

The Source of information for providers of community-based services for people with differing abilities.

A member service of NYSRA.

### NYSRA SPEAKS AT STATE LEGISLATIVE HEARING

On January 29, 2008, NYSRA made an appearance before the Joint Fiscal Committees of the State Legislature to provide views on Governor Spitzer's proposed state budget for State Fiscal Year 2008-2009.

While we are appreciative that the Executive Budget recognizes the need for continuing Medicaid trend factors as well as the COLA for non-trended programs – even proposing that the COLA be extended for three more years beyond this year – we are concerned about a cut in Medicaid funding.

Commissioner Diana Ritter of OMRDD has commendably pledged to work with provider associations to work out the precise nature of that cut, which essentially reduces Medicaid spending by \$10 million in the coming year (\$5 million state share). When fully annualized, the cut is estimated at \$40 million (\$20 million state share), in the following fiscal year.

While we commend the Commissioner and the Executive Chamber for their efforts in trying to fund programs in a lean budget year, NYSRA is working to see what can be done, in the budget process, to reduce or eliminate this proposed cut. We will keep you apprised of those efforts.

We urge you to contact your State Senator and Assembly Member, thank them for all their past support, and let them know that cuts to programs such as ICFs, Day Habilitation, and Administrative Reimbursement funding would have a real impact on services being provided to individuals.

Following is the testimony delivered January 29, to members of the Senate Finance Committee and Assembly Ways & Means Committee.



#### GENERAL RESPONSE TO THE EXECUTIVE BUDGET

Generally, we believe the Governor's budget recognizes the social value of assisting people in need, a role for government in helping people be truly productive and integrated members of society, and a sense of compassion for people who face – and with the proper assistance – surmount remarkable

challenges in life that many of us do not ordinarily encounter. We know that, historically, the Legislature has also recognized this value and we once again express our appreciation to you for your ongoing support.

We believe the Governor has done much in this proposed budget to further his theme of One New York, a theme that individuals, families and providers in the disabilities system embrace. As an association of providers of services, NYSRA endorses the notion of a system that is person-centered, with services tailored as much as possible to serve people through individualized supports, and to work with government to enrich the lives of all New Yorkers through methodologies that lead to integration of people with special needs into the community.

While we understand the pressures that are present in every budget season, and acknowledge the proposals from others that may be put in front of the Legislature in the coming weeks, NYSRA urges that the key elements of the Executive Budget relating to developmental disabilities, mental health, and vocational rehabilitation issues be carried forward into the adopted State Budget.

In weighing the various pressures that are applied to any State Budget process, we ask that the Legislature remain mindful of the critical importance of our workforce. Our not-for-profit agencies constantly struggle to ensure that fiscal constraints do not erode their ability to attract and employ quality direct-care staff. Those who work in our field are dedicated people who help make huge differences in the lives of New Yorkers facing extra challenges. We join with the Governor and others who recognize the strength of this workforce, of the importance of keeping it at the highest levels of service, and of the challenges that workforce – and our not-for-profit providers who employ them – face in maintaining and ensuring delivery of high-quality services. NYSRA welcomes

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*the views of how best to continue these services, and stands ready to work with all policy-makers and decision-makers to find ways to maintain the continuity and stability of the workforce in the areas of developmental disabilities, mental health, substance abuse, and in all our disabilities disciplines.*

*Obviously, a key element of our system involves the Medicaid system. We recognize the need for scrutiny of that program and stand ready to help find ways to effect system change that leads to more effective and efficient services. At the same time, however, we must remind the Legislature and the Executive that changes – and proposed changes – at the Federal level pose serious questions about the future efficacy – and even the viability – of our system. Federal regulators seem, at least at the moment, quite intent on finding ways to cut*

*the flow of Federal dollars to many of our programs. This creates a circumstance that makes any State-level changes all that much more dramatic, sharpening the impact of even small adjustments in revenue streams. And adding to that impact is the simple fact that virtually all cohorts of the population we serve are growing in number and living longer.*

*Simply put, the demand for services has never been greater. At the same time, we see sentiment toward cutting revenue sources. While, again, we support system reforms that truly make the system cost-effective, we must be on guard for those reforms that could, in fact, mean fewer services getting to fewer people.*

*Additionally, we would once again note our willingness to partner with the State in rooting out cases of true fraud and abuse*

*of the Medicaid system.*

*NYSRA's members take such efforts seriously. However, we would note that the ever-increasing number of agencies performing audits of programs – state program agencies like OMRDD and OMH, the Office of the Medicaid Inspector General, County Governments, and the Attorney General – can become highly duplicative and result in an extremely inefficient system. Providers, many of them already stretched quite thin in their workforce, are required to devote hundreds of staff hours to multiple, redundant audits.*

**DEVELOPMENTAL DISABILITIES**

*The Executive Budget includes important support for New Yorkers whose services are delivered through the Office of Mental*

*Continued on Page 3*



Self-Advocacy

Self-Advocacy for Youth in Transition  
[www.sanys.org](http://www.sanys.org)

Comprehensive report addressing strategies to reverse the declining participation rate of federal employees with targeted disabilities. Visit <http://www.eeoc.gov/federal/report/pwtd.pdf>

CATS

The NYS Developmental Disabilities Planning Council (DDPC) provided grant funds from 2004 to 2006 to launch two Assistive Technology Loan Programs targeting school age children. The first project, the Children's Assistive Technology Services program (or CATS) was a unique collaboration between Enable, Inc. in Syracuse, and Upstate Cerebral Palsy (UCP) of Utica. The CATS project expanded an assistive technology baseline inventory for loans securing services for 13 counties in New York State. Through the two lending libraries, children, families, and providers had the opportunity to "try out" equipment to determine if it was appropriate to meet their needs prior to purchase or lease. Other services provided by CATS include information and referrals, workshops/exhibits, and AT equipment demonstrations. For more information on or to obtain an assistive technology loan contact: Carol Tytler (Enable) at (315) 410-3351(email: [ctytler@enablecn.org](mailto:ctytler@enablecn.org)) or Fred Festine (TRE Center) at (518) 464-6346 (email at [Fred@trecenter.org](mailto:Fred@trecenter.org)).

Workstation Ergonomics

Ensuring proper ergonomics in the workplace increases employee productivity and satisfaction. This guide provides quick reference illustrations of proper workstation ergonomics. [http://www.tricare.mil/cap/Ergo\\_Guide/CAP\\_Ergo\\_Guide.pdf](http://www.tricare.mil/cap/Ergo_Guide/CAP_Ergo_Guide.pdf).

Pepsico Brings Silent Ad to Super Bowl

Employees create and star in American Sign Language commercial that aired Super Bowl Sunday. It features employees who are members of EnAble, an employee network whose mission is to promote a more inclusive environment for people with disabilities. View the ad at <http://www.pepsi.com/bobshouse/>.

DDPC Issues Telemedicine RFP

The NYS DDPC announces funding (\$100,000) to establish one 15 month telemedicine demonstration project for people with DD who are aging and who may have multiple medical conditions. Letters of Intent are due March 3. Proposal Due Date is March 17. Eligible applicants include community based organization that provides medical care, residential and/or day services to individuals who are aging with developmental disabilities. A community organization can apply in partnership with a medical care provider. Applicants also include local/regional consortium and developmental disability service providers. For more information contact Nicholas Rose or Dr. Jane Muthumbi at 1-800-395-3372. Email to: [nrose@ddpc.state.ny.us](mailto:nrose@ddpc.state.ny.us) [jmuthumbi@ddpc.state.ny.us](mailto:jmuthumbi@ddpc.state.ny.us)

Technology Expo

The New York State Governor's Expo on Assistive Technology "Technology Opens Doors," is being held on Thursday, May 15, 2008 at the Empire State Plaza Convention Center in Albany, New York. It features vendor demonstrations and informational booths showcasing the latest in assistive technology (AT) and universal design.

In addition, The NYS Forum's Internet Technology (IT) Accessibility Committee will present a series of tutorials on all aspects of accessible web development. Educators and IT support personnel will get to see first hand the technologies that could help reduce the obstacles facing their clients with disabilities. Please go to: [www.atexpo2008.com](http://www.atexpo2008.com) for additional details about the Expo or call Michelle Murray at the NYS Commission on Quality of Care and Advocacy for Persons with Disabilities at (518) 388-0690.

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*Retardation and Developmental Disabilities. Overall OMRDD support will be \$4.4 billion – an increase of \$1.2 billion. The large increase in OMRDD spending proposed by the Executive Budget, however, is largely due to technical changes and shifting of cost centers into the OMRDD budget that did not previously appear there. The actual increase in programs in the office is approximately \$250 million.*

*NYSRA supports the following elements of the Executive Budget and urges their preservation in the enacted budget:*

*The Medicaid trend factor is set at approximately 3.5 percent. We are grateful for that level of support, which blunts the effects of inflation and is a key element that helps to maintain current levels of certain services.*

*The third installment of the COLA for eligible un-trended programs that was adopted last year by the Legislature from the 2006-2007 Executive Budget proposal, is funded and based on a statutory index. We support this funding from the Executive, and we support the Executive Budget's proposal to extend this COLA for three years once the current adjustment expires at the end of the upcoming fiscal year.*

*Enhancements for Family Support and Respite Services are included, providing \$2 million in new funding for those areas. We support the Executive Budget in this expansion, as well as the inclusion of additional money to support services to 1,300 individuals with autism or autism spectrum disorders.*

*An additional \$750,000 is included in the next fiscal year to further strengthen competitive and supported employment programs. NYSRA providers support funding for such programs to ensure that individuals succeed in integrated settings, but note that employment programs must offer the widest array of work opportunities to ensure that individual needs are accommodated.*

*NYSRA expresses concern about the following:*

*There are cost savings to be found at OMRDD totaling some \$10 million – half of that state share – through “rationalizing provider reimbursement.” OMRDD officials have been collaborative with providers in the past, and we are optimistic that dynamic will continue, in finding solutions to cost challenges. We note, however, that is difficult for us to assess at this time the level of impact of this initiative, since the precise nature of the source of these savings is not yet determined. On a general level, the Executive calls for rate “restructurings” for areas such as Intermediate Care Facilities, Day Habilitation, In Home and Community-Based Services, Article 16 clinic services, and levels of reimbursement for administrative costs in all programs. This latter proposal regarding administrative reimbursement is a major concern. As regulatory requirements and labor-intensive paperwork obligations increase, so do the costs of running our service programs. It is essential, then, that we all truly pursue “rational” reimbursement – while rates should be rational from a payer standpoint, they must also rationally reflect true costs of providing the needed services.*

## **MENTAL HEALTH**

*The Executive Budget funds the Office of Mental Health at some \$3.7 billion. This is an increase of some \$1.4 billion but, as with OMRDD, this largely due to technical changes and shifting of cost centers into the OMH budget that did not previously appear there.*

*NYSRA supports the following elements of the Executive Budget:*

*The third installment of the COLA for eligible un-trended programs that was adopted last year by the Legislature from the 2006-2007 Executive Budget proposal is funded and based on a statutory index. We support this funding from the Executive, and we support the Executive Budget's proposal to extend this COLA for three years once the current adjustment expires at the end of the upcoming fiscal year.*

*Resources that will allow OMH to develop 1,500 Supported Housing Beds targeted to specific mentally ill populations and develop 500 integrated Single Room Occupancy (SRO) beds for priority populations.*

*Some \$5 million to take the first steps in rationalizing clinic funding. This initiative will provide fiscal relief to mental health clinics by: establishing minimum comprehensive outpatient provider rates for clinics licensed solely under Mental Hygiene Law; rebasing clinic providers who have exceeded their Comprehensive Outpatient Programs (COPS) threshold using prior year service volume; eliminating volume adjustments on COPS clinic services; limiting certain payments made for services provided to managed care enrollees; and removing the Medicaid neutrality cap for mental health clinic services. NYSRA was a participant in the 2007 study of these issues and notes that the Executive Budget adopts recommendations from that clinic restructuring study. Demonstration programs to address the treatment needs of persons who are both mentally ill and chemically dependent, with \$1.0 million budgeted. An additional \$1.5 will support two managed care demonstration programs (one in Western New York and one in New York City) that will help coordinate both the health and the behavioral health needs of high cost populations.*

*NYSRA recommends the following:*

*NYSRA joins others in asking the Legislature to add \$2 million in funding to enhance employment opportunities for individuals with mental health conditions.*

*Save the date*



## **DIVISION LOBBY DAYS**

**March 4: DD Division**  
**March 5: MH Division**  
**March 6: VOC Rehab Division**

## NOMINATIONS ACCEPTED FOR ANCOR'S DIRECT SUPPORT PROFESSIONALS RECOGNITION AWARDS

NYSRA is working with our national affiliate, ANCOR, to support Direct Staff professionals and encourage NYSRA member agencies to consider submitting nominations for ANCOR's national Direct Support Professionals Recognition Awards. You have the unique opportunity to bestow deserved recognition while fueling advocacy initiatives on their behalf. In 2007, ANCOR awarded its first national Direct Support Professional Recognition Awards in conjunction with its National Advocacy Campaign. ANCOR conveyed 38 state recognition awards and recognized Larry Skinner as the national recipient. This first-time effort was a resounding success and it received significant feedback from ANCOR member agencies to continue the effort.

The National Advocacy Campaign's mission is to enhance the lives of people with disabilities by obtaining the resources to recruit, train and retain a sustainable direct support workforce. Focused on the theme, "You Need to Know Me," the awards honor and recognize the dedicated individuals who continually enrich the lives of people with disabilities.

**Nominations must be received no later than 5 p.m. on Monday, March 3, 2008.** Please nominate only one DSP from your organization. If you are a provider operating in multiple states, you may submit nominations equal to three times the number of states in which you operate. For example, if you have operations in 10 states, you could nominate a maximum of 30 DSPs.

Nominate the DSP you believe is most representative of this valued, committed workforce; someone who warrants kudos and recognition for a job well done. Ideally, your nominee possesses a unique personal story or job history that highlights a commitment and enduring passion for DSP work. This should include:

- Long, reliable tenure in their job.
- Strong ties to the people and families supported.
- Strong ties to the community and exemplary actions and creativity in building social capital for the people supported.
- Creative/consistent work to foster inclusion and greater independence for people with disabilities.
- Foregoing better paying jobs or working multiple jobs for the love of their work.
- Anecdotes about personal sacrifices and/or actions representative of their commitment to their work.
- On-the-job challenges they have overcome.

Please include a photograph of your nominee and the person supported. The photo should be 4 x 6 and taken in a horizontal layout.

Your agency's nomination provides an opportunity to spotlight the critical value and importance of the direct support workforce. Every nomination is considered a "finalist" and is acknowledged by ANCOR. Your participation demonstrates the value you place on your workforce, while educating your local media, elected officials and community supporters about the value DSPs bring to their communities.

A nomination form can be downloaded at <http://nyrehab.org/Pages/Links.cfm>. Please direct any questions to Jeff Stauter at (217) 527-1285 or via e-mail at [jstauter@mwelc.com](mailto:jstauter@mwelc.com).

## PRESIDENT'S BUDGET

By Charles Harles, I-Nabir

President George W. Bush released his budget proposal for fiscal year 2009 on February 4. It looks much like it has for the past several years for service providers to persons with disabilities - de-



fund Projects with Industry, supported employment, migrant and seasonal farmworkers and recreation - flat fund rehabilitation programs - and continue to cut back job training programs.

For programs under the US Department of Education this would mark the seventh year in a row that the Bush Administration has attempted to eliminate the PWI, supported employment and migrant and seasonal farmworker programs. Congress has continued to fund these programs, though there was a 10% cut in PWI and a 20% cut in supported employment two years ago. The budget calls for level funding for basic state vocational rehabilitation grants even though the legislation requires a cost of living increase each year. There was a call for a \$5 million cut in assistive technology grants to the states - from \$30 million to \$25 million. All other programs appear to be level funded.

At the Department of Labor employment and training programs would once again be slated for cuts, some significant. Adult training programs would be cut 16% from \$849 million to \$712 million. Youth programs under Workforce Investment would decline 3.5%. Dislocated worker programs would get a small increase - 4% and the VETS program would go up 2.6%. The Administration would also try to trim the Office of Disability Employment Policy back to \$12 million from the current \$27 million. Just two years ago it was at \$47 million.

It must be remembered that these are just proposals and that in the past Congress has rejected most of the disability related cuts requested in previous budgets. Last year, Congress did however, go along with the overall budget figure requested by the President but did not reduce the disability programs beyond the 1.75% reduction that was given almost all domestic discretionary programs. There is great uncertainty as to what Congress will do this year. There is wide speculation that during this presidential election year with all of the House and a third of the Senate being up for re-election that Congress may just continue current levels and leave it to the next President and Congress to put their priorities in place when they take office in 2009. However, we will continue to need to contact our senators and representatives and their staff to let them know of the importance of continuing and increasing funding for PWI and the other programs.

# EMPLOYMENT OPPORTUNITIES

## Administrative Assistant to Social Marketing.

The successful candidate must have a strong interest in social marketing, and experience with children's mental health resources and services. This person will support social marketing activities within the system of care in Erie County. This person will: provide support, accept/fulfill assignments, and support the family involvement in a social marketing capacity; provide administrative support through general office work; participate in community events and research; and gather data that is important to families experiencing mental health challenges. Strong knowledge and use of Microsoft Office Suite required. This is a marketing related position within Family Voices Network. Salary Range: \$10-\$12 per Hour depending on experience. Hours: Part-time position, hours may be flexible - 19 Hour per week. If you're interested, please email or mail cover letter and resume for consideration (No phone calls please.) to:

Deborah Ann Porter  
 Director of Social Marketing  
**FAMILY VOICES NETWORK  
 OF ERIE COUNTY**  
 462 Grider St., CC-120  
 Buffalo, New York 14215  
 Email: [marketing@familyvoicesnetwork.org](mailto:marketing@familyvoicesnetwork.org)  
 Visit us on the internet:  
[www.familyvoicesnetwork.org](http://www.familyvoicesnetwork.org)

## Assistant Executive Director:

Dynamic visionary needed to provide broad program supervision for a 25+ million multifaceted organization providing quality support services to individuals with developmental disabilities. Extensive expertise in the field of MR/DD should be combined with strong interpersonal, communication, management, and financial skills to guide and assist the organization in attaining the highest quality goals. Qualifications include masters degree in human services or related field, 10+ years generalist experience as well as managerial experience. Background in vocational services and/or employment services preferred. Combination of education and experience accepted. REHAB Programs provided services to children and adults through a variety of programs (see our website at [www.rehabprograms.org](http://www.rehabprograms.org).) We offer an excellent salary and benefit package including health, dental, four weeks vacation. Send application or resume to: Human Resources Department. REHAB Programs, Inc. 70 Overocker Road, Poughkeepsie, New York 12603. Fax 473-1270 or email [karensimon@rehabprograms.org](mailto:karensimon@rehabprograms.org). AA/EOE.

**Director of Supported Living:** Job Path is seeking a thoughtful, creative professional to lead its supported living initiative, which helps people make choices about where and with whom they would like to live; find affordable housing; and put in place the services and supports they need to thrive in their homes and in community life. The Supported Living program currently supports 25 people, including six who live in two-person households that receive around-the-clock staff services. **Qualifications:** BA and at least three years of relevant experience, including supervisory/program management experience. MA; familiarity with Medicaid funding/regulations and residential services a plus. **Salary:** 50+, depending upon qualifications and experience. Excellent benefits including tuition reimbursement and 403b plan with 5% employer match. **Cover letter/ resume** to Job Path, 22 West 38<sup>th</sup> Street, New York, NY 10018 or [afitzpatrick@jobpathnyc.org](mailto:afitzpatrick@jobpathnyc.org).

## Director of Vocational Services Developmental Disabilities Institute

DDI seeks an energetic and creative individual with excellent communication skills to oversee and expand our vocational division, providing services to autistic and developmentally disabled adults and children through Pre-Vocational and Supported Employment services. Qualifications: BA (Master's preferred), with 3-5 years related experience. A proven record in administering vocational programs for this population and extensive knowledge of OMRDD, VESID and DOL is required. Experience in grant proposal writing is a plus. We offer excellent benefits with a competitive salary. E-mail resume to [jobs@ddiinfo.org](mailto:jobs@ddiinfo.org) or fax 631)366-2966.

## Quality Assurance Manager: *Jawonio*

*Inc. is a large, multi-site, not for profit organization serving children and adults with developmental and other disabilities in Rockland County.* We seek a **Quality Assurance Manager** to assist and direct in the overall development and implementation of the Agency's Corporate Compliance Program and Quality Assurance Department. You will conduct investigations regarding incidents and issues concerning consumers and employees in our residential and day services divisions and conduct quality and fiscal audits in our OMRDD funded programs. **REQUIREMENTS:** Bachelor's Degree in a Human Service field: knowledge of OMRDD, OMH and or DOH regulations helpful. Excellent benefits include medical/dental/life/ltd/pension and 24 paid days off the 1st year plus 12 paid holidays. For additional information please contact Human Resources Department. Send resume to: JAWONIO, INC. 260 Little Tor Rd North, New City, NY 10956 Attention: Marilyn Astarita Phone: 845-634-4648 Fax 845-639-3530 Email: [marilyn.atarita@jawonio.org](mailto:marilyn.atarita@jawonio.org) EOE/AA/M/F.

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