New York Self-Determination Coalition

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Comments on New York’s HCBS Amended Statewide Transition Plan

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New York Self-Determination Coalition (NYSELFD) is a statewide group, composed of parents and a few professionals who seek to inform people about Self-Directed Services for people with I/DD. Our group is independent of any state or voluntary agency and we are not paid for the work we do.

We have reviewed with interest New York State’s HCBS Amended Transition plan, and applaud OPWDD’s expectation that New York State will become:

A national leader in person-centered services delivery; integrated residential supports, self-direction, competitive employments supports and continuous quality improvement

NYS OPWDD Amended HCBS Settings Transition Plan, p.7 of 93

We also appreciate the many challenges that OPWDD faces in reworking its codified, complex system of supports and services for individuals with developmental disabilities in the current fiscal environment.

So we’d like to suggest a simpler, more direct and definitive approach to achieve compliance with the HCBS Settings Rule, and truly transform the system: **We propose that OPWDD proactively use its transition plan to further strengthen Self-Directed Services with employer and budget authority (SDS**).

New York has an ever growing number of people using the 1915(c) Waiver to self-direct supports and services. OPWDD can take steps now to address current gaps to ensure the expansion and sustainability of SDS and make this entirely community based program accessible to everyone who chooses it.

Housing

1. Rental subsidies have been unchanged as housing costs have increased, making house or apartment rentals beyond reach for people in most areas of the State.

We recommend:

**Increase access to non-certified housing by increasing the housing rental subsidy.**

2. Congregate Care Supplements are paid to agencies to support individuals living in certified settings; however many people with the same level of need live in noncertified settings. These payments incentivize congregate care.

We recommend:

**Congregate care supplements are made through DSS; a similar funding stream for those with high support needs could be made available for those living in noncertified settings.**

Fiscal Intermediary

Fiscal Intermediaries policies and practices are not consistent around the state.

We recommend:

**Require Fiscal intermediaries around the state to offer all allowed Waiver services, and prohibit them from setting arbitrary caps on plans they will accept.**

Behavior Support

Behavioral challenges are frequently the chief barrier to community integration.

We recommend:

**Expand the availability of Positive Behavioral Support for people using SDS. Currently, PBS is provided only as an indirect service funded under IDGS. We are aware that “Positive Behavioral Interventions and Supports (PBIS)” was a stand alone service offered in the NHTD Waiver, and believe this should be considered in the next amendment to OPWDD’s Waiver.**

People with high support needs

We recommend:

**People with intensive needs should be able to access SDS, if desired. PRAs should be adequate for them to get necessary supports and services to live in their most integrated setting.**

We have listed only a few of the many ways in which SDS can be further supported. As always, we value the opportunity to continue to work with OPWDD on our common goals.

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