

April 15, 2009

CDSA Alternatives to Department of Developmental Services Proposal to Reduce General Fund



The California Disability Services Association (CDSA) is a statewide association of community-based organizations serving thousands of people with mental retardation, autism, cerebral palsy, seizure disorders such as epilepsy and other developmental disabilities. We participated as stakeholders with the Department of Developmental Services to help develop strategies to reduce State General Fund expenditures in this unprecedented fiscal crisis. The following principles guide our efforts:

- *Any cuts must be as far from the lives of people with disabilities as possible.*
- *The Individual Program Plan (IPP/IFSP) is the central element of the Lanterman Act and must be honored.*
- *All people, regardless of the severity of their disabilities, are entitled to live in their communities.*
- *State-owned Development Centers and Community Services must be analyzed as a unified system.*
- *All changes need to include Health and Safety exceptions.*
- *Nothing should delay Early Intervention Services or Crisis Services.*
- *Changes should not eliminate service options.*

Overview: The Department has submitted its report to the Legislature. Stakeholders provided input, but the document is not a stakeholder product. CDSA accepts 11 of the 15 proposals in concept as necessary during the current economic crisis. Until we see the language of the implementing statutes, however, we can offer only qualified support.

We strongly oppose other proposals as excessively devastating to consumers individually and to the service delivery system generally, especially when better alternative courses of action exist. We identified alternative strategies to achieve \$100 Million in General Fund savings.

CDSA Response	DDS Plan – CDSA Offers Conditional Support Pending Review of Statutory Implementation Language	General Fund Savings
Modify Item #2 ¹	Impose a ten day uniform Holiday Closure schedule.	\$500,000
Item #4	Custom Endeavors Options (CEO) - Increased consumer employment and volunteerism.	12,700,000
Modify Item #5 ²	Implement changes in use of In-Home Supportive Services in Supported Living Services.	1,300,000
Item #6	Modify existing Supported Living regulations to promote consistency.	6,900,000
Modify Item #8 ³	Require usage of private insurance for 0-3 age children.	6,500,000
Item #10	In-home Respite staff trained to provide routine health care.	3,000,000
Item #11	Reduce the balance of an existing regional center fund for one-time operational expenses.	3,500,000
Item #12	Eliminate regional center funding and requirement for conducting a triennial Quality Assurance Review of Community Care Facilities.	1,000,000
Item #13	Update parental fee schedule for out-of-home residential placement.	900,000
Item #14 ⁴	Change LQA to application of the National Core Indicators.	2,000,000
Item #15	Implement group family training for behavioral intervention.	6,400,000
	Acceptable DDS Plan Total	44,700,000

There are other proposals in the DDS Plan that are simply unacceptable. They will either lead to dramatic negative impacts on people with disabilities or much higher future costs. We oppose the following measures:

Item #1: Transportation is a critical element of virtually every service supporting a person’s life. We believe that enhanced training in the use of public transportation is important. But public transit is not uniformly available and is not always timely and responsive to go where a consumer needs to go. The number of individual exceptions and modifications that would have to be made will make it so measurable savings are unlikely.

Item #2: Four Additional Closure Days between December 25th and January 1st – This proposal creates a service and fiscal disaster for thousands of consumers, their families, and the network of service providers. The Department’s proposal not only adds four additional closure days; it also results in 2009/2010 in ten consecutive days during which day program services would not be available.

Proposed Additional Closure Day Impact on the 2009 Calendar

Friday Dec 25 Closed	Saturday Dec 26 Closed	Sunday Dec 27 Closed	Monday Dec 28 Proposed	Tuesday Dec 29 Proposed	Wednesday Dec 30 Proposed	Thursday Dec 31 Proposed	Friday January 1 Closed	Saturday January 2 Closed	Sunday January 3 Closed
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This is not healthy for individuals known to value continuity and consistency. The closures also represents a cost shift to residential providers (Community Care and Intermediate Care) who will have to provide services during currently unfunded day periods for consumers without a family option. In addition, the Department’s proposal arbitrarily eliminates the day after Thanksgiving as a closure day – a day most if not all programs are closed anyway – and substitutes other days. Finally, the proposal represents a 2% rate reduction to closed programs.

Item #3: New Senior Services – This proposal arbitrarily determines that a person is a senior at age 50 and is no longer interested in working or participating in other meaningful activities. It is contrary to a concept of active community involvement and integration. It devalues the lives of people in their older years and would lead to significant warehousing of individuals with developmental disabilities.

Item #7: Expand Use of Neighborhood Pre-schools – Early intervention for children 0 to 3 years of age is not day care or pre-school. It is a targeted and intense intervention that successfully prevents more than 80% of at-risk children from needing more intense services in their adult years. Day Care and Pre-schools were not established to do therapy. There are significant issues related to a lack of professionals available in such settings and insurance coverage for facilities now licensed only to provide pre-school or day care.

Item #9: Restrict Eligibility for Early Start – Eighty percent of at-risk children who receive early start services before the age of 3 never require adult services from the regional center system. These are the most cost effective programs we have. This proposal would restrict the quality of life of thousands of children and cause significant growth pressures on future budgets.

There are better alternatives to achieve the general fund savings and to maintain those savings over time:

CDSA Suggested Alternative Savings Strategies	General Fund Savings
Transportation <ul style="list-style-type: none"> ⁵ Effectively capture Transportation costs using existing waiver Promote the effective use of public transit (with assessment and support) 	\$20,000,000 5,000,000
⁶ Enforce standardized usage of Wage Order 15 in Supported Living	1,000,000
Secure savings from state-owned Developmental Centers <ul style="list-style-type: none"> Apply an unallocated 3% reduction Reduce budget to reflect the natural 5% level of population attrition Use Federal Stimulus funds to pay for at least 50% of one-time DC infrastructure projects, now proposed at \$32 Million 	10,300,000 5,200,000 16,000,000
Alternative Sub-Total	\$57,500,000
Overall Total	\$102,200,000

¹ CDSA would be supportive of the following Uniform Holiday Schedule that represents the holidays typically observed by the business community: January 1st, the third Monday in January, the third Monday in February, the last Monday in May, July 4th, the first Monday in September, November 11th, Thanksgiving Day, the day after Thanksgiving and December 25th.

² The language must insure that consumers receive their hours of services during the time it takes to certify eligibility for IHSS services

³ The process of securing private insurance can be time consuming and complicated. Denials are common. Language should make clear that delays and or denial will not result in delays or loss of services to consumers.

⁴ There are redundant levels of system oversight and quality assurance. This proposal would redirect funding for the Life Quality Assessment (LQA) and the Evaluation of People with Developmental Disabilities Moving from Developmental Centers into the Community (Movers Study) into a single quality assessment tool and data collection effort.

⁵ Transportation is already a waiver-eligible service. Changes to record keeping and/or reporting of data to regional centers should be required of transportation providers to meet the requirement for individual records for waiver billing.

⁶ Wage Order 15 is the most commonly used Wage Order in Supported Living. It addresses many issues, including issues unique to overnight services, etc.

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