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April 1, 2020

Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Dear Governor Cuomo,

First, we would like to thank you for your decisive leadership and compassionate encouragements for the residents of New York. No one is left unaffected by this crisis and it is a moment when our mettle is tested as individuals, families, caretakers, and leaders. It is our hope to come out of this stronger than ever. At times, strength can be seen in openness to ask for help, so I would like to share with you where The Arc New York and all its 41 chapters across the state stand today.

The Arc New York supports more than 60,000 individuals and families and employs more than 30,000 people statewide — the largest voluntary provider of services for individuals with intellectual and developmental disabilities (I/DD) in New York state. You have said we need to support frontline and healthcare workers within the chain of New York State's healthcare system. Today, we are asking you to acknowledge the role of Direct Support Professionals (DSPs) as a critical link in that chain.

As you stated publicly, New York state needs to act as a single unified healthcare system, and we could not agree more. Although our hospitals are the most acute facilities, every single one of our residences houses some of the New York's most vulnerable and susceptible citizens. To adhere to the precautions necessary to flatten the curve, we are presented with considerable and specialized challenges unlike other care providers — specializations which are difficult to replace. Within the NYC-Metro area and downstate counties, it has been reported that providers are operating with 60% of their workforce due to illness, self-quarantines, caretaker obligations, or a flat-out fear of going to work for little pay, in many cases, without necessary personal protective equipment (PPE). At our New York City Chapter today, approximately 20 percent of the individuals served in our residential programs are currently ill with confirmed or presumed cases of COVID-19, with cases increasing daily. We understand how to meet these challenges and have systems in place to address them, but we cannot accomplish this if our DSPs are unable or unwilling to work due to lack of adequate PPE, or because the risk they are taking to deliver essential services is not commensurate with their compensation, which is often at or just above minimum wage.

The Arc New York has taken decisive action to procure PPE from all corners of the globe in order to keep our workforce safe, but this strategy is not sustainable. We will require the full support of the state and its agencies if we are to move the needle in fighting this battle. As of noon today, we have already lost six individuals we support and two of our frontline workers to COVID-19. Hundreds of people we support are already ill. Hundreds of our staff are already in quarantine. The urgency to act cannot be more pressing than it is right now.

The need for enhanced rates and hazard pay has become ever more critical for the tens of thousands of Direct Support Professionals who are the backbone of the I/DD care model. However, even before this public health crisis, nearly 50% of voluntary providers had only 40-days cash on hand, which is less than the typical 6-week receivable cycle for Medicaid. This lack of a safety net has created severe fiscal constraints and an inability to expend resources through the curve of this pandemic. Worse still, 1 in 3 providers have less than 30 days cash on hand — just two payroll periods away from insolvency. Responding effectively to this emergency will require immediate infusions of resources into our system if we hope to meet the coming need. As you said, medical workers are stressed, tired, and require our support to get us through the crisis – Direct Support Professionals are essential healthcare workers worthy of the same considerations.

As we know, we are not yet at the apex of this pandemic. The time to act decisively is now, if we hope to overcome this crisis and preserve the lives of vulnerable New Yorkers and the people who diligently serve and support them. This is a fight like no other, and we are prepared to stand shoulder to shoulder as part of New York's front-line, but we need to be equipped with appropriate resources to ensure that line is unbroken.

Again, we thank you for your diligence and honesty throughout this difficult time. I look forward to discussing these and other matters with you in the near future.

Sincerely,



Mark van Voorst
Executive Director
The Arc New York

cc: Senate Majority Leader Andrea Stewart-Cousins
Assembly Speaker Carl Heastie
Assembly Minority Leader Crystal Peoples-Stokes
Senate Minority Leader John Flanagan
Assembly Minority Leader William Barclay
Assemblywoman Aileen Gunther, Chair, Assembly Mental Health Committee
David Carlucci, Chair, Senate Mental Health and Developmental Disabilities Committee
Dr. Theodore Kastner, Commissioner, Office for People With Developmental Disabilities
Kerri Neifeld, Assistant Secretary for Human Services & Mental Hygiene
Peggy O'Shea, Assistant Chief Budget Examiner, NYS Division of Budget