



February 12, 2021

Honorable Liz Kruger
Chair, NYS Senate Finance Committee

Honorable John W. Mannion
Chair, NYS Senate Developmental Disabilities Committee

Honorable Helene E. Weinstein
Chair, NYS Assembly Ways & Means Committee

Honorable Thomas Abinanti
Chair, NYS Assembly Committee on Developmental
Disabilities

Dear Ladies and Gentlemen:

Thank you for your work on behalf of New Yorkers with Intellectual and Developmental Disabilities. It is obvious that all committee members were committed to the process and to understanding the details of current issues. Supporting Our Youth & Adults Network (SOYAN) is a grass-roots advocacy network comprised of self-advocates with developmental disabilities using the Self-Direction service delivery model and their families.

We were dismayed at the quality of the answers provided by Dr. Kastner, the Commissioner of the Office for People With Developmental Disabilities at the hearing on Friday February 5, 2021. We have Senator Mannion's follow up letter addressed to Dr. Kastner dated February 10, 2021. We would like to offer a few suggestions that align with the concerns raised by Senator Mannion.

1. **Overdue reporting.** OPWDD is required to produce a 5.07 report every year. The Commissioner promised one by the end of this year. But why must we wait? This information is critical to understanding the present decision making and the future of OPWDD.
2. **Coordinated Assessment System (CAS).** OPWDD has announced that the CAS will be used later this year to make decisions about reimbursement residential payment rates based on acuity scores. To date there has been no public discussion or publicly shared data regarding the proposed algorithm and the decision-making process. Furthermore, is there a plan to use acuity scores to determine Personal Resource Accounts for people using Self-Direction? Using what algorithm? To the best of our knowledge, the CAS has not been validated using community-based participants. The process for administering the CAS is convoluted and opaque and warrants heightened scrutiny.
1. **The Front Door Process:** We understand there is a process to proceed through the Front Door to be eligible for services.
 - What is the average time to complete the Front Door process?

- How many individuals have completed the Front Door process, and were deemed eligible and have chosen self-direction?
 - How many people are waiting for their Self-Direction budget approved but are not receiving services?
 - Can OPWDD identify the roadblocks and ways to resolve barriers to service delivery?
3. **Care Coordination:** We reiterate the importance of Senator Mannion’s questions as we have the same level of concern about data collected for decision making and the impact of proposed rate cuts to CCO’s:
- From CCO data sources a list of services requested, specific to self-direction that are subject to the DDRO approval process, such as housing,
 - Data on the Care Manager’s contact requirements to serve people in the Health Home and Basic HCBS and is this meeting individual’s needs? Or are services provided aligned with the needs of the enrollees? What oversight system is measuring whether or not the CCO is providing the array of services pursuant to the contract with OPWDD to deliver Health Home care management.
 - Care Managers collaborative responsibility with CAS assessment process
 - OPWDD and CCO’s have an obligation to meet the medical needs for those individuals enrolled in the Health Home. Please provide data to understand how individual’s medical needs are being met.
4. **Managed Care:** What is the plan to transition to the next phase of managed care? What data are being analyzed to support this decision? What other models are being considered? We have long stated concerns that managed care will be a lesser quality of care and at a higher cost.
5. **Virtual Tele-Health Supports:** What is OPWDD’s long term commitment to continuation to provide tele-health services that align with the individual’s needs? And that choice is at the heart of decision making aligned with individual’s needs and preferences and not at the provider’s convenience.

We request the Committee share with family advocates all information obtained in response to these questions and to the questions left unanswered during the Joint Budget Hearing. We would like your assistance in promoting transparency and the longevity and sustainability of supports and services for people eligible for OPWDD who choose to Self-Direct their supports and services. We hope to have future discussions concerns about the individual’s due process rights and standards for service delivery.

Thank you for your continued support for people with developmental disabilities eligible for OPWDD. As representatives of the array of family advocates, we look forward to participating in future dialogues and public hearings.

Respectfully submitted,

Leslie Feinberg
 Director
 Supporting Our Youth & Adults Network