

DIRECT SUPPORT PROFESSIONAL ALLIANCE OF NEW YORK STATE

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



**Testimony of Theresa Laws
Direct Support Professional
Member, Direct Support Professional Alliance of NYS**

Before The New York State Senate Finance and Assembly Ways and Means Committees

February 3, 2010

Chairmen Kruger, Farrell, Morahan, and Rivera, and members of the Senate Finance and Mental Health and Developmental Disabilities Committees, and members of the Assembly Ways and Means and Mental Health Committees, thank you for this opportunity to provide testimony on the proposed Executive Budget for New York State as it relates to mental hygiene services.

My name is Theresa Laws and I am a Direct Support Professional working for the Rensselaer County ARC, an agency that operates under the auspices of the New York State Office of Mental Retardation and Developmental Disabilities. We support 160 individuals with developmental disabilities, assisting them to live life to their fullest in their home communities. I am a direct support professional in of one of our 75 residential settings. I support six people – who require assistance 24-hours a day, seven-days a week.

I am also a founding member of the Direct Support Professional Alliance of New York State, or DSPANYS, as we call it. It is on DSPANYS' behalf that I am here today.

DSPANYS is dedicated to promoting valued lives for individuals with disabilities by advancing the profession of direct support. Direct support professionals are known by many different titles: group home counselors, therapy aides, life skill instructors, to name but a few. But we share one mission: to support individuals with developmental, mental and other disabilities to live healthy, quality lives; to participate fully in society; and to enjoy all the opportunities community living offers – opportunities which many of us take for granted.

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Direct support professionals are working 24 hours-a-day, seven days-a-week in nearly every city, town and village across the state; in group homes; day and vocational programs; and after-school, evening and weekend respite and recreational programs. We have the primary responsibility for, and are the frontline of assuring, the health, welfare and safety of people with disabilities. We teach, assist and nurture the people we support in learning skills so they can be all they can be, as good neighbors and contributing members of society. And we are relied upon by families and parents, many of whom are aging. Families depend upon us as the people who know their loved ones best and who will be there for their loved ones when they are gone.

Ours is a noble profession, but also personally challenging. Given salary structures, many of us have to work two jobs to make ends meet, or leave a job we love in exchange for financial security. This has immediate and long term consequences.

Staff turnover has a devastating impact on the people we support. They truly grieve as they see staff on whom they rely everyday suddenly disappear.

The inability to recruit and retain direct support professionals, like me, will only get worse. Given changing social demographics, it is expected that the demand for direct support professional will grow by 37% over the next decade.¹ Even today, though, agencies can't recruit and retain adequate numbers of direct support professionals.

It is against that backdrop that I urge your support of certain provisions within the proposed budget. In the Office of Mental Retardation and Developmental Disabilities' Budget Briefing Booklet, Commission Ritter speaks of the need to recognize and support the direct professional workforce as it holds the key to providing high quality person-centered supports and services for persons with disabilities. DSPANYS is pleased to see and urges your support of the budget's provisions for a retroactive and prospective Medicaid trend factor, and an additional phase of OMRDD's Health Care Initiative. Such provisions will assist in recruiting and retaining direct support professionals, particularly if they are used, as Commissioner Ritter urges, to enhance the salaries and benefits of people like me in our service provider agencies.

¹ U.S. Department of Health and Human Services; Assistant Secretary for Planning & Evaluation. Report to Congress; January 2006.

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DSPANYS is disappointed that our colleagues working in non-Medicaid funded programs and in programs not under the umbrella of OMRDD's Health Care Initiative will not see the fruit of these proposals. DSPANYS respectfully requests that you consider ways in which our colleagues in these programs can be better supported and not have to make career decisions which so negatively impact the lives of the people they support.

If we are to avert the impending crisis in caring for persons with disabilities, New York State must lead the way and do something more comprehensively. It should commit to developing a systematic plan designed to support and recognize direct support professionals across all human service agencies.

Regardless of whether they work in Medicaid funded programs, or programs under the auspices of OMRDD, OMH or OASAS, or in programs in the child care system, direct support professionals perform largely similar tasks, require similar skills, have similar training needs, and share one singular and unifying mission: to protect, nurture, and support some of New York's most vulnerable citizens.

It is imperative that New York State develop a plan which endorses the critical value that direct support professionals have in the everyday life of our fellow citizens – a plan which also enhances efforts to recruit individuals into the profession and retain their services.

The plan's goal should answer the question: How do we grow a much needed, quality, professional workforce? Salary and benefit issues, as important as they are, should not be the only elements of the plan. A plan that truly recognizes the work of direct support as a valued profession should also articulate a code of ethics; promote competency-based training and credentialing, to which salaries can be tied; and have mechanisms for the appropriate remediation of alleged misconduct, as most professions within the State have.

I realize this can't be done within this budget cycle. So I come before you with two requests. First, I ask you to look favorably on provisions in the proposed budget which recognize and support **some** direct support professionals. But I also ask that you look more broadly, toward future budgets, and within that context, look

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at what New York State can do, perhaps incrementally but ultimately systemically, to promote quality, person-centered human services by advancing the profession of direct support.

DSPANYS is willing to help you in this endeavor in whatever way we can. So please, don't hesitate to contact us. Information about DSPANYS, including our contact information, is appended to my written testimony, copies of which I've dropped off.

Again, on behalf of DSPANYS, I thank you for this opportunity for input.