

The Resource

August 3, 2006

FOR PERSPECTIVE AND ANALYSIS

The Source of information for providers of community-based services for people with differing abilities.
A member service of NYSRA.

FALSE HOPE VERSUS REAL CHANGE

By Jeff Wise, NYSRA President & CEO

Even during the height of summer, important discussions take place in Albany regarding matters of public policy, our members, and the New Yorkers who receive services from our members.

Some matters are pretty simple. But some others can get complicated. Such is the case with a bill that was passed by each house of the Legislature in the waning hours of June 23, the final day of the regular session.

Senate Bill S.6629-A, by Senator Nicholas Spano — its Assembly companion was sponsored by Assemblymember Susan John — is that bill. It is one that has sparked much talk in Albany and elsewhere.

Recently, leaders of a public employee union have called upon the not-for-profit community that provides services to people with developmental disabilities to join in seeking improved wages for direct-care workers who care for these New Yorkers. They see the bill as one that does that.

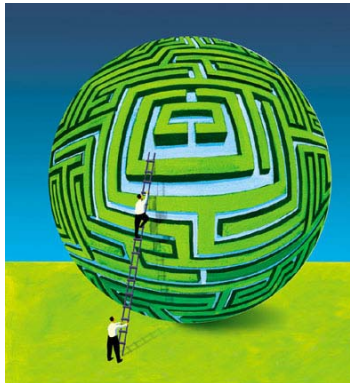
Press releases and other communications suggest a lack of concern for these dedicated workers that our providers employ. The union has, unfortunately, misread our reaction to its efforts — and our reaction to its call for support of S.6629-A.

NYSRA and its members have always recognized that direct-care staff are dedicated, hard-working and deserving. That's why we have advocated for years for higher state rates of payment to ensure that our members' dedicated workers are properly paid.

But the change we are all seeking must be meaningful.

The current bill purports to be a "quality of care act" that would mandate that direct-care staff employed by providers of services to developmentally disabled individuals be paid on a par with state employees who do similar work. It is ironic that the union implies that the not-for-profit community lags behind when it comes to advocating for its workers. The truth is quite the opposite: NYSRA and other provider associations have been advocating for state budget investment for our members' valued workers for years.

We believe it is the union that is late to the discussion. And, while providers of services welcome the union's support, the fact is that this particular legislation is, unfortunately, a hollow exercise. It is, quite simply, a piece of legislation that would do virtually nothing to address critically important staff issues.



The union-backed proposal embodied by S.6629-A provides a nickel when what we all want to accomplish costs a dollar. Literally.

Staff compensation quite necessarily is a function of state rates paid to providers of services. It is the State Budget that needs to address this fundamental issue. Outside of the Budget, proposals such as S.6629-A are of little help. This particular bill purports to address the issue through a spending item of \$25 million. Not an insignificant sum. But the fact is, to truly give these

workers parity with their state-employee peers, the cost lies somewhere beyond \$600 million.

We applaud the union for acknowledging the value of these employees. We applaud the union for joining our long-standing efforts to find more resources to compensate them as their peers who work directly for state are compensated.

We do not see value, however, of legislation that may give employees a sense of false hope regarding their compensation. The union-backed bill is surely a paper tiger: The money associated with this legislation is no more than 5 percent of the funding needed to do what the bill only purports to do.

New York's providers believe their hard-working employees deserve legislation that amounts to more than this bill offers. They also deserve straight information, not false promises.

We will continue to seek proper levels of funding to ensure that our members have the resources they need in order to continue to provide quality care and ensure stability in their programs and with their staffs.

We hope the union, which is on the right side of the issue, chooses to join us in making everything right for direct-care employees throughout New York State.



NYSRA's POSITION

Relating to compensation of direct-care staff of not-for-profit providers of services to people with disabilities, as purportedly addressed by S.6629-A:

- Compensation of direct-care staff has been an advocacy issue of the association's for several years. Current wage levels can lead to issues of recruitment and retention of workers, who can gain better compensation when working as state employees.
 - Resolution of compensation issues lies with the State Budget process. It is a *fundamental budget infrastructure issue*.
 - Estimates of the cost of wage parity for the not-for-profit staff range from \$600 million to \$800 million. Legislative fiscal staff indicated as much, *on the record*, in formal committee discussions during the just-completed legislative session.
 - It is *unfair* to direct-care staff to "sell" them on the idea that S.6629-A is going to result in higher wages. Calculations indicate that the \$25 million called for in the bill – assuming it is actually allocated – would provide the average direct-care staff member approximately *\$1 per day in increased compensation*.
 - More fundamental discussions need to take place among all stakeholders to come up with *truly sufficient* funding to truly make wage parity achievable for the dedicated and hard-working staff the bill purports to benefit.
- It is *no solution* to insist on an *unfunded mandate*, expecting that not-for-profit employers can somehow absorb the huge costs associated with it. As it is currently drafted, this mandate would simply put many not-for-profits out of business – it is absurd to argue that a bill helps workers when it could likely *terminate* their jobs by bankrupting their employers.
 - Providers welcome the resources that *anyone* can bring to the table to resolve this issue fairly and properly. We see no benefit, however, in implying that S.6629-A is anything remotely resembling a resolution of compensation issues regarding direct-care staff.
 - Even if the proposal were sufficiently funded, many providers deliver services to individuals across a broad spectrum of disabilities. Many direct-care staff are providing services to people with mental health disabilities, physical disabilities, deafness, vision impairments – it is *absolutely untenable* to tell some provider staff that, although they deliver similar services, their colleagues who work in programs for the developmentally disabled are going to be paid more.

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SSAB TAKES NEW LOOK AT SSA DISABILITY SYSTEM

Courtesy Harles and Associates

The Social Security Advisory Board “has been looking at a national approach to disability programs, with a view toward developing a description of a disability system that maximizes economic self-sufficiency at a reasonable standard of living.” As part of this process it met with a variety of disability leaders in July to discuss the disability system, especially as it relates to social security programs and return to work. The panel is trying to envision and shape a system that would first focus on providing supports and services in an early intervention model that would focus on return to work.

The following positions are a summary of the discussions:

1. In effecting any changes, “do no harm.” In fact, fix the harm that is done now.
2. There needs to be a “New Door” for entering the system
3. Evaluation for services should be based on a functional assessment looking at capacity, not just a medical assessment.
4. Take an attitude of Return on Investment—invest in the individual so they can contribute.
5. Services should be based on individual choice.
6. Elimination of silos and integration of systems
7. Early intervention that can lead to independence and inclusion should be the base value
8. Intervention further needs to be timely

Also included in the discussion were the concepts of a permanent attachment to the system such that an individual could work when possible, but receive monetary supports when it was not possible to work. Medicare/Medicaid should be available to all people with disabilities regardless of work or income. Also there were many cautionary statements concerned about existing beneficiaries, that there not be mandatory work requirements, and the level of information dissemination needed.

The advisory board will post the record of this discussion later this year. For further information visit their website at www.ssab.gov.

WOTC EXTENSION - STILL WAITING

The Work Opportunity Tax Credit expired last December. There have been several attempts to get this credit and other “extenders” added to various tax bills this year. The latest attempt is to add WOTC and other extenders to the Pension Reform bill currently before the Senate. The WOTC Coalition said, “Finance Committee Chairman Charles Grassley (R-IA) is key to keeping the extenders in Pension Reform.

Should he buckle to Senate Majority Leader Bill Frist’s proposal of using the extenders to help pass estate tax relief, the trailer package with WOTC could be dropped from Pension Reform and not acted upon until after the August recess.”

There are 9 Republican and 7 Democratic members of the conference. The Democrats led by Senator Max Baucus have already said they will oppose dropping the extenders from Pension Reform, and this is confirmed by Senate Minority Leader Harry Reid. The key Republicans are Rick Santorum (PA), Trent Lott (MS), and Jim Bunning (KY).

This is not an unusual position for WOTC renewal. Over its 20+ year history it has often been given short renewals, and they are often late. The rising deficit, extension of Bush tax cuts, and war and Katrina expenses has put more pressure on Congress this year to avoid programs that might cost tax revenues.

GETTING AN NPI IS FREE NOT HAVING ONE CAN BE COSTLY

As the industry transitions to NPI compliance, remember that there is no charge to get an NPI. Providers can apply online for their NPI, free of charge, by visiting <https://nppes.cms.hhs.gov> or by calling 1-800-465-3203 to request a paper application. The CMS NPI page, located at www.cms.hhs.gov/NationalProviderStand/, is the only source for official CMS education and information on the NPI initiative; all products located on this site are free of charge.

CMS continues to urge providers to include legacy identifiers on their NPI applications, not only for Medicare but for all payors. If reporting a Medicaid number, include the associated State name. If providers have already applied for their NPI, CMS asks them to go back into the NPPES and update their information with their legacy identifiers. This information is critical for payors in the development of crosswalks to aid in the transition to the NPI.

The National Plan and Provider Enumeration System (NPPES) will be down for scheduled maintenance on August 3 and will return to operation on August 4 after 8:00 a.m.



PEOPLE INC. LAUNCHES NEW LOGO AND CELEBRATES 35TH ANNIVERSARY

People Inc. celebrated its 35th anniversary and launch of its new brand identity at an exclusive unveiling event in June at the Park Country Club in Williamsville.

Over the past year and a half, People Inc. has undergone a branding initiative to create community awareness of its diverse services. As a result, a new logo and tagline have been developed and was unveiled to community leaders, family members, and long-time employees. The branding initiative was timed to coincide with People Inc.'s 35th anniversary. The event highlighted the agency's 35-year history through a photo retrospective and recognition of long-time employees. Additionally, a video introduced the new look. Travers Collins and Company of Buffalo provided the creative work for the branding project.

Although the current logo has served the agency well, it mainly depicted the developmentally disabled population. As the agency evolved, so have its marketing and community relations efforts. The new logo depicts a butterfly with two faces as silhouettes as the wings. People Inc.'s new tagline is "Where your world opens up." According to Chief Operating Officer Rhonda Frederick, "Through the work we do every day with our consumers, we hope that this means that the lives we've touched open their world to hope, growth, and possibilities that they may not have ever imagined. For the parents we serve, we hope their world opens up to a sense of freedom, independence, and respite from the ongoing care and support they provide as caretakers for their child or parent. For our employees, we hope to provide a world of growth and potential, and give them a sense of pride in how they help in so many ways to transform the lives of people around them." The new logo evokes emotion and shows how People Inc. offers a continuum of care for people of all ages.



Input by family members have been a key to People Inc.'s success. "I like what they do. If I call about something, they care take of it immediately. People Inc. has impacted our life tremendously," said Jennie Manganello, a parent whose daughter receives services at People Inc.'s Brighton Park Day Services in Tonawanda. A parent of a daughter who lives in one of People Inc.'s residences, Christine Long, said, "Kelly moving into People Inc.'s group home with other children was the best thing for her. She has a life like any other 13 year old now. She has constant supervision, is safe, and has friends she can relate to."

The event highlighted 23 staff who have worked for People Inc. for more than 25 years. "Their dedication to People Inc.'s mission is highly valued and their commitment to the people we serve is appreciated daily," said President and Chief Executive Officer James M. Boles.

People Inc. operates dozens of Day Programs, over 90 residential sites, offers a variety of services for Children and Young Adults, nine senior housing living communities and the agency is in process of developing its fourteenth senior housing complex with continual growth for independent seniors. As an innovative human services agency, People Inc. expands services based on the needs of the individuals the organization serves.

People Inc.'s 35th anniversary is marked on August 14 and will be celebrated throughout the year.

COARC CONTRACT MANUFACTURING ACHIEVES ISO 9001-2000 CERTIFICATION

COARC Contract Manufacturing is proud to announce the successfully completion of the ISO 9001-2000 certification process. We are now an ISO 9001-2000 registered business. The registration audit was conducted by Mr. Henry Ingber for Det Norske Veritas (DNV) Certification, Inc.

The International Organization of Standardization (ISO) is a worldwide organization that develops many different kinds of standards that customers look for when choosing a supplier for their business needs. Implementing an ISO 9001-2000 program ensures a good Quality Management System that focuses on enhancing customer satisfaction and continual method and product improvement. ISO 9001 is a series of documents that defines the requirements for the Quality Management System Standard, of which ISO 9001-2000 is one. It contains the actual requirements an organization must be in compliance with to become ISO 9001-2000 registered entity.

"This has been a long, challenging process and we are thrilled to have achieved this standard," said Mick Whitman, General Manager for COARC Contract Manufacturing. "It was through the hard work of our dedicated staff in this team effort that we were able to streamline our process and define procedures to make the whole operation work more effectively. This certification will provide further credibility as a viable business entity that serves our customers based on an internationally recognized standard."

COARC Contract Manufacturing chose to seek ISO registration as a means of improving cost effectiveness through increased operational efficiency. As a result of the this certification process, a Quality Management System was developed and documented to address quality management of operational practices and processes. It is expected that this will lead the business to produce a higher quality, more competitively priced product, thereby improving marketability. The Training Center is a modern, air-conditioned 40,000 square foot work space in which more than 150 people work in a variety of positions such as; assembly, packaging, injection molding, industrial sewing, and warehouse/shipping services. The business manufactures products in categories to include medical, marine, cosmetics, consumable, and promotional items. The main goal of the program is to teach individuals experiencing disabilities skills necessary for employment in the community. It is an environment where people gain an understanding and the meaning of work, its value and the demands it places on them.

LADY LIBERTY MEANS FREEDOM FROM JOBLESSNESS

Courtesy New York Daily News

Maria Mercado Valentin works for a lady - but not just any lady. She's the most famous New Yorker of all time. Year after year since her birth in 1886, through blistering summer heat waves and bone-chilling New York winters, she's greeted people from all over the world who have arrived to seek their fortune in America — or, these days, to simply gape in wonder at her majesty. Pigeons do their business on her, time has turned her green and her copper skin is slightly less thick than two pennies rubbed together. She weighs 450,000 pounds. Yet she is ever-stoic, sturdy, patient — and gorgeous. She's the Statue of Liberty, symbol of freedom to the entire world.

Like any superstar, she requires a staff to help her maintain her image. Her crown's been closed to the public since 9/11, but thousands of people still take the ferry from Battery Park to visit her museum and surrounding grounds each year. Floors must be mopped, fingerprints erased, surfaces polished and stray refuse collected and disposed of. Since 2000, those tasks have been done by workers provided by Fedcap, a non profit organization placing people with disabilities in jobs since 1935.

Maria Mercado Valentin has been one of Lady Liberty's 19 caretakers for two years. A diminutive, soft-spoken woman, the 56-year-old native of Puerto Rico has lived in Brooklyn since 1981. She's dressed for duty today in a light blue button-down shirt and dark blue slacks. Bilingual, her English is slow and measured.

"When I first saw the Statue of Liberty, I felt something deep in my heart," she says. "It means a lot to work here. America is a good place because everyone can say what they want and do what they want. "I see people from all over the world visit. It doesn't matter where they come from — Italy, Spain, Europe — they all look up at the statue."

The Williamsburg, Brooklyn, resident didn't come by the job easily. Valentin developed epilepsy after the birth of the third of her three girls, all now in their 30s and living in Puerto Rico. Her husband worked and paid the bills while she raised the children, but he passed away in 1986, and seizures from her epilepsy prevented her from keeping a job.

Eventually the family went on welfare, but Valentin still made attempts to hold permanent jobs when she could find them and when her caseworkers sent her to them.

"I was going from job to job," she says. "I wasn't getting fired; I just was sick a lot." The stress of her husband's death and her dwindling bank account aggravated Valentin's epilepsy, creating a vicious cycle of employment gained and lost. "Then," she says, "someone else with the same name as me on the welfare case list didn't show up for some appointments, I got mixed up with her, and they cut off my benefits. Pretty soon I was out of money and I didn't know what to do."

Valentin's eyes tear up as she recalls her frustration. Finally, she was referred to Fedcap, which trained her for custodial work. "Fedcap gave me my first real job," Valentin says. "I have benefits, vacation and a pension. "Having a steady job — any job — is very good for my epilepsy. My mind is on the work, not on being sick." Her responsibilities include cleaning, mopping, emptying trash and more. She says she loves to do it, though, and gets up at 3 a.m. to arrive at work by 6:30.

"I take two trains and a boat takes all the workers from Battery Park to the statue. When it's raining, windy, I don't care, I'm working outside. I am also enjoying working around other people. They are my friends."

"Maria's one of our best workers," says Gilbert Salas, supervisor of building services at the Statue of Liberty. "She's always on time, rarely takes a day off, and if she says she's sick, I know she's sick. I give her a lot of credit, too — the lady comes all the way from Brooklyn by herself to get here before sunrise."

Fedcap is one of the largest employers of people with disabilities in the New York region, with 1,250 workers employed in office services, manufacturing, building/custodial services, food service and home health care. Each year, more than 500 individuals receive comprehensive vocational evaluation through the agency's rehabilitation division, which includes testing, skill evaluation and career counseling. "We get all types here," says Salas. "People with learning disabilities, deaf workers, people coming out of special ed in school. But we find a way to communicate."

"For people who have trouble reading, for example, we show them what needs to be done, and actually that can work out better. And the deaf workers are amazing; you just show them what needs to be done and they do it right the first time, every time."

Like freedom itself, the Statue of Liberty needs to be guarded and maintained through constant vigilance. As Valentin leads a guest through the statue's museum, she points out routine tasks for which she is responsible. A glass case whose top needs to be polished requires a petite worker to remove shoes and stand on a pavilion; she demonstrates, dashing up in her socks. As she steps down, a deaf Fedcap worker passes and the two exchange waves.

Valentin says she really doesn't have any hobbies aside from spending time with her boyfriend. So what does she do for fun when she's not working? She pauses a moment and responds, "I clean the house!"

But now and then, she says, she can be found right back at the statue — with her two nephews. "They get so excited," she says. "I want them to know all about the statue. It means freedom."



EMPLOYMENT OPPORTUNITIES

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If you have been searching for the "Career of a Lifetime" you would most likely find it at Lexington. Located in upstate New York, we are a true human services career experience. Lexington is a thriving, half-century-old, non-profit organization that has been built on the honored commitment that "people come first." With programs located throughout historic Fulton County, in the foothills of the Adirondacks, our mission is to serve adults and children with disabilities, and our dedication to providing the highest quality service ranks second-to-none. We are 1300 employees and \$60 million dollars strong, and are preparing for a major expansion of services over the next three years. In preparation, we are searching for the best and the brightest individuals to add to our Management Team to help shape our future.

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www.lexingtoncenter.org or email: hr@lexcenter.org

Executive Level Management

Lexington's Executive Management positions report directly to the Chief Operating Officer and work closely with the Executive Director and Board of Directors. A member of this team must be a highly effective leader, demonstrate extraordinary professional management experience, possess impeccable character, and firmly embrace the goals of Lexington's mission. An executive manager is responsible for administrative oversight of programs, supervision of managers and operations, implementation of the organization's goals and initiatives, and the assurance that quality services are provided by Lexington. Master's degree professionals preferred, Bachelor's degree and appropriate experience considered.

Director Level Management

Lexington has a wide variety of Director positions that report to members of the Executive Team. Our Directors are responsible for the oversight and management of the departments within the organization, some of which include: residential and community-based programs, clinical services, transportation, operations, finances, information technology and human resources. A Director must be able to lead, encourage and motivate others, have strong written, verbal and listening skills, be an effective problem solver and organizer, and exhibit a professional work ethic at all times. Bachelor's degree professionals with relevant education and management experience preferred.

Program Level Management

Program managers are the cornerstones of Lexington's management structure. They are responsible for the daily operations, service delivery and supervision of staff throughout the organization. They are often the very individuals who go on to become Directors and Executives at Lexington. A successful program manager must be committed to continuous learning, demonstrate program knowledge and understanding, exhibit sound judgment and responsiveness under the most challenging conditions, maintain effective communications among subordinates, supervisors and other stakeholders, welcome a challenge, and have a true affection for working in the human services field. Bachelor's or Associate's degree and relevant experience preferred, a strong combination of training and experience considered.

Nurse Practitioner or Physician Assistant - Full Time

The qualified candidate will assist with health management for people with developmental disabilities, in conjunction with physicians. Some key responsibilities include physicals, assessments, diagnosis, treatment and prescription management. Talk with us and see how fulfilling and challenging this type of medicine can be with some very special people!

Candidates should be currently registered in NYS. This is a Monday through Friday position with on-call responsibilities. Experience in internal medicine or family practice preferred. We offer an excellent medical and dental plan with a generous time off package. Salary is commensurate with experience.

For more information contact the Director of Nursing at 773-7931 Ext. 237



PHOENIX FRONTIER, INC.

Quality Assurance Coordinator: - FT. BA w/2 years experience working in the OMRDD field; 6 month experience doing QA preferred. EOE. Resume to Phoenix Frontier - SH, 100 Ave., Buffalo, NY 14214

Director of Vocational Services: Ulster-Greene ARC, a not-for-profit agency located in upstate NY, has an immediate opening for Director of Vocational Services, Pilot Industries. This position is responsible for effective operation and growth of a full complement of Vocational Services for developmentally disabled individuals. We are seeking a committed, action-oriented person to lead a diverse array of departments around a shared mission. The successful candidate will possess a relevant Master's Degree. Managerial/administrative experience with the OMR/DD and VESID regulations is preferred. Experience in providing services to persons with MR/DD is a plus. Our agency serves over 1,200 people who have developmental disabilities throughout the Mid-Hudson and Catskill Mountains region. We offer a competitive salary and excellent benefits package. For immediate consideration, please forward resume, with cover letter including salary requirements, to:

Ulster-Greene ARC
471 Albany Avenue
Kingston, NY 12401
Attn: Tammy Paquette
Recruitment Manager
FAX (845) 340-0463
E-mail: tammyp@uarc.org

BRINGING PEOPLE AND PETS TOGETHER

The Planet Dog Foundation supports innovative initiatives that bring people and pets together for mutual benefit and support. Areas of emphasis may include service dogs; therapy dogs; animal-assisted therapy; search and rescue dogs; police, fire and military dogs; and other types of canine service programs.

Eligibility: Applicants must be U.S. nonprofit organizations. Preference is given to small, grassroots agencies with budgets of \$300,000 or less, although national organizations are also welcome to apply.

Deadline: September 15, 2006.

Funding: Grants of up to \$5,000 are provided.

For more information visit
www.planetdogphilanthropy.org/About_Us.asp.

You may also contact Executive Director, Planet Dog Foundation, 322 Fore Street, Portland, Maine 04101, (207) 761-1515 or pdf@planetdog.com

2007 DISABILITY POLICY SEMINAR

The Arc of the United States, United Cerebral Palsy, AAMR, the Association of University Centers on Disability and the National Association of Councils on Developmental Disabilities are joining together again to host the 2007 Disability Policy Seminar.

The Disability Policy Collaboration, with these national leading organizations in the field of developmental disabilities, including mental retardation and cerebral palsy, brings together state and local executives and affiliates, self-advocates, families, providers and others for two-days of in-depth policy discussions/meetings focused solely on issues affecting people with disabilities and their families. On the third and final day, participants visit Capitol Hill to deliver a unified message that Congress and the Administration cannot continue dismantling the benefits and services important to the disability community.

A preliminary seminar agenda, seminar registration information and hotel registration information for the 2007 Seminar will available in late fall/early winter.

NYSRA AND RRTI CALENDAR

August 2006

August 8
DD Division

August 9
MH Division

August 16
OPTS Conference Call - 3:00 p.m.

NYSRA's LEADERSHIP TRAINING SUMMIT



SEPTEMBER 18-20, 2006

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3RD ANNUAL SUMMER GALA

ON

THURSDAY, AUGUST 17, 2006 AT 8:00 P.M.

FOR MORE INFORMATION CONTACT
(212) 206-7789 OR VISIT WWW.NTWH.ORG