

## DIRECT SUPPORT PROFESSIONAL ALLIANCE OF NEW YORK STATE

*Promoting valued lives for the people we serve by advancing the profession of direct support.*



**Comments on  
The Office of Mental Retardation and Developmental Disabilities'  
Proposed Regulations to Implement a Zero Trend Factor for 2009  
August 31, 2009**

Good Afternoon. Thank you for this opportunity to comment on OMRDD's proposed regulations to implement a zero trend factor this year.

My name is Lysa Hitchens. I am a member of the Direct Support Professional Alliance of New York State (DSPANYS) and have worked as a direct support professional for Aspire of Western New York for 25 years.

As such, my comments on a zero trend factor are from the perspective of Direct Support Professionals working in the not-for-profit sector...how it impacts us, and the thousands of individuals with developmental disabilities we serve every day.

Trend factors are a means of assisting service agencies to keep pace with inflationary increases. In the past, OMRDD has specifically targeted the use of trend factors by agencies for the recruitment and retention of staff, as well as to respond to other critical non-personal services costs.

The fact that there will be no trend factor this year, particularly in light of our current economy, is truly distressing.

In its December 2007 report, *Ensuring Stability and Quality in New York State's Direct Support Workforce*, OMRDD said that it must consistently place people — those who receive services and those who provide them — solidly at the center of its focus. Putting people first, the report continued, “means individuals deserve

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competent and consistent care from people who care about them, but also from people who enjoy and take pride in their work. It means that as we enhance the types of services we offer, we must also work to improve the job of the direct support worker, making it one of high standards and desirable, rewarding work.”

The report identified four elements essential to improving the quality of direct support. Failing to provide any of them, the authors said, will ensure that we fail to keep people our top priority. The four are:

- Positive and caring relationships with the persons being served;
- A positive, supportive work environment that makes people want to come to work and stay with the job;
- Person-centered approaches in supporting individuals; and
- Wages and benefits that make potential employees want to become direct support workers and remain direct support workers for more than a few months or a few years.

The absence of a trend factor this year – a trend factor which could enhance salaries for direct support professionals and provide for nationally accredited training opportunities in person centered supports - erodes agencies’ ability to achieve these mutually dependent objectives. It also ensures a continued uphill battle to recruit and retain a competent workforce, the casualties of which are the people we support. They suffer the wounds of fractured relationships, revolving door staff, and tired, overworked staff.

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In 2008, in New York State, the average starting salary for a direct support professional (DSP) in a not-for-profit agency was \$9.50. The average salary for DSPs overall in non-profit agencies in New York was \$11.07. This is approximately 46% less than the average salary for DSPs in OMRDD operated programs.<sup>1</sup>

In preparing these comments, last week I reviewed the classified section of the Buffalo Evening News. There I found several jobs for high school graduates that pay more and require significantly less talent, compassion, and “person-centeredness” than a career in supporting individuals with developmental disabilities.

- A customer service representative at Rent-A-Center starts at \$ 12.60 an hour.
- A customer service representative at a company called VACS starts at \$12.75 an hour.
- And a construction worker can start at \$23.50 an hour.

Given those opportunities, who would choose to work in our field? People with good intentions; people who truly want to make a difference in someone else’s life. But good intentions don’t pay the rent, put food on the table, or pay for kids’ clothing and school supplies. Absent a living wage, many direct support professionals have to work a second job to make ends meet. As the economic demands on their family lives increase, or they can no longer work an 80 hour week, many make a very difficult choice: they leave a job they truly love - one that they had hoped would be a career - to find work that pays more.

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<sup>1</sup> Source: **2008 Direct Support Professional Wage Study**. Prepared for the ANCOR National Advocacy Campaign by the Mosaic Collaborative for Disabilities Public Policy and Practice.

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The fallout of this purely salary-driven decision is wide spread. At its epicenter is the individual who was supported by the worker. They had formed a bond, a relationship, which was critical to the support and growth of the individual. Suddenly, that relationship is gone. I've seen individuals truly mourn after the departure of a staff member who played a significant part in their lives, every day. I've heard some compare it to the impact that a divorce has on a family. As difficult as it is to find another worker to fill the slot left vacant by the former DSP, it is infinitely more difficult to fill the relationship void left behind.

The fallout of staff turnover also affects everyone in the immediate support vicinity. In a group home short one staff person, for example, other DSPs may be forced to work overtime, taxing their energy levels and acuity. Planned outings or vacations for individuals being supported may have to be cancelled due to the shortage. Individualized, person-focused activities may have to be suspended in favor of larger group activities to ensure adequate staff coverage. This fallout is the direct opposite of what the authors of OMRDD's 2007 Workforce Report said is critical to quality direct support. It poisons the work environment, perhaps fueling staff burnout and further turnover, and impairs person-centered approaches to supports.

The fallout continues beyond the group home or day program. Agencies experiencing staff turnover face the additional costs of advertising, interviewing, hiring, processing (with appropriate background checks), and training new staff. That is money which could have been better spent on direct services.

Due to changing demographics and a variety of other factors, it is anticipated that the demand for direct support professionals in the field of developmental disabilities will grow by 37% by the year 2020. At the same time,

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however, the supply of individuals who typically work in the field will grow by only 7%.<sup>2</sup> This supply and demand reality means that serious work needs to be done on improving the competitive attractiveness of a career in the field of direct support. Treating such a career as a profession, by offering professional and competitive salaries and promoting opportunities to attain a nationally recognized credential as a professional in the field of developmental disabilities, would go a long way toward that end. A trend factor would have helped in that journey.

In closing, I realize that New York State, like the rest of the nation, is facing dire times financially. However, by implementing a zero trend factor this year, I believe New York is being pennywise and pound foolish about the future of services for individuals with developmental disabilities. It is my hope that a trend factor will be restored in the future and, as in the past, be targeted for staff recruitment and retention purposes. The men and women we support as DSPs deserve it.

Again, thank you for this opportunity to share my views.

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<sup>2</sup> Source: **The Supply of Direct Support Professionals Serving Individuals with Intellectual Disabilities and Other Developmental Disabilities: Report to Congress**. January, 2006. U.S. Department of Health and Human Services, Assistant Secretary for Planning and Evaluation, Office of Disability, Aging and Long-Term Care Policy.