



HIGHLIGHTS OF THE 2015- 2016 NEW YORK STATE BUDGET FUNDING BILLS AND ARTICLE VII LANGUAGE BILLS

OPWDD

- **Development:** An additional \$2 million (\$8 million all shares/fully annualized) for the development of new service opportunities for people with disabilities currently living at home and whose caregivers are unable to continue to care for them.
- **COLA:** As anticipated, the 2% COLA for direct support and clinical staff, effective 4-1-15, is fully funded in the budget.
- **Reporting:** An additional \$1 million to OPWDD to pay for the expenses related to the following new omnibus reporting and Transformation Panel responsibilities:
 - **Residential Registration List** - Requires OPWDD to issue a report as a result of its statewide review of individuals with DD who are currently on its residential waiting list, including any available regional information on priority placement approaches and housing needs for such individuals. It shall include an update on its transformational housing goals and develop a plan in consultation with parents, individuals with DD and other stakeholders to increase housing alternatives for individuals with DD including those not currently on the residential registry list. The Report must be issued by February 15, 2016.
 - **Work Setting Choice** - Requires OPWDD to develop a plan to provide choices for individuals currently in sheltered workshop programs to transition to integrated community work settings. OPWDD must report to the Legislature by February 15, 2016. The plan must include stakeholder involvement, a detailed analysis of options available and goals for those who cannot or choose not to transition to integrated community work settings.
 - **Transformation Panel** - Requires OPWDD to establish a transformation panel for the purpose of developing a transformation plan which will include recommendations and strategies for maintaining the fiscal viability of the service and support delivery system for persons with developmental disabilities. The plan will also include strategies that will enable the office to comply with federal and State service delivery requirements and provide appropriate levels of care. OPWDD must report to the Legislature by February 15, 2016 on the recommendations of the panel. Members serve without compensation but actual and necessary expenses are to be reimbursed.

- **Monthly Reporting on Developmental Census** – OPWDD is required to provide the Legislature with monthly updates on the institutional run down and the community services available for people leaving the institutions.
- **Front Door Process** – OPWDD is required to report by February 15, 2016 the extent to which the front door policy, as it has been implemented, has improved community education and available service options, connected individual needs to available services, and enhanced opportunities for self-direction.
- **Transportation Assessment** – Requires OPWDD, in consultation with other agencies and stakeholders, to contract with a not-for-profit entity to conduct an assessment of the transportation needs of individuals with developmental disabilities and others, including those receiving behavioral health services and make recommendations for a pilot program to coordinate medical and non-medical transportation needs. The contractor shall report to the Legislation on its pilot recommendations by December 31, 2016.

DOH

- **Prescriber Prevails Restored:** The Legislature again restored the Medicaid provisions that give prescribers (physicians) final determination of the appropriate medications for their patients, in the areas of anti-depressant, anti-psychotic, antiretroviral, anti-rejection, seizure, epilepsy, endocrine, hematologic and immunologic therapeutic classes.
- **Early Intervention:** No additional funding.
- **Article 16 Clinic MRT Cut Restoration:** Although the Senate included language in its one House bill and the Administration seemed to support it, we were told that DOH staff opposed restoration. There is no restoration in the final budget and last year's budget made this cut permanent. CP of NYS will work with the Legislature to move forward with this restoration as a stand-alone bill.

SED

- **SEIT Regional Rates:** The Governor's bill included Regional SEIT rates for the 2015-2016 School Year as part of SEIT Reform. The Assembly delayed this until 2016-2017. Due to our opposition and concern that this SEIT Reform delay might delay a 4410 classroom increase/growth, the final budget includes language that the **regional rates will be established on or before the 2016-2017 School Year.**
- **Modify Proposed SEIT Fee for Service Payments:** No change to fee for service for only teacher absence.
- **Nurse Practice Act Exemption Expansion:** There is additional language to allow the expansion of the OPWDD Nurse Practice Act exemption to OPWDD settings that are currently non-certified to address the concerns of SED so that there can be an MOU between SED and OPWDD.
- **School Psychologists:** An exemption for school psychologists employed by a 4410 or Early Intervention agency was not included in the budget. We will continue to work to resolve this issue in legislation.
- **Growth Index for "853" School-Age and 4410 Preschool Special Education Rates:** No growth index was included in the budget.
- **853 and 4410 Safety Net Fund:** No additional funding was included.

OMH

- **Funding for Crisis Intervention Teams (CIT):** \$1.5 million added for CIT.
- **Medication Grant Program and Presumptive Eligibility:** \$5 million was added for enhanced 'connectivity' between jails/prisons and health homes and \$1 million added to create certified application counselors to expedite Medicaid applications.
- **Veterans Mental Health:** \$3.2 million is added for veteran's mental health. This funding will provide continuation of the 11 projects across New York State.
- **State Hospital Reinvestment:** Maintains OMH's proposal to close 135 state hospital beds and to reinvest \$15 million into expanding local community services.
- **Housing:** There is an increase of \$440 million over four years for housing and services to combat homelessness in addition to \$10 million for rental subsidy increases for New York City, Long Island, Westchester and Rockland as well as some additional upstate counties.
- **Adult Homes:** In addition to the four hundred new adult home residents that were in the budget, the Legislature added back the EQUAL program to improve the facility physical environment and fund activities of daily living skills for residents.
- **Raising the Age of Criminal Responsibility:** \$25 million was added to the budget for 'Raise the Age' with negotiations on language and a final agreement to be worked out by the end of Session.
- **Mental Health Public Awareness Tax Check Off Bill:** Was not included in the budget.

OTHER

- **Settlement with CMS:** The final budget includes \$850 million from the almost \$7 billion in financial settlement fees to resolve the Federal Government/CMS audits of the OPWDD developmental center rates.
- **Legislative Grants:** There is \$28 million in funding for Legislative Grants or member items to be split between the Senate and the Assembly with the Majority Party in each House getting the major share of the funding.
- **Bullet Aid or Legislative Grants for School Districts, Libraries and Not-for-Profits:** The Senate has \$15.5 million and the Assembly has \$14.35 million for the 2015-2016 School Year, and the Senate has an additional \$25 million for the 2016-2017 School Year.
- **\$50 million Nonprofit Infrastructure Capital Investment Program:** There is a new \$50 million for a Nonprofit Infrastructure Capital Investment Program which authorizes the Dormitory Authority and the Urban Development Corporation to issue bonds or notes to fund project costs for the program and other state costs associated with the capital projects.