

# **OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES**

## **MISSION**

The mission of the Office of Mental Retardation and Developmental Disabilities (OMRDD) is to help people with developmental disabilities live richer lives. The agency's vision is to assure that people with developmental disabilities enjoy meaningful relationships with family, friends, and others in their lives; experience personal health and growth; and live in homes and fully participate in the communities of their choice.

## **ORGANIZATION AND STAFFING**

Under the direction of a Commissioner appointed by the Governor, OMRDD currently operates through 14 district offices called Developmental Disabilities Services Offices (DDSO). Its Central Office oversees and supports operations of the district offices. OMRDD also operates the Institute for Basic Research in Developmental Disabilities (IBR) on Staten Island.

By the end of 2009-10, there will be approximately 450 individuals with developmental disabilities living in developmental centers along with approximately 1,100 in special units. Over the past 2 decades, the developmental center population has declined by 8,000.

OMRDD will have a **workforce of 22,432** for 2009-10, most of whom support individuals with developmental disabilities. The remainder comprises supervisors of direct support workers, administrative support, and management personnel. This represents a net **decrease of 53 FTEs** from 2008-09, which is due to the addition of 231 new FTEs primarily related to deinstitutionalization efforts to serve individuals in more appropriate community placements, offset by OMRDD's actions to streamline and consolidate various administrative and support functions by 284 FTEs.

## **BUDGET HIGHLIGHTS**

The 2009-10 Executive Budget recommends over **\$4.5 billion All Funds** (\$1.5B General Fund; \$3.0B Other Funds) for the Office to continue to support a comprehensive system of care serving more than 125,000 persons with disabilities and their families, reflecting the State's commitment to serving the needs of persons with developmental disabilities. This is a **decrease of over \$9 million** from 2008-09, which is largely attributable to the annualization of prior year initiatives and savings associated with program efficiencies, as outlined below. The Executive Budget recommendations for 2009-10 preserve essential direct care and maintain the quality of services for individuals with developmental disabilities in both not-for-profit and OMRDD-operated programs.

The overall recommendation maintains the State's commitment to serve a wide range of developmentally disabled New Yorkers, including the medically frail, the behaviorally challenged, those who have been placed out-of-State or who are "aging out" of other child care systems, as well as those living at home.

OMRDD continues to improve the efficiency and cost-effectiveness of its operations and the network of not-for-profit providers it supports. Major budget actions to promote cost efficiency, maximize revenues, and rationalize reimbursement include:

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- **Streamlining/Consolidating Various Administrative Functions and Research Operations.** In 2009-10, OMRDD will save roughly \$12 million – annualizing to \$27 million – by:
- **Consolidating the Administration of the Valley Ridge DDSO with the Broome DDSO**, thereby reducing staff by 5 FTEs and saving \$0.2 million in 2009-10 (\$0.7M in 2010-11). These 2 district offices are located within the same geographic catchment area, and consolidation will result in a district office that is comparable in size to other DDSOs throughout the State. Under this recommendation, the Center for Intensive Treatment will continue to operate at Valley Ridge, with some of its administrative functions assumed by the Broome DDSO.
  - **Consolidating, Centralizing and/or Regionalizing DDSO Administrative Functions**, including business office and human resources activities. OMRDD will also strengthen Central Office oversight where needed, by establishing and coordinating centralized processes governing workforce management. These actions will result in a reduction of 50 FTEs and overall savings of \$1.6 million in 2009-10 that annualizes to \$3.3 million in 2010-11.
  - **Closing Unnecessary/Underutilized Institutional Capacity.** The 2009-10 recommendation calls for the closure of Bernard Fineson DDSO's Howard Park campus and the Taconic DDSO's Multiply Disabled Unit (MDU). Howard Park, a satellite unit of the Bernard Fineson Developmental Center located on the Hillside campus in Queens, is a 140-bed institution that is obsolete, inefficient, and no longer required. The 41 individuals currently residing there will be relocated to the Hillside Campus, or into community settings as appropriate. The net impact of this action will reduce the number of administrative staff by 28 FTEs, producing a savings of \$0.9 million in 2009-10 that annualizes to \$1.8 million. The Taconic DDSO's MDU, where 65 individuals currently reside, will be phased out over a 5-year period. This institutional capacity is no longer necessary as these individuals can be more appropriately served in the community. The State staff currently supporting the individuals in the MDU will be redeployed to community homes and day service programs as they are developed; an additional 43 positions will be required to meet the enhanced staffing needs of these individuals.
  - **Streamlining Research Operations.** OMRDD will streamline activities at IBR. Specifically, 11 research-related positions will be eliminated in areas that are neither core to the OMRDD Mission nor leverage significant grant funding. Further, OMRDD will consolidate IBR's business and payroll functions with those of the neighboring Staten Island DDSO, resulting in a reduction of 7 administrative positions. These actions will produce a net savings of \$0.9 million in 2009-10 that annualizes to \$1.8 million and will not affect the operations of the Jervis Clinic or laboratory services at IBR.
  - **Reducing Safety and Security Officer Staff.** OMRDD has reviewed the duties and functions of its Safety and Security Officer staff and has determined that a 20 percent reduction (50 FTEs) can be achieved statewide without adversely impacting individual and staff health and safety. This reduction will not affect agency operations as the functions these staff perform are either redundant or can be carried out by other existing staff. This action will not impact any of OMRDD's secure facilities, and will generate \$1.6 million in savings in 2009-10 that annualizes to \$3.3 million in 2010-11.

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- **Restructuring Central Office.** Central Office staffing authorization will be reduced by 65 positions through various efficiencies, streamlining, and consolidations. This will result in savings of \$3.1 million in 2009-10 that annualizes to \$6.2 million in 2010-11.
- **Managing Position Vacancies.** OMRDD will be able to reduce its fill level by 68 positions in 2009-10 without impacting quality of care by continuing to limit new hires to only those vacant positions that are critical to individual health and safety or essential to agency operations. This will result in savings of \$2.4 million in 2009-10 that annualizes to \$4.5 million in 2010-11.
- **Controlling Non-Personal Service and Capital Costs.** In 2009-10, OMRDD will realize \$1.8 million in savings by implementing a variety of controls on spending that will neither impact quality of care nor the safety of the individuals being supported. Specific actions include monitoring food expenditures, consolidating non-residential leases, automating certain administrative processes, reducing utility consumption with energy efficient improvements, and mothballing closed/vacant buildings. OMRDD will also be eliminating or deferring preservation and minor maintenance projects that are not essential to maintaining individual health and safety.
- **Reducing Cost-of-Living Adjustments.** The recommendation generates savings by reducing the 2008-09 Human Services Cost of Living Adjustment (COLA) from 3.2 percent to 2.2 percent effective January 1, 2009 (savings of \$2.1M). Additionally, the Executive Budget recommends no COLA for 2009-10 (savings of \$13M). To continue the State's long-term commitment, these adjustments are planned to resume April 1, 2010, and this budget also recommends extending the COLA for a third year in 2012-13.
- **Eliminating Enriched Unified Services Funding.** The 2009-10 recommendation eliminates Unified Services funding of \$1.7 million, which provides enriched rates of State reimbursement to 5 counties – Rensselaer, Rockland, Warren, Washington, and Westchester. Most counties or not-for-profit provider agencies and the State share equally in funding for the delivery of local assistance services, pursuant to approved local service plans. However, these 5 counties receive enhanced State reimbursement, ranging from 69.3 percent to 96.9 percent based on a 1974-75 plan that was originally intended as an incentive to reduce the use of State inpatient services; since that time, the State has shifted nearly all residents to the community such that the 30-year old incentive is no longer warranted.
- **Reforming/Rationalizing Local Assistance.** The Executive Budget continues OMRDD's multi-year efforts to rationalize, reform, and restructure provider reimbursement. OMRDD will impose tighter controls on Medicaid and non-Medicaid payments to its non-profit provider network and rationalize reimbursement and achieve efficiencies where appropriate in myriad programs, including sheltered workshops, Medicaid service coordination, day habilitation, respite, supported employment, prevocational, and clinical services. Specific actions include: implementing regional rates based on actual costs for day habilitation services, reducing reimbursement for less intensive case management services, removing income exemptions that currently increase State funding requirements for long-term sheltered workshops, and eliminating enhanced funding to certain Article 16 and Article 28 clinics. It is anticipated that these

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controls and restructuring efforts, as well as other efficiencies, will produce savings of \$32 million in 2009-10 that annualize to \$24 million in 2010-11, while supporting the program direction of OMRDD.

- **Maximizing Non-State Revenues.** Through a combination of revenue maximization efforts, OMRDD will achieve a savings of roughly \$179 million on a recurring basis through actions such as recognizing increased Food Stamp benefits, maximizing utilization of Home and Community Based Services (HCBS) waiver programs and services, and continuing the healthcare reimbursement initiative. OMRDD and its partnering not-for-profit providers will also continue efforts to require families and individuals with developmental disabilities to apply for all Medicaid and Medicare benefits to which they are entitled. To assure that these benefits are accessed appropriately, OMRDD will provide education and assistance to families and individuals with developmental disabilities seeking or receiving supports and services that can be funded by Medicaid and/or Medicare.
- **Restructuring Services for Out-of-State Placements.** OMRDD has identified 88 individuals currently served in out-of-State facilities, or who have “aged out” of in-State schools, who would be better served in more appropriate OMRDD-certified adult residential and day programs. Therefore, the recommendation provides individuals and their families with the option of relocating to an in-State OMRDD certified program or continuing to reside in their current setting and receive reimbursement at an amount no greater than what OMRDD would reimburse the appropriate in-State program. This proposal will realize \$3.3 million in savings in 2009-10 growing to \$5.5 million in 2010-11.

The 2009-10 recommendation also continues the State’s commitment to several key ongoing initiatives, including the following:

- **New York State Creating Alternatives in Residential Environments and Services (NYS-CARES) Program.** The Executive Budget continues support for NYS-CARES by including 530 new residential opportunities at a cost of over \$22 million annually. By the end of 2012, 7,800 residential opportunities will have been developed under NYS-CARES which, when coupled with the 36,000 funded community beds already in the system, will provide significant opportunities for persons seeking an out-of-home residential service option.
- **Community-Based Services to Special Populations.** OMRDD, in partnership with its not-for-profit provider network, will develop 90 new residential and day-service options to accommodate individuals aging out of educational environments and those in other human services areas, such as nursing homes, at a cost of \$6 million in 2009-10. This represents a reduction from previous plans to develop 140 of these beds at a cost of nearly \$8 million. In addition, 138 new residential opportunities to either repatriate children placed out-of-State, or to mitigate such future placements will be developed at a cost of approximately \$10 million when fully annualized. This reflects a reduction from previous assumptions by 49 beds, lowering State funding by almost \$4 million.
- **Targeted Family Support and Autism Services Enhancements.** The Executive Budget recommendation continues 2008-09 funding to support Family Support Services opportunities to as many as 3,000 families to help them care for their loved ones with disabilities at home. This will support respite services, mobile

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crisis teams, family training, and intervention services. In addition, the Executive Budget continues funding from 2008-09 to support services to approximately 1,300 individuals with autism or autism spectrum disorder.

- **A Multi-Year Plan to Downsize Developmental Center Capacity by Creating Additional Community Capacity.** Over the next 3 years, OMRDD will expand State-operated community residential capacity by 108 beds for difficult-to-serve individuals who are currently living in institutional settings, including nursing homes. This effort will be complemented by an additional 414 State and not-for-profit residential opportunities over each of the next 3 years that will help reduce and virtually close the Developmental Centers, leaving only the special population institutional settings. The Western New York Developmental Center remains scheduled for closure in 2010-11.
- **Employment and Other Support Service Expansion.** The Executive Budget continues resources to support 1,500 individuals who need employment and other day services and 500 individuals in need of in-home supports all funded through the HCBS Waiver.
- **State and Not-for-Profit Capital Infrastructure Needs.** Infrastructure will be maintained through new capital appropriations of \$127 million and reappropriations of \$319 million. Capital funding for institutional projects continues to support the reconfiguration of the Bernard Fineson Developmental Center in Queens, as well as focus on the need to reinvest resources into preserving and maintaining long-term institutional capacity, mostly for a core population of individuals who have severe behavioral treatment needs.

In total, these recommendations – through the combination of both new and existing services – will support more than 6,100 new day and residential opportunities in the community during 2009-10. This reflects nearly 1,800 people placed in new residential opportunities and more than 4,300 into new non-residential opportunities. Services to individuals and families have been expanded within Family Support Services.

### ***PROGRAM HIGHLIGHTS***

OMRDD serves more than 125,000 New Yorkers with developmental disabilities, which include primarily mental retardation, autism, epilepsy, cerebral palsy, and neurological impairments. In recent years, New York has made great strides in improving its methods of delivering services to this vulnerable population, moving more people from institutions to the community than any other state in the nation. In addition, OMRDD continues to place greater emphasis on individual choice and satisfaction and has instituted a recurring survey designed by individuals, families and other stakeholders, which is used to evaluate individuals' satisfaction and the success of residential opportunities under the NYS-CARES program.

Under a 1991 Federal Medicaid waiver, individuals with developmental disabilities have the opportunity to receive individualized services in less restrictive settings. With the aid of trained service coordinators, consumers choose the services they need and receive them in appropriate settings. The HCBS waiver promotes smaller, more natural home environments. Home size has continued to decrease, thereby supporting individualized, quality services. Today, two-thirds of the homes in the community accommodate 6 people or less; of these, two-thirds accommodate 4 people or less.

Maintaining a statewide system of services, delivered through both the State and not-for-profit providers, OMRDD:

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- Provides approximately 38,000 persons with certified residential services. Since 1998, nearly 16,000 persons have left the residential registration list for homes in the community;
- Provides about 56,000 persons with community day services; and
- Supports another 43,000 persons who live with their families.

An overview of these services is provided below.

### ***RESIDENTIAL SERVICES***

Residential services are offered through a continuum of programs in both community and institutional settings. The alternative that provides the most intensive services in a community setting is the Intermediate Care Facility for the Developmentally Disabled (ICF/DD). These facilities – about 6,100 beds operated statewide by both State and not-for-profit providers – are appropriate for individuals requiring intensive 24-hour care.

The most common residential opportunity for persons under the waiver is in Individual Residential Alternatives (IRAs) – homes, typically for 4 to 8 consumers, operated by either the State or not-for-profit providers in the community. This budget supports more than 27,000 individuals with developmental disabilities living in this setting with accompanying service coordination. Other community living arrangements include Community Residences and Family Care homes, which serve nearly 3,000 people.

In addition to these community-based residential programs, OMRDD operates 10 campuses across the State. Approximately 1,550 people will be served in these settings by the end of 2009-10, of which more than 70 percent will be receiving specialized services. OMRDD remains committed to providing community residential opportunities for all those in State institutions who can receive appropriate care in the community. Currently, New York serves more persons in community residential settings than any other state, with the exception of California.

### ***DAY SERVICES***

OMRDD supports an array of day services for persons with developmental disabilities, which also vary depending on the needs of the individuals. The major programs include:

- Day treatment which provides diagnostic, treatment and rehabilitative services;
- Day habilitation, a smaller more individualized service for persons under the Federal Medicaid waiver for home and community based services;
- Supported employment, which provides the opportunity for individuals to work in competitive positions, usually in integrated settings in the private sector;
- Sheltered workshops, which provide basic, non-competitive work opportunities; and
- Day training, which develops the knowledge and skills that enable persons with developmental disabilities to improve their personal, social, and vocational skills and to function independently.

### ***SUPPORT FOR CONSUMERS LIVING IN THEIR OWN HOMES***

OMRDD services also support families and individuals in their own homes. The Family Support Services program currently assists over 43,000 persons with

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developmental disabilities and their families, enabling these individuals to remain at home and receive nearly 71,000 individualized services. Services offered include respite, crisis intervention, case management, recreation, information and referral and home care.

The Individualized Support Services program provides services to 2,050 disabled individuals who live independently. In addition, approximately 8,500 individuals living in their own homes receive residential habilitation under the Federal Medicaid waiver.

The Care-at-Home program provides a third alternative, designed to preserve family settings for persons under 18 years of age with developmental disabilities, who are medically frail. This program allows the parents of young persons with severe disabilities to maintain the child at home, regardless of family income level, thereby preventing more costly out-of-home placements.

### ALL FUNDS APPROPRIATIONS (dollars)

Category	Available 2008-09	Appropriations Recommended 2009-10	Change	Reappropriations Recommended 2009-10
State Operations	2,102,282,000	2,171,410,000	69,128,000	3,141,000
Aid To Localities	2,234,383,899	2,221,012,000	(13,371,899)	2,289,500
Capital Projects	192,420,000	127,315,000	(65,105,000)	318,910,000
Total	<u>4,529,085,899</u>	<u>4,519,737,000</u>	<u>(9,348,899)</u>	<u>324,340,500</u>

### ALL FUND TYPES PROJECTED LEVELS OF EMPLOYMENT BY PROGRAM FILLED ANNUAL SALARIED POSITIONS

#### Full-Time Equivalent Positions (FTE)

Program	2008-09 Estimated FTEs 03/31/09	2009-10 Estimated FTEs 03/31/10	FTE Change
Central Coordination and Support			
Special Revenue Funds - Other	840	775	(65)
Community Services			
Special Revenue Funds - Other	15,840	16,003	163
Institutional Services			
Special Revenue Funds - Other	5,620	5,487	(133)
Research in Mental Retardation			
Special Revenue Funds - Other	185	167	(18)
Total	<u>22,485</u>	<u>22,432</u>	<u>(53)</u>

### STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE APPROPRIATIONS (dollars)

Fund Type	Available 2008-09	Recommended 2009-10	Change
Special Revenue Funds - Federal	751,000	751,000	0
Special Revenue Funds - Other	2,098,712,000	2,167,640,000	68,928,000
Enterprise Funds	2,469,000	2,669,000	200,000
Internal Service Funds	350,000	350,000	0
Total	<u>2,102,282,000</u>	<u>2,171,410,000</u>	<u>69,128,000</u>

Adjustments:

Transfer(s) From

Special Pay Bill

Special Revenue Funds - Federal

(121,000)

Special Revenue Funds - Other

(90,203,000)

Enterprise Funds

(13,000)

Appropriated 2008-09

2,011,945,000

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## STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM APPROPRIATIONS (dollars)

Program	Available 2008-09	Recommended 2009-10	Change
Central Coordination and Support			
Special Revenue Funds - Federal	751,000	751,000	0
Special Revenue Funds - Other	115,359,556	117,523,000	2,163,444
Internal Service Funds	350,000	350,000	0
Community Services			
Special Revenue Funds - Other	1,293,574,615	1,317,036,000	23,461,385
Institutional Services			
Special Revenue Funds - Other	664,114,028	706,879,000	42,764,972
Enterprise Funds	2,469,000	2,669,000	200,000
Research in Mental Retardation			
Special Revenue Funds - Other	25,663,801	26,202,000	538,199
Total	<u>2,102,282,000</u>	<u>2,171,410,000</u>	<u>69,128,000</u>

## STATE OPERATIONS - OTHER THAN GENERAL FUND SUMMARY OF APPROPRIATIONS AND CHANGES 2009-10 RECOMMENDED (dollars)

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Central Coordination and Support	118,624,000	2,163,444	60,849,000	1,149,096
Community Services	1,317,036,000	23,461,385	787,867,000	1,374,553
Institutional Services	709,548,000	42,964,972	329,251,000	9,280,048
Research in Mental Retardation	26,202,000	538,199	16,081,000	(127,697)
Total	<u>2,171,410,000</u>	<u>69,128,000</u>	<u>1,194,048,000</u>	<u>11,676,000</u>

Program	Nonpersonal Service		Maintenance Undistributed	
	Amount	Change	Amount	Change
Central Coordination and Support	56,674,000	1,014,348	1,101,000	0
Community Services	519,053,000	20,228,832	10,116,000	1,858,000
Institutional Services	245,167,000	13,737,924	135,130,000	19,947,000
Research in Mental Retardation	10,121,000	665,896	0	0
Total	<u>831,015,000</u>	<u>35,647,000</u>	<u>146,347,000</u>	<u>21,805,000</u>

## AID TO LOCALITIES ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE APPROPRIATIONS (dollars)

Fund Type	Available 2008-09	Recommended 2009-10	Change
General Fund	1,424,487,923	1,491,249,000	66,761,077
Special Revenue Funds - Other	809,895,976	729,763,000	(80,132,976)
Total	<u>2,234,383,899</u>	<u>2,221,012,000</u>	<u>(13,371,899)</u>

## AID TO LOCALITIES ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM APPROPRIATIONS (dollars)

Program	Available 2008-09	Recommended 2009-10	Change
Community Services			
General Fund	1,420,803,923	1,491,249,000	70,445,077
Special Revenue Funds - Other	809,895,976	729,763,000	(80,132,976)
Community Projects			
General Fund	3,684,000	0	(3,684,000)
Total	<u>2,234,383,899</u>	<u>2,221,012,000</u>	<u>(13,371,899)</u>



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## CAPITAL PROJECTS ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM APPROPRIATIONS (dollars)

<b>Comprehensive Construction Program</b>	<b>Available 2008-09</b>	<b>Recommended 2009-10</b>	<b>Change</b>	<b>Reappropriations 2009-10</b>
Design and Construction Supervision				
Capital Projects Fund	7,180,000	5,000,000	(2,180,000)	0
MH Capital Improvements - Authority Bonds	7,280,000	6,000,000	(1,280,000)	3,640,000
Voluntary-Operated Community Facilities				
Capital Projects Fund	23,400,000	9,375,000	(14,025,000)	23,380,000
MH Capital Improvements - Authority Bonds	6,400,000	6,450,000	50,000	12,750,000
State-Operated Community Services Program				
Capital Projects Fund	22,985,000	33,645,000	10,660,000	20,020,000
MH Capital Improvements - Authority Bonds	25,575,000	15,675,000	(9,900,000)	53,250,000
Institutional Services Program				
Capital Projects Fund	15,400,000	16,020,000	620,000	47,670,000
MH Capital Improvements - Authority Bonds	83,200,000	34,150,000	(49,050,000)	158,200,000
Non-Bondable				
Capital Projects Fund	1,000,000	1,000,000	0	0
Total	<u>192,420,000</u>	<u>127,315,000</u>	<u>(65,105,000)</u>	<u>318,910,000</u>