



2022 NYDA LEGISLATIVE PRIORITIES TALKING POINTS

- For more than a decade, New York State did not make sufficient investments to sustain essential supports and services for New Yorkers with intellectual and developmental disabilities (I/DD).
- Without adequate state funding, I/DD provider agencies have been unable to offer competitive wages needed to recruit and retain the skilled direct care staff that provide critical supports and services, resulting in a workforce crisis that has grown for over a decade.
- Governor Hochul’s Executive Budget is a critical step in the right direction of making investments and providing adequate resources for the I/DD service delivery system following more than a decade of cuts and neglect from New York State.
- The rising costs of inflation, the significant fiscal impacts of COVID-19, and the immediate need to increase wages are among the reasons we are supportive of the Executive Budget’s proposed 5.4% COLA.
- Additionally, we support the Executive’s Frontline health care and mental hygiene worker bonus proposal. We believe that this bonus can serve as a helpful tool to recruit and retain staff to address our workforce crisis.
 - However, within this proposal, we ask that the Legislature amend the language to include part-time employees who work 15 hours per week and to reduce the top tier average to 35 hours.
 - Many provider agencies around the state have part-time employees who will cover weekend shifts and would not be eligible under the current structure.
- Additionally, to recognize the sometimes exhausting, vital work that our Direct Support Professionals (DSPs) perform on a daily basis, to support individuals with disabilities in living enriched, fulfilling and safe lives, we are asking that the

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legislature include language to establish a Refundable Personal Income Tax Credit for Direct Support Professionals in the OPWDD and OMH systems. This proposal would be a well-earned recognition of their work and provide crucial recruitment and retention incentives to curb the workforce crisis by adding up to \$5000 to DSP salaries.

- The Executive Budget’s Statewide Healthcare Transformation Program will provide grants to transform and modernize health and Medicaid services but I/DD providers must be included in this as well.
 - To that end we ask that the Legislature advance amendments to the Statewide Healthcare Transformation Program to include these provider agencies.
- Similarly, the Nonprofit Infrastructure Capital Investment Program will significantly improve the operations of nonprofit human services organizations and we support the Executive’s inclusion of these funds.
- Across the nation, the nursing shortage has had massive ramifications on healthcare and service systems, including supports and services for individuals with disabilities. The Executive Budget’s proposed Nurses Across New York Program will help with loan forgiveness for nurses and provide significant benefits to rebuilding New York’s healthcare workforce. Therefore, we are requesting that the nurses and nursing assistants who work for our provider agencies be included as eligible for this program.
- The Governor’s commitment to addressing inequities in frontline healthcare and mental hygiene worker wages is essential in supporting a strong, stable service delivery system and the I/DD community is eager to work collaboratively with the state to make meaningful progress and permanent improvements for our essential workforce.
 - To achieve this goal, the state should build on the resources provided by the Federal Government, which will provide a 20% one-time bonus to Direct Support Professionals. We believe that the opportunity is now for the state to build on this investment and make these increases permanent.

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- In addition to increased wages for staff, we have identified practical solutions, to increase DSP recruitment and retention, that must be included in the FY 2023 Budget, including:
 - Implementation of Statewide Recruitment Programs
 - The expansion of the current BOCES and Community College Programs statewide to create a pipeline for the DSP care field.
 - Implementation of statewide Credential and Career Ladder Programs
 - New York State’s Advocacy for a new Federal Standard Occupational Classification for Direct Support Professionals
 - 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
- For more than a decade, individuals with I/DD and the nonprofits that support them have not received proper investment from New York State to sustain essential supports and services, however, it is a new day for our community with Governor Hochul’s Executive Budget’s proposed investments.
- DSPs provide life preserving and affirming jobs, administering medication, physical and behavioral health services, teaching, transporting, and otherwise supporting people who depend on them 24/7. While these are not minimum wage jobs and should not be treated as such, the State must keep the \$40M investment in the Executive Budget to support minimum wage increases for our severely underpaid staff.
- We look forward to working with the Governor, her staff, and the Legislature to ensure the proposed investments in the Executive Budget are realized in the FY

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2023 Budget as we work to create a long-term sustainable service delivery system.

- NYDA and the I/DD community look forward to working with Governor Hochul, her administration and the New York State Legislature to ensure the One House Budgets and FY23 State Budget include Governor Hochul’s proposed investments to protect our vulnerable community members, providing them the long-term investment they need to live healthy, fulfilling lives.

BY THE NUMBERS

- According to a recent survey conducted by New York Disability Advocates:
 - 93% of providers saw a decrease in job applicants this year
 - Statewide vacancy rates increased 75% since pre- pandemic levels
 - 25% of all DSP positions are currently vacant statewide
 - 48% of providers were forced to close or reduce programs due to lack of staff
 - 39% of providers did not reopen programs due to staff shortages
 - Senior & administrative staff at 69% of providers were pulled from leadership responsibilities to cover direct care shifts.
 - The average statewide starting average wage for a residential direct care worker is \$14.56, in comparison to the statewide fast food minimum wage of \$15.
- As of October 2021,
 - There are 23,563 vacant DSP positions statewide
 - 66.14% of not-for-profit agencies have seen an increase in staff vacancies since April 2021
 - Nearly 50% of Provider Agencies reported that they have had to close or modify programs over the past year due to financial hardship
 - 77% 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

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- 50% of provider agencies report that they had DSP staff vacancies in excess of 20%
- Around 10% of Agencies statewide report staffing vacancies in excess of 40%
- 93.1% of agencies have reported a decrease in the number of job applications.