

**Testimony: Joseph Macbeth, Executive Director
National Alliance for Direct Support Professionals, Inc.
2014-15 New York State Executive Budget**

Chairman DeFrancisco, Chairman Farrell, Chairwoman Gunther, Chairman Carlucci and distinguished members of the New York State Legislature, thank you for this opportunity to provide testimony on this year's proposed Executive Budget as it relates to mental hygiene services.

My name is Joseph Macbeth. I am the Executive Director of the National Alliance for Direct Support Professionals – a national, non-profit organization dedicated to improving the lives of individuals with disabilities by developing and strengthening a knowledgeable, skilled and ethical direct support workforce. Over recent years, we have worked closely with the Office for People with Developmental Disabilities on adopting our Code of Ethics.

There is much in the proposed budget for which I urge your support, including:

- Continuing to transition people from large congregate residential programs and segregated work settings to more integrated, community-based and natural environments;
- Enhancing and sharpening one's focus on person-centered planning and support delivery; and
- Exploring new vehicles, such as the Money-Follows-the-Person program, to further these efforts.

But there is one issue about which the proposed budget is all but silent: the direct support professionals upon whom all of these services and supports depend. The only mention is that these men and women, who labor 24/7 to make all of this possible on salaries slightly above the federal poverty level, will receive no cost of living increase.

Last year, the budget enabled the creation of the Justice Center for the Protection of People with Special Needs. That initiative was the outgrowth of a 2012 report by Clarence Sundram who was appointed as Governor Cuomo's Special Advisor on Vulnerable Persons following reports of abuse and neglect of individuals with disabilities in state operated or licensed programs, both institutional and community based. Mr.

Sundram's report called for significant reforms surrounding the definition, reporting and investigation of abuse and neglect and swift and appropriate consequences for those who commit such heinous acts, reforms embodied in the Justice Center's creation.

But Mr. Sundram called for much more than that.

He reported that incidents of abuse and neglect, which rightly draw attention to the failings of care systems, are newsworthy "precisely because they are unusual – deviations from the norm of tens of thousands of caring people who do their jobs quietly and unspectacularly every day." He noted that one might summarize the job description of these direct support workers as requiring the Wisdom of Solomon, the patience of Job and the caring of Florence Nightingale. He further noted that while much is said about the value of these direct support jobs, the traditional hallmarks of value are often missing – qualifying credentials, adequate pay, career ladders, attention to working conditions, adequate training and managerial and supervisory support.

Mr. Sundram offered a number of recommendations to support this workforce, including consistent minimum hiring standards, training and a credentialing program, such as NADSP's, that certifies competency and professional ethical conduct and is based on nationally validated Skill Standards. He recommended that certification be linked with graduated pay increases to create career ladders based on training and competencies.

These recommendations were not addressed through the Justice Center's creation, which focuses more on the identification and prosecution of wrong doers, which is good, than on prevention, by better supporting a workforce which cares for people quietly and unspectacularly each day, which is also necessary. In fact, little has been done system-wide to address Mr. Sundram's recommendations in this regard.

Looking at the Justice Center initiative, one could debate; is the glass half full, or half empty? Either way, a workforce of thousands continues to thirst for competency-based training, credentialing, career ladders and salaries that are commensurate with and linked to the skills they've mastered.

To its credit, one sector of the spectrum of health, human service and mental hygiene agencies which were the subject of Mr. Sundram's investigation and report, the Office for People with Developmental Disabilities (OPWDD), recently established core competencies against which direct support staff should be evaluated. But that was only one sector, and within that sector's hundreds of licensed agencies, there are no uniform standards for training in the competencies; nor is there a program for credentialing staff who have demonstrated their competence.

More recently, the Assembly and Senate passed legislation (7313-A) to create a pilot credentialing program which would advance direct support as a profession and create career ladders, much like what was recommended in the Sundram report.

This bill, however, was vetoed by the Governor. In his veto message, the Governor acknowledged the value of such a program, but indicated that funding for such should take place in the context of budget negotiations.

We are at that place right now.

Many of the proposed budget's provisions speak to offering quality care and services. And, as the Founder of my organization, John F. Kennedy Jr. said in 1995, "*Quality is defined at the point of interaction between the staff member and the individual with a disability*" ... most often the direct support worker.

As you consider and revise the proposed budget, I urge you to redouble your efforts to ensure quality care through programs which advance the profession of direct support, competency-based training, credentialing and career ladders.

Thank you for this opportunity to speak.