

## Investing in the Workforce

### Support a Living Wage

**Issue:** Workforce recruitment and retention has become the most pressing issue for not-for-profit providers in all areas of New York State. Vacancy rates are sky-rocketing, turnover rates continue to increase and agency overtime budgets remain on the rise. The Governor's proposed budget is absent the funds necessary to address the immediate-term problems related to the workforce shortage, which threaten the viability of providers in the medium- and long-term. The impact of high vacancy rates (9.3% in 2015, up 20% from 2014) and turnover rates (23% in 2015, up 21% from 2014) at agencies is terribly destructive; providers face increased overtime expenses (6.5M hours in 2015, up 21% from 2014) which cannot be budgeted for, shifts go unfilled, people being served face a lapse in services and agency operations are left in turmoil. The resources proposed in the Governor's budget for the direct impact of minimum wage increases in Medicaid funded programs (\$14.9 million for OPWDD, \$4.6 million for OASAS, \$3.5 million for OMH, \$255 million for DOH) set to take effect 12/31/17 – while appreciated – are wholly insufficient to create a living wage necessary to recruit and retain highly qualified direct support staff.

**Recommendation:** *NYSRA and NYSACRA respectfully urge the Legislature to include funds which total \$45 million in the State Budget to support a living wage for the tens of thousands of direct support professionals and other key agency staff in the developmental disabilities service system. When the stabilization funding is fully implemented, average salaries would be \$17.72 in the NYC/ Long Island region and \$15.54 in other parts of the state, reflecting the fact that these jobs are anything but minimum wage work.*

*Similarly, NYSRA and NYSACRA respectfully urge the Legislature to include \$50.5M in the Budget as an investment in the mental health system's workforce.*

### Cost of Living Adjustment

**Issue:** Increases to the State's not-for-profit providers have not kept up with inflationary costs and in some cases, providers in the developmental disabilities sector have experienced decreases in their rates as a result of the state's rate rationalization initiative. Regrettably, the Governor's budget proposal did not contain the annual cost of living adjustment (COLA) for human services providers, rather deferred the 0.8% COLA and Medicaid Inflationary Trend Factor thus avoiding \$32 million State spending. Providers rely upon these increases to counteract the annual costs of inflation for practical costs associated with any operations.

**Recommendation:** *NYSRA and NYSACRA recommend the Assembly and Senate link the COLA for providers of disability supports to the Consumer Price Index for Medical Care and include a 4.3% increase pursuant to this index in the 2017-18 budget.*



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# Policy Perspectives

## Invest in the Workforce – Direct Support Professional Credential Program

**Issue:** A significant and long-term structural option to advance the profession of providing direct support and develop a true career ladder is the creation of a direct support professional credential program in New York State. Last year, OPWDD delivered a comprehensive study to the Governor and the State Legislature that examined the merits of developing a direct support professional credential program in our state. The State Legislature directed OPWDD to develop recommendations for the design and implementation of the credential program. The comprehensive report, developed through extensive public input, provided the details of a workforce policy rationale for a credential in New York; the report clearly demonstrates the negative impact of low wages and turnover and positive impact of worker retention, satisfaction and safety. The report also sets forth the potential for credentialing to improve quality outcomes for people being served.

**Recommendation:** *NYSRA and NYSACRA request \$5 million in state funds to support the establishment of a direct support professional credential program. Such funds will be matched by federal dollars for a total of \$10 million, which begins the structural commitment to the credentialing program and to strengthen the workforce.*

## Funding to Support Increased Salary Threshold for Employees Exempt from Overtime

**Issue:** Late last year, the NYS Department of Labor adopted the regulations which govern the minimum wage increase. The final regulation also contained a provision which significantly increased the salary threshold for certain exempt executive and administrative employees. The final rule was absent the funds to support the new regulation. While we appreciate the intent of the NYS DOL to raise wages of executive and administrative employees in concert with recent increases to the State’s minimum wage, we firmly believe this proposal adds another level of financial inequity as the increase to the states minimum wage creates deeper inequitable pay scales and does not address compression.

**Recommendation:** *NYSRA and NYSACRA request an analysis of the costs to the human services sector of this unfunded mandate and funds to pay for the financial impact on exempt employee/overtime costs and funds for the required payroll increases providers must now cover.*

## **With Investments in Our Workforce, We Can Also Support...**

### **New and Expanded Housing Opportunities**

**Issue:** NYSACRA and NYSRA strongly support funds in the proposed 2017-18 Executive Budget to continue ongoing deinstitutionalization and moving people from state developmental centers, psychiatric centers and other state-operated systems to community-based settings. People thrive in their communities as their lives are enriched and more opportunities are available to them.

**Recommendation:** *NYSRA and NYSACRA request the State Legislature to support the Governor's budget proposals to fund housing in the following areas: expanded independent living-housing opportunities and certified housing supports in the OPWDD Budget; options to move more people out of adult homes; new SRO, supportive housing and OMH community residence opportunities, and funds for the NY NY agreements.*

**...But we can't expand housing supports without a strong, high quality workforce!**

### **New and Expanded Employment and Day Program Opportunities**

**Issue:** NYSACRA and NYSRA strongly support the inclusion of funds in the Governor's proposed budget to expand opportunities for people with disabilities to work and participate in meaningful activities in their communities. Expanding these types of supports to individuals who want the opportunity to work, volunteer, gain and maintain skills necessary for participation in one's community reflect the articulated goals of people with disabilities throughout the state.

**Recommendation:** *NYSRA and NYSACRA request that the Legislature support the Governor's budget proposals to expand day, employment and community service opportunities in the OPWDD and OMH budgets.*

**... But we can't expand employment, day program and other community service opportunities without a strong, high quality workforce!**



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## Medicaid Managed Care

**Issue:** OPWDD continues to work toward the eventual implementation of managed care, with the next articulated step being the creation of Care Coordination Entities (CCOs), which are planned to begin operation in late 2017. The Governor’s budget proposes utilizing resources from the DOH Medicaid Global Cap to fund the start-up and administrative costs associated with this articulated step toward managed care.

**Recommendation:** *NYSRA and NYSACRA support the Governor’s proposal to utilize resources not currently dedicated toward the provision of services to fund the start-up and administrative costs associated with the development of CCOs from the DOH Medicaid Global Cap, as the move toward managed care remains a major component of the Medicaid transformation agenda from DOH.*

*... But, we will be unable to successfully create CCOs or move the OPWDD system to managed care without a strong, high quality workforce!*

## Institute for Basic Research (IBR) – Blue Ribbon Panel

**Issue:** The Executive Budget proposal seeks to establish a Blue Ribbon Panel to examine the feasibility of transitioning OPWDD’s research arm – the Institute for Basic Research – to the CUNY College of Staten Island. NYSRA and NYSACRA are of the strong belief that IBR provides important research and scientific evaluation in key areas related to intellectual and developmental disabilities and cognitive impairments and functioning. Research institute affiliations are important and sometimes key to the survival of the entity. Therefore, NYSRA and NYSACRA support examination of a change in affiliation through the establishment of a Blue Ribbon Panel.

**Recommendation:** *NYSRA and NYSACRA strongly urge the State Legislature to statutorily require the Blue Ribbon Panel to include the following stakeholders as members of the panel: self-advocates, parents, family members, direct support professionals, and provider agencies and that recommendations address issues of importance to these constituencies.*

*... But we can’t have meaningful participation in a Blue Ribbon Panel if self-advocates, parents, family members, direct support professionals, and provider agencies continue to face a workforce crisis!*

**New York State Association of Community and Residential Agencies (NYSACRA)**

Ann M. Hardiman, Executive Director  
240 Washington Avenue, Ext., Suite 501  
Albany, NY 12203-0305  
518-449-7551  
www.nysacra.org



**New York State Rehabilitation Association (NYSRA)**

Michael Seereiter, President & CEO  
155 Washington Avenue, Suite 410  
Albany, NY 12210  
518-449-2976  
www.nyrehab.org

