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Letter to the NY Times Editor:

On Sunday, June 9, an article in the New York Times, Residents Cowered While Workers at a Group Home Smacked and Pushed Them, exposed the flaws and heartache that still exists in certain areas of our system of services for people with intellectual and developmental disabilities. The fact that any direct support staff member is found to have a substantiated allegation against them and is not removed from their position, goes against what any reasonable person would think is the true application of justice and a violation of the human rights of people receiving services. This is unconscionable.

In response to previous NY Times stories, the State commissioned a report that led to the formation of the Justice Center in which it was noted that the “the job description of the direct support worker as requiring the wisdom of Solomon, the patience of Job and the caring of Florence Nightingale.” That holds true today. Highlighting the worst in the field without providing the context of the broader picture of quality supports, programs, and both agency and state monitoring that are in place and working well to prevent such negative occurrences, fails to provide a true picture of the entire field and its dedicated staff.

In 2012, Governor Cuomo established the Justice Center charged with imposing a fair process to investigate all allegations of abuse and neglect and act in concert with the local District Attorney’s office to prosecute abuse and neglect crimes. Since then, there are more than 500 former employees on the Justice Center’s Staff Exclusion List who, as the law states, “were found responsible for egregious or repeated acts of abuse or neglect.” Former employees placed on that registry are “barred from future employment in the care of vulnerable persons. Employees found responsible for less serious acts shall be subjected to progressive discipline, including retraining and other actions necessary to facilitate their safe return to the workplace.” Appropriate disciplinary action is determined by the organization which employs the staff person in question.

While some employees tragically remained on the job as your article highlighted, over the years, the vast majority of voluntary sector providers responded in the same manner. They had to ensure the quality of their programs and the safety of their staff prior to 2012. This is not to suggest that the voluntary sector has no staff who have crossed the line and performed in ways that don’t support people with disabilities with the purpose and respect that our collective mission requires. Voluntary

Representing More Than 250 Provider Agencies in New York State

COPA ♦ 3 Cedar Street Extension, Suite 2 ♦ Cohoes, NY 12047 ♦ 518.436.0467 ♦ info@copanys.org ♦ www.copanys.org

providers are, however, well equipped, and we regularly demonstrate our ability to root out those bad actors and take action to support the needs of those in our residential and other programs.

More importantly, your article does not properly depict the great majority of the dedicated, caring Direct Support Professionals in our State, nor does it accurately portray the system that works well for the 140,000 people with I/DD and their families. The overwhelming majority of these frontline staff show compassion, determination, intelligence and a sincere desire to support people with disabilities. The facts in the article, while they require immediate attention, will not diminish the contributions of these Direct Support Professionals, who are there every day for the people they support in communities throughout New York State.

What is missing in this article is a fuller, more accurate picture of the entire disability provider sector and the contributions they make daily in services and supports for people with intellectual and developmental disabilities and their families.

Thomas McAlvanah
President, COPA
Coalition of Provider Associations
3 Cedar Street Extension, Suite 2
Cohoes, NY 12047
(347) 682-6004