order to give people with disabilities a place within State Government.

Last year's budget called for a stakeholder process, under the leadership of the Commissioner of the Office for the Aging, to discuss the creation of a new Office on Community Living (OCL), with a focus on furthering the Governor's Olmstead Plan and strengthening the No Wrong Door approach to service delivery.² That stakeholder process resulted in a report which identified a number of gaps in existing services and areas for improvement in coordination of service delivery.

During the stakeholder process, the State did not present any model of what the OCL could look like or how it could operate. Consequently, the lack of specifics – combined with misinformation on the proposal – caused some stakeholders to fear that the OCL was merely an attempt to eliminate NYSOFA. Stakeholders from the Disability Community presented models to both the aging community and the State in which NYSOFA would be preserved. Ultimately the Disability Community – which has no state agency dedicated to its unique needs – urged that the Administration create OCL as an independent office dedicated to the needs of the Disability Community, leaving NYSOFA as a freestanding State Office.

The creation of the OCL, without NYSOFA, can be a powerful force to ensure that people with disabilities receive needed supports and services without being forced into institutions, and CDR calls for the Legislature to include the creation of OCL in its budget recommendations. A sign-on letter for this proposal is circulating in the Assembly, and CDR urges legislators in both houses to support the creation of the OCL.

These issues and recommendations are necessary to include the Disability Community in the proposals which the Governor has introduced this year. State-funded provider organizations are stretched too thin to absorb this year's minimum wage increases without additional funding. Disability-specific organizations such as ILCs are likewise threatened by wage increases without additional funding. New Yorkers with disabilities are without any state office which represents the needs of our people or ensures seamless delivery of services and supports. By leaving out the needs of workers with disabilities, this Budget threatens to undermine the progress which the Disability Community has made, over many long years of struggle and advocacy, toward integration, equality, and integration into all that New York has to offer.

Thank you for your time,



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