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April 4, 2013

TO: Senate Health and Welfare Committee

RE: FY 2014 State Budget for Developmental Disability Services

DATE: April 4, 2013

My name is Max Barrows. I live in the sticks of Worcester and I work with Green Mountain Self-Advocates. We are a statewide disability rights organization that supports 21 local peer support groups for people with developmental disabilities. You may recall seeing many of our members here at the state house last Thursday which was Disability Awareness Day.

Thank you for this opportunity to speak on the Budget for Developmental Disability Services. I would like to call your attention to 5 key issues:

**Issue #1 – We welcome and support the administration’s request for new caseload dollars for developmental services.** However, the amount of new caseload dollars for FY 2014 is less than the total amount of new funding for FY2013. We recommend that the legislature take a closer look at how new needs are determined.

Historically since Brandon has closed, there have been about 100 new people coming into our system each year. However in January, Commissioner Wehry reported that for FY 2013, the number of people facing a crisis and meeting a funding priority for Developmental Services has more than doubled. Caseload is increasing because we need to meet real needs.

We are following the state’s initiatives to use performance based contracting and results based accountability. We understand that this strategy begins with accurately assessing the current costs of doing business. Adequate assessment of needs and projections of costs is also required by 32 VSA 302(a) to produce a current services budget for each program and the DD Act Section 8724 which says

that the Developmental Services System shall be based on a comprehensive needs assessment that includes demographic information, identifies unserved and underserved populations and reasons for gaps in services.

We ask for more details on whether the new caseload dollars will fund what is needed. This should be based on the full assessment of needs and current trends.

**Issue #2 – We oppose language in the budget bill (Sec. E.333) that reduces public participation when the administration changes the benefits program for people with developmental disabilities.**

The language reduces our time to comment on changes to the system. Right now we have 60 days. The Governor wants to reduce it to 15 days. That is unacceptable. Our goal is create a more meaningful process of public participation, not limit it.

For most other state benefit programs like Food Stamps, Reach Up or Choices For Care the administration has to go through the Legislative Committee on Administrative rules for approval to make program changes, especially when it involves who is eligible to get help. That is not so for Developmental Services.

**Issue #3: We ask you to restore the 2.5 million dollar “policy reduction”.**

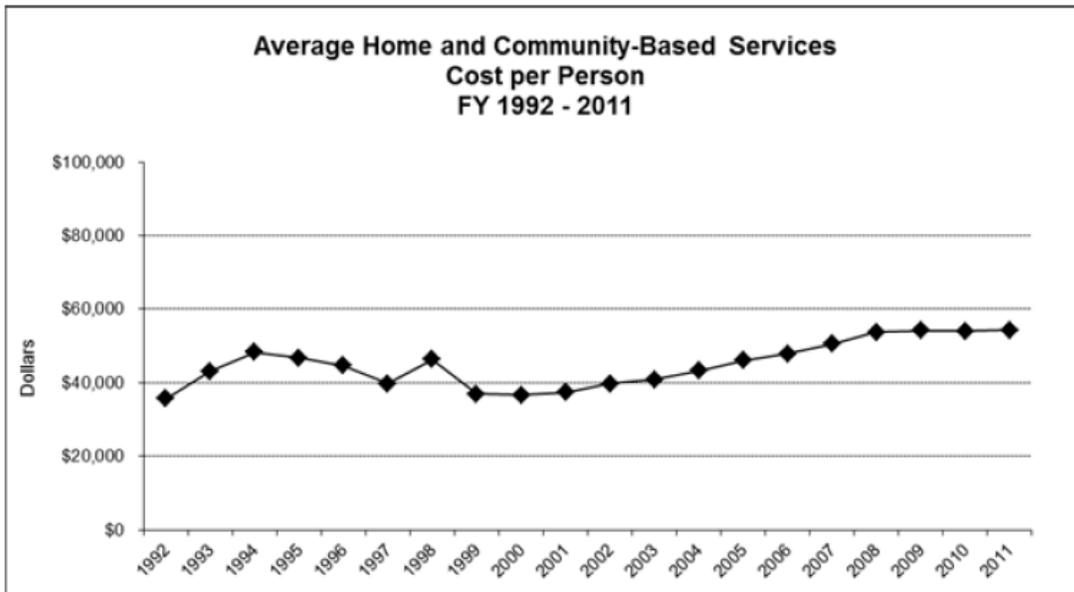
I am on the State Standing Committee for Developmental Services. In February and March we talked about what the term “policy reduction” really means. All the ideas on the table basically have to do with cuts to people who already get services. “Policy reduction” is a code word for cuts to existing services. It makes it sound like nothing bad is going to happen or that the changes they are proposing are not a big deal. But we know that there have been 4 cuts to people who get developmental services over the past 5 years.

**Issue #4: Sustainability**

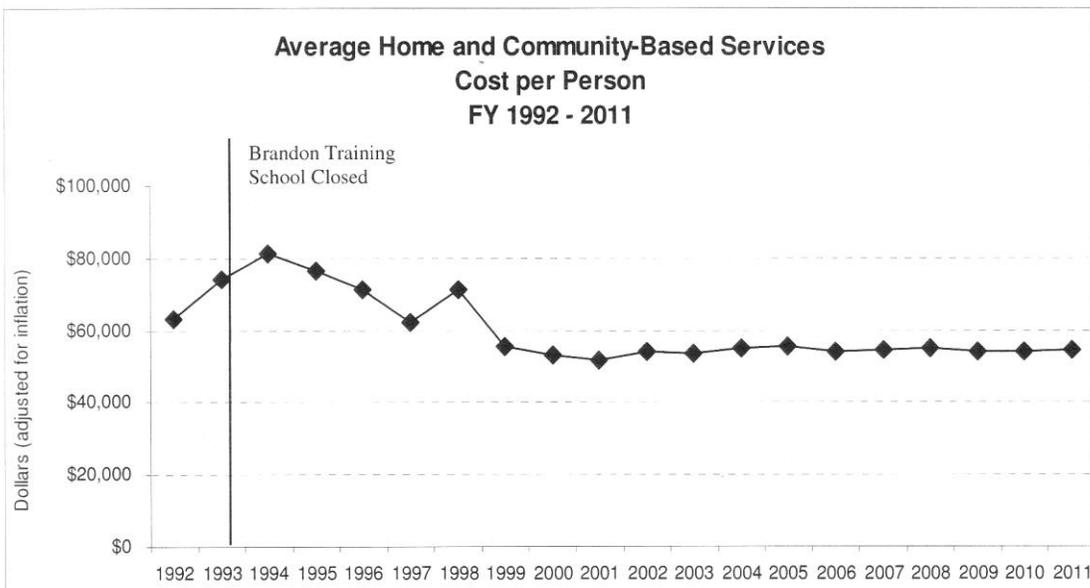
We recognize the pressure on you to develop sustainable systems however one of our goals for 2013 is to bust the myth that Developmental Services is not sustainable. Let me begin by referring to Page 8 of DAIL’s House Appropriations Committee Testimony given on February 8, 2013. The report states that cost per person for Developmental Services in Vermont is less than any other New England states and less than the national average. Below are two charts: the first one was included with DAIL’s Budget testimony and the second chart is from the DAIL’s

Annual report from 2012. Please use Chart #2 which has been adjusted for inflation and clearly shows how costs have gone down or stayed the same in the past 20 years.

**Chart #1** Page 8 of DAIL’s House Appropriations Committee Testimony given on February 8, 2013



**Chart #2** Page 9 Vermont Developmental Disabilities Services Annual Report 2012



The predominant pressure for more money is coming from people facing a crisis in their lives and needing new or more services. There are 3 “hoops” you need to jump through to get developmental services. You have to be:

1. financially eligible
2. clinically eligible, and
3. meet a funding priority

According to DAAL, approximately 30% of the people who are both financially and clinically eligible for developmental services get services. They receive services because they meet a funding priority. The rest of these individuals, the other 70% who are also eligible do not receive services. They have to rely on family and friends. Many of the 70% go through life without ever needing services. But each year, for some individuals their natural support system falls apart and they need to rely on our government to keep them safe from harm. It is important to understand that once a person comes into services, they typically need those services throughout their life.

Brandon Training School closed 20 years ago, and we have had 20 years of cost-effective services that have saved countless dollars. Developmental Disabilities Services system is sustainable. Each year it helps to sustain people who were fending for themselves, reached a crisis point and needed help. We don't apply this type of thinking to other healthcare programs. If there was a sudden increase in the number of women diagnosed with breast cancer we wouldn't deny them access to treatment because of the increased costs. We need to Put People First in all of our health care programs not manage to the money.

#### **#5: The need to restore the quality assurance review system that ensures accountability.**

In FY 2014, the Governor proposes to spend around \$170,000,000 on Developmental Services. One striking inconsistency is that AHS is calling for more overall system accountability yet the state employees responsible for quality assurance for Developmental Services have been reduced approximately 75% over recent years.

The decrease in the state's capacity for quality assurance began around 2006 when the Division of Developmental Services was eliminated and the focus broadened to become the Division of Disability and Aging Services. Prior to 2006, Developmental Services (DS) had a rigorous quality assurance program with outcomes and measurable indicators, and a monitoring process and staff to do

the work. In the past the Quality Review Team operated as a 12 person unit including 10 Quality Reviewers and two Developmental Specialist RNs. Unfortunately that system has been dismantled in the past 7 years and now includes 3 Quality Review Team members with a RN available part time.

Several other departments have secured funding to restore state positions lost during recent budget cuts. A robust quality review system is essential to having performance based contracting and results based accountability. Many advocates, service recipients and their families are alarmed at the dismantling of the Quality assurance team responsible for monitoring and providing technical assistance to Developmental Services that is the key safeguard against abuse and neglect.

**We ask that you restore Quality assurance review system that ensures accountability.**

Please let me know how Green Mountain Self-Advocates can be helpful in addressing these serious concerns.

Thank you for your consideration.