

February 25, 2021

RE: Joint Legislative Public Hearing on 2021 Executive Budget Proposal: Health & Medicaid

Submitted by Keith Gurgui: System's Advocate-Resource Center for Accessible Living, Inc.

Dear members of the Senate and Assembly Health Committees,

RCAL is one of over 40 Independent Living Centers (ILCs) located in New York State, responsible for serving individuals of all ages and disabilities, to help maximize their independence. The overarching mission and goal of ILC's is to provide and advocate for home and community-based services (HCBS) in order to decrease the likelihood that individuals will be institutionalized, and to maximize their freedom within the community in the most integrated setting possible in accordance with the Supreme Court's *Olmstead v. L.C.* decision. Particularly since the onset of the COVID pandemic and the ensuing tragedies in nursing homes, individuals are seeking to live at home in increasing numbers. To that end, RCAL supports the following:

- Ensuring access to home, personal care and consumer directed personal assistance for all who need it by paying homecare workers 150% of a region's minimum wage (the Fair Pay for Home Care campaign)
- Helping address the home care crisis by creating a Home Care Jobs Innovation Fund (at \$5 million annually for three years).
- Funding the Good Neighbor Program at \$500,000/year to assist individuals lacking informal supports to transition out of nursing facilities.
- Eliminating the Medicaid Global Cap to allow for the increased demand for HCBS to be adequately provided.
- Opposing the reduction of recruitment and retention funding by 50% for home care when more needs to be done to recruit and retain qualified personnel.
- Maintaining provider prevails so that qualified prescribers can continue to use their best professional judgment regarding which medications their patients require.
- Reversing last year's increased asset look-back period to qualify for long-term care services from one month to 30 months.
- Reversing last year's long-term care eligibility restrictions that changed personal care eligibility qualifications from requiring assistance with a single activity of daily living to requiring assistance with at least three activities requiring "physical maneuvering."

The governor's budget proposals over the last two years have made it increasingly difficult for individuals to qualify for greatly needed community such as personal care, physical and occupational therapy and others. It is based on the false assumption that increased spending on these vital services will inevitably lead to an uncontrollable increase in spending year-over-year that the state cannot afford. In fact, it has been shown that a significant investment into personal-care wages and home and community-based services would provide great financial dividends to the state and lift countless numbers of family members currently caring for loved ones and unable to work, out of poverty (Isaac Jabola-Carolus, 2021). (see

<https://static1.squarespace.com/static/58fa6c032e69cfe88ec0e99f/t/6022ae8312cfd1015354dbee/1612885635936/Executive+Summary+CUNY+REPORT.pdf>)

Sincerely,

Keith Gurgui
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