

2022 NYDA LEGISLATIVE PRIORITIES TALKING POINTS

- For more than a decade, New York State did not make sufficient investments to sustain essential supports and services for New Yorkers with intellectual and developmental disabilities (I/DD).
- Without adequate state funding, I/DD provider agencies have been unable to offer competitive wages needed to recruit and retain the skilled direct support staff that provide critical supports and services, resulting in a workforce crisis that has grown for over a decade and harms over 130,000 New Yorkers with intellectual and developmental disabilities.
- Governor Hochul's Executive Budget is a critical step in the right direction of making investments and providing adequate resources for the I/DD service delivery system following more than a decade of cuts and neglect from New York State.
- The rising costs of inflation, the significant fiscal impacts of COVID-19, and the immediate need to increase wages is why we are supportive the Executive Budget's proposed 5.4% COLA.
- Additionally, we support the Executive's Frontline health care and mental hygiene worker bonus proposal. We believe that this bonus can serve as a helpful tool to recruit and retain staff to address our workforce crisis.
 - However, within this proposal, we ask that the Legislature amend the language to include part-time employees who work 15 hours per week and to reduce the top tier average to 35 hours.
 - Many provider agencies around the state have part-time employees who will cover weekend shifts and would not be eligible under the current structure.
- Additionally, to recognize the backbreaking and vital work that our DSPs perform on a daily basis to support individuals with disabilities live enriched and fulfilling

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lives, we are asking that the legislature include language that would establish a Personal Income Tax Credit for Direct Support Professions in the OPWDD and OMH systems. This proposal would be a well-earned recognition of their work and provide crucial recruitment and retention incentives to curb the workforce crisis.

- The Executive Budget funding for the Statewide Healthcare Transformation Program and the Nonprofit Infrastructure Capital Investment Program will significantly improve the operations of nonprofit human services organizations; but I/DD providers must be included in this as well.
 - To that end we ask that the Legislature advance amendments to the Statewide Healthcare Transformation Program to include these provider agencies.
- Like so many across the nation, the nursing shortage has had massive ramifications on healthcare and service systems, including individuals with disabilities. The proposed Nurses Across New York Program in the Executive Budget will help with loan forgiveness for nurses and provide significant benefits to rebuilding New York's healthcare workforce. Therefore, we are requesting that the nurses and nursing assistants that work for our provider agencies are eligible to take part of this program.
- The Governor's commitment to addressing inequities in frontline healthcare and mental hygiene worker wages is essential in supporting a strong, stable service delivery system and the I/DD community is eager to work collaboratively with the state to make meaningful progress and permanent changes for our essential workforce.
- To achieve this goal, the state should build on the resources provided by the Federal Government, which will provide a 20% one-time bonus to Direct Support Professionals, we believe that the opportunity is now for the state to build on this investment.

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- In addition to increased wages for staff, we have identified vital solutions to increase recruitment and retention that must be included in the FY 2023 Budget, including:
 - Implementation of Statewide Recruitment Programs
 - The expansion of the current BOOCES and Community College Programs statewide to create a pipeline for the DSP care field.
 - Implementation of Credential and Career Ladder Programs
 - State of New York Advocacy for New Federal Standard Occupational Classification for Direct Support Professionals
 - Regulatory Reform Proposals as Suggested by the Arc New York in the areas of:
 - Hiring, training and evaluation of staff
 - Supportive apartments
 - Medical/Nursing documentation
 - Emergency Drill Streamlining
- For a decade, I/DD provider agencies have not received proper investment from New York State to sustain essential supports and services, but with Governor Hochul's proposed investments in her Executive Budget, it is a new day for our community.
- DSPs provide life preserving and affirming jobs, providing medication, physical and behavioral health services, teaching, transporting, and otherwise supporting people who depend on them 24/7. These are not minimum wage jobs and should not be treated as such. The State must keep the \$40M investment in the Executive Budget to support minimum wage increases.
- We look forward to working with the Governor, her staff, and the Legislature to ensure the proposed investments in the Executive Budget are realized in the FY 2023 Budget as we work to create a long-term sustainable service delivery system.

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- NYDA and the I/DD community look forward to working with Governor Hochul, her administration and the New York State Legislature to ensure the One House Budgets and FY23 State Budget include Governor Hochul's proposed Executive Budget investments to protect our vulnerable community members, providing them the long-term investment they need to live healthy, fulfilling lives.

BY THE NUMBERS

- According to a recent survey conducted by New York Disability Advocates:
 - 93% of providers saw a decrease in job applicants this year
 - Statewide vacancy rates increased 75% since pre- pandemic levels
 - 25% of all DSP positions are currently vacant statewide
 - 48% of providers were forced to close or reduce programs due to lack of staff
 - 39% of providers did not reopen programs due to staff shortages
 - Senior & administrative staff at 69% of providers were pulled from leadership responsibilities to cover direct care shifts.
 - The average statewide starting average wage for a residential direct care worker is \$14.56, in comparison to the statewide fast food minimum wage of \$15.
- As of October 2021,
 - There are 23,563 vacant DSP positions statewide
 - 66.14% of not-for-profit agencies have seen an increase in staff vacancies since April 2021
 - Nearly 50% of Provider Agencies reported that they have had to close or modify programs over the past year due to financial hardship
 - 77% of Provider Agencies reported that over the past year, they have attempted to expand program offerings, but have been unable to do so because of staffing shortages
 - 50% of provider agencies report that they had DSP staff vacancies in excess of 20%

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- Around 10% of Agencies statewide report staffing vacancies in excess of 40%
- 93.1% of agencies have reported a decrease in the number of job applications.