



Alliance of Long Island Agencies (ALIA)
Cerebral Palsy Associations of New York State (CP of NYS)
The Developmental Disability Alliance of Western New York (DDAWNY)
Direct Support Professional Alliance of NYS (DSPANYS)
The InterAgency Council of Developmental Disabilities Agencies (IAC)
The NYS Association of Community and Residential Agencies (NYSACRA)
NYSARC Inc.
New York State Rehabilitation Association (NYSRA)
Self-Advocacy Association of NYS (SANYS)

**TESTIMONY SUBMITTED TO THE NEW YORK STATE LEGISLATURE
Joint Hearing of the Senate Finance and Assembly Ways and Means Committees**

2017-2018 Executive Budget Proposal Mental Hygiene

Monday, February 6, 2017

Presented by
Barbara Crosier
Vice President, Government Relations
Cerebral Palsy Associations of NYS

It's been almost a year since seven associations, which has grown to nine, whose hundreds of members are the not-for-profit organizations that provide supports for New Yorkers with Intellectual and Developmental Disabilities, came together to start a campaign for a living wage for our direct support staff.

At the time we didn't have a name for our campaign and we weren't sure how we were going to work together, but today we come before you and we have a name, #bFair2DirectCare, and a clear message: A living wage for direct care workers will allow New York State to show the whole country that we are accepting of all and have and will continue to make the investments needed to show the strength of our values.

The investment is \$45 million a year for the next six years, to be matched by federal funding. It is a modest request in the context of a New York State Budget of more than \$150 BILLION!

We have taken our campaign and its very basic message from Buffalo to Brooklyn, from Suffolk to Syracuse, and all parts in between.

The #bFair2DirectCare campaign represents a half million New Yorkers who see their quality of life threatened – people who benefit from the staff support that allows them to maximize their abilities and live lives that most of us take for granted. We represent the family members who provide tremendous and lifelong support, but can't do it alone. We represent the Direct Support Professionals (DSPs) who struggle to support their families and want to keep working with people with developmental disabilities, but lack a decent wage.

We've been joined by a majority of state Legislators – some of whom have family members with developmental disabilities, others who value our work and value keeping the people we support in the community and out of institutions.

At rallies, press conferences and in meetings, our campaign name says it all: Please be fair to the direct care workers so many of us depend upon. Please let us keep the best and most compassionate workers by funding a living wage that allows us to be competitive with other businesses.

There are many Americans who wonder about the future direction of our country and how it treats people who are vulnerable. As the old activist saying tells us, we need to "Think globally but act locally." This is our chance to show our support for people with developmental disabilities whose lives will be diminished by inaction as the support they need falls apart.

Collectively, a little snapshot of what it will cost to be fair to direct care and why the investment is both necessary and overdue is as simple as: "We get more than 90% of our funding through Medicaid and other government sources and the majority of our funds go to direct care staff compensation. Medicaid rate increases to cover wage hikes have been frozen for seven of the eight most recent years. We are not-for-profit community based organizations and our jobs used to be good jobs, but they have lost their purchasing power, and in many cases now start at or just above minimum wage. When these were competitive jobs, people stayed with us in the jobs they loved, serving and supporting New Yorkers who are living their life to an extent once thought impossible. The people we support, their families and our workers are our families, friends and neighbors. They are part of the fabric of our communities and they help make New York the greatest state in the Union."

Today, we come before you facing a staffing crisis, not of our making, but one that gets progressively worse because of the stagnant rates the state pays us. As our salaries grow less competitive, our DSPs are leaving because they can earn more by taking a job in a fast food restaurant or big box store. Many DSPs are working two or three jobs, struggling to support their families and some work full time and still qualify for food stamps. This should be unacceptable anywhere, but especially in New York.

A look at our last three years' vacancy rates show more than 10% of our direct support jobs are vacant and that percentage is increasing:

- 2014 DSP vacancy rate = 7.76%
- 2015 DSP vacancy rate = 9.3%
- **July 1, 2016 DSP vacancy rate = 11.08%**

Vacant jobs mean gaps in coverage that have to be filled with overtime – for now at least. Our provider organizations count the number of hours of overtime used in the millions of hours – more than 6.4 million hours in 2015 alone for providers that responded to our survey – an increase of 13.5% more than the 5.6 million hours of overtime in 2014.

In 2017 we have reached the point where overtime can't keep up and we will have to start looking at which programs will have to be cut out – unless you act and convince Governor Cuomo to provide funding for a living wage for DSPs in the 2017-18 state budget.

Additionally, the lure of easier work at better pay because of wage mandates in other service jobs is causing us to turnover employees at an alarming rate. More than 20% of new staff hires leave within a year.

More important than adding to our staffing problem, the people we support can no longer count on seeing a familiar face day after day as people who support them leave for better pay and better hours (DSPs work 24-7-365). This has terrible consequences for people who are best supported through routine, love their staff like family, and in some cases have limited ability to communicate. To someone who can't speak, having a staff person who has learned how to recognize distress could be the difference between a fulfilling day and needless suffering.

We as a state and a caring community face some stark consequences if we can't pay our workers a living wage. First, more and more workers will leave and our staffing crisis will only worsen. Agencies' program vacancies will go unfilled. People will go unserved.

Some, and someday maybe all, of the not-for-profits that care for people with developmental disabilities on behalf of the state could close, requiring the state to take over care of thousands of people – at costs to taxpayers that are 40% more than what the state pays the not-for-profits.

What we need is 0.0288% of the total budget.

We can almost guarantee it that if Albany won't find the money now it will have to find a whole lot more money later.

The Governor would tell you that he has fully funded the minimum wage and that we can cut back on our executive salaries to fill the gap. We would tell you that he turned our good direct

care jobs into minimum wage jobs and as a result he needs to lift these important jobs back up to the status they had before the rate freezes and the wage mandates. We can think of few workforces more worthy or important to our state and communities and we ask the state Legislature to do the right thing and #bFair2DirectCare.

Don't hear it just from us, however. We have attached an op-ed recently published in the *Albany Times Union* by Margaret Raustiala, a parent from Long Island. Margaret is the mother of Riko, a 46 year old man with autism.

The Governor can still add these funds in his thirty day amendments and we ask you to join us in urging him to do so. Should that not come to pass, we are asking you to include \$45 million in state funds to begin to provide direct care workers a living wage in your chamber's one-house budget. Then we will need your help in fighting to ensure that it is in the final enacted budget.

We leave you with the words of an American with a disability, a former New York Governor, a U.S. President, and hero to us all. I hope they guide you in these uncertain times:

“By living wages, I mean more than a bare subsistence level — I mean the wages of a decent living.” (Franklin Delano Roosevelt 1933, Statement on National Industrial Recovery Act)

Thank you on behalf of the more than one-half million New Yorkers with developmental disabilities, their families and those who serve and support them.

Seth Stein, Alliance of Long Island Agencies for Persons with Developmental Disabilities

Susan Constantino, Cerebral Palsy Associations of NYS

Rhonda Frederick, Developmental Disabilities Alliance of WNY

Richard Bosch, InterAgency Council of Developmental Disabilities Agencies, Inc.

Jason Marlowe, Direct Support Professional Alliance of NYS (DSPANYS)

Ann Hardiman, NYSACRA

Steve Kroll, NYSARC

Michael Seereiter, NYSRA

Tim Tompkins, Self-Advocacy Association of NYS (SANYS)