

INVEST NEW YORK'S CARE ECONOMY

“ The COLA is expected to improve recruitment and retention of workers employed by voluntary providers as well as provide for inflationary cost increases. Such providers have only received limited COLAs over the past 11 years – in fact a cumulative 7.5 percent increase contrasted to the comparable cumulative 29.4 percent trend factor afforded hospitals and nursing homes – which has created serious workforce and other operating pressures, regulatory compliance and quality of care issues, and concerns about addressing community expansion needs...

– NYS 2006-07 Executive Budget Article VII Memorandum in Support – Establishing the COLA Statute ”

COLA – PROJECTED TO BE 5.4% FOR FY 2023

Following a decade of provider agencies not receiving the statutorily required cost of living adjustment (COLA), the significant fiscal impacts of COVID-19 and the current level of inflation, **agencies cost have increased significantly necessitating the full 5.4% COLA be included in the State's FY 2023 Budget.**

Significant cost increases related to mandated fringe benefits, repairs and maintenance, utilities, food, supplies, transportation and insurance over the past 12 months have resulted in significant financial pressure on agencies. Additionally, since the I/DD provider agencies are solely funded by Medicaid, **agencies are unable to increase reimbursement for services to compensate for increased costs of operations.** This has also directly led to provider agencies inability to invest in workforce wages for direct care workers, which has resulted in wage stagnation for the past decade.

WORKFORCE FUNDING

Continued and sustained investment in DSPs' salaries is essential to recruit and retain staff, and for the future viability of the field.

As proposed as part of the OPWDD eFMAP plan, direct care CFR Title Code 200 series staff will receive a 20% increase. To bolster this significant investment, we recommend the following actions:

Expand the 20% increase to CFR Title Code 100 and 300 Series Frontline Workers. These positions also have high vacancy rates at current salaries.

NYS must commit to continued funding of the 20% wage enhancement to correct the root cause of the staffing crisis.

RECRUITMENT AND RETENTION

In addition to increased wages for staff, the following strategies have been identified as priorities for inclusion:

Establishing a Personal Income Tax Credit for Direct Care Staff

A \$5,000 refundable personal income tax credit for direct care staff employed by a not-for-profit provider agency, for lower salaries.

Implementation of Statewide Recruitment Programs

Expansion of the current BOCES and Community College, Programs, statewide, to create a pipeline for the DSP care field.

Implementation of Credential and Career Ladder Programs

- **Credential Program** – Advance language in the SFY 2023 Budget to implement a statewide standardized DSP credential program.
- **Career Ladder** – Advance language in the SFY 2023 Budget to establish a career ladder program, which will provide a pathway to an associate's degree in the human services field for current DSPs.

State of New York Advocacy for Federal Direct Support Professionals Standard Occupational Classification

Which would provide metrics for planning purpose.

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



RATE REFORM

OPWDD is in the midst of developing a new rate methodology, which will have significant implications for voluntary provider agencies for years to come. Agencies have been engaging with OPWDD and other stakeholders during this process on the technical aspects of the rate redesign. However, provider agencies have expressed significant concern around the potential outcome of the final rate methodology, which may result in significant long-term losses for provider agencies statewide.

Specific Concerns

- Due to the rate methodology change, agencies that have invested in direct care wages will be penalized due to the proposed regional cost approach that is currently being contemplated.
- The ability of the CAS to predict enhanced staffing needs. The lack of ability to identify the intensity of service needs for individuals will result in individuals being classified into lower tier classifications.

We ask that the new methodology not contain any component that would remove or negate any investment the legislature or providers have made in the workforce and reflect current and projected need for services.

2021 NYDA SURVEYS

NYDA provider organizations recently conducted their annual statewide workforce survey. The 2021 survey results reflect the period from January 1 through April 30 and capture data from 118 providers responsible for well over 60% of statewide disability services program funding. This year, a few new questions were added to capture the impact of COVID 19 and the workforce shortage on people who receive services and the staff who provide those services.

APRIL 2021 SURVEY RESULTS

As of April 2021 – the average statewide DSP Staff Vacancy for NFP Providers	24.75%
Region 1 (NYC Metro) %	18.29%
Region 2 (Capital Region and Mid-Hudson) %	27.33%
Region 3 (Central New York) %	25.77%
Region 4 (Western New York) %	27.61%
Change in Average Statewide Staff Vacancy Rate from pre-pandemic through January 1, 2021–April 1, 2021	74.3%
Agencies reporting senior staff had to cover shifts due to staffing shortages from January 1, 2021–April 1, 2021	69.2%
Agencies that had to close programs or reduce operations due to staffing shortages	47.9%
Agencies reporting programs not opened due to staff shortages	39.32%
Agencies reporting a decrease in job applicants	93.16%

OCTOBER 2021 SURVEY RESULTS

% of NFP Agencies have seen an increase in staff vacancies since April 2021.	66.14%
% of Provider Agencies reported that they have had to close or modify programs over the past year due to financial hardship.	49%
% 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.	77%
Vacant DSP positions at NFP agencies - Statewide	23,563
% of provider agencies report that they had DSP staff vacancies in excess of 20%	50%
% of Agencies Statewide reporting staff vacancy in excess of 40%	10.5%
% of agencies report a decrease in the number of job applications.	93.1%

NYDA WAGE SURVEY DATA

The average Starting Wage for DSPs Statewide is approximately 3.45% lower than the State's Fast-Food Minimum Wage.

AVERAGE/STARTING WAGE BY REGION					
Region	Average Starting Wage	Industry Average Wage	Fast Food Minimum Wage	DSP Starting Wage Compared to FF Min Wage	DSP Job Vancancies
Long Island	\$15.27	\$16.20	\$15.00	1.80%	3,896
New York City	\$15.80	\$16.67	\$15.00	5.33%	4,066
Mid Hudson	\$14.37	\$16.12	\$15.00	-4.20%	3,992
Capital Region	\$14.11	\$14.79	\$15.00	-5.93%	2,518
Mohawk Valley	\$14.79	\$15.71	\$15.00	-1.40%	1,200
Central	\$13.91	\$14.57	\$15.00	-7.27%	988
North Country	\$14.30	\$16.15	\$15.00	-4.67%	1,072
Southern Tier	\$13.98	\$15.00	\$15.00	-6.80%	719
Finger Lakes	\$14.34	\$15.17	\$15.00	-4.40%	1,584
Western	\$13.96	\$14.75	\$15.00	-6.93%	3,740

Note: Beginning 7/1/21 the Fast Food Minimum Wage in NYS is \$15/hour statewide