

COMMISSION ON QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES

MISSION

The mission of the Commission on Quality of Care and Advocacy for Persons with Disabilities (CQCAPD) is to improve the quality of life for individuals with disabilities in New York State, protect their rights and advocate for needed change by:

- Promoting the inclusion of persons with disabilities in all aspects of community life and ensuring that persons with disabilities are afforded the opportunity to exercise the full range of rights and responsibilities accorded to all New Yorkers;
- Ensuring programmatic and fiscal accountability and monitoring care and treatment of people with disabilities within the State's \$7 billion mental hygiene system, making recommendations for improvements, when warranted;
- Providing individual and systemic investigative and advocacy services;
- Advancing the availability and use of assistive technology for persons with disabilities; and
- Offering impartial and informed advice, training and recommendations on a broad range of disability issues.

A Commission priority has been to enhance advocacy services for all populations. The Commission's focus has been to increase its outreach efforts, provide a single point of access for disability information and expand disability rights and awareness training over the prior year. The Commission's Advocacy Council has expanded its membership to include individuals with a broader range of disabilities to better fulfill its mission in advising the Governor and Legislature regarding all New Yorkers with disabilities.

ORGANIZATION AND STAFFING

The Commission comprises a full-time chairman and two unsalaried members, each appointed by the Governor and confirmed by the Senate to serve staggered five-year terms. During 2007-08, the agency's workforce will consist of 105 positions funded by the General Fund, Federal grants and other Federal revenues related to oversight of Medicaid programs.

The Commission carries out its work through four major programmatic divisions:

- The Division of Quality Assurance and Investigation;
- The Fiscal and Policy Bureaus, coordinated by the Office of Counsel, which also provides legal support for all Commission initiatives;
- The Division of Protection and Advocacy Program Administration; and
- The Division of Advocacy and Outreach for Persons with Physical Disabilities.

FISCAL BACKGROUND AND BUDGET HIGHLIGHTS

The Commission's State Operations appropriation is supported by the General Fund (28 percent), Federal grants (46 percent) and other funding, primarily Medicaid revenue related to program oversight activities (26 percent).

QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES

The Aid to Localities appropriations support:

- Private, non-profit service provider agencies that provide advocacy services to residents of adult homes and adult care facilities; and
- Non-profit Community Dispute Resolution Centers, which provide support services for the Surrogate Decision Making Committee program.

The Executive Budget recommendation of \$15.8 million fully supports existing program and service levels.

PROGRAM HIGHLIGHTS

STATEWIDE CLEARINGHOUSE

The Commission operates a statewide clearinghouse through which individuals can access information and obtain referrals to a variety of disability-related services. The system features a 24-hour statewide telephone hotline (800-624-4143) and a dynamic full-featured Web site (www.cqcapd.state.ny.us). CQCAPD has responded to over 51,000 calls through its hotline, and the Web site has attracted more than one million visitors.

TECHNOLOGY SERVICES TO PERSONS WITH DISABILITIES

The Commission's federally funded Technology-Related Assistance for Individuals with Disabilities (TRAID) Project supports a statewide system that helps New Yorkers with disabilities access technology devices and services to facilitate their full integration into the mainstream workplace and community. This program is coordinated through an Interagency Partnership on Assistive Technology and 12 Regional TRAIID Centers at 15 sites. During 2006, the Regional TRAIID Centers provided awareness training, device demonstrations, information, education and referrals to over 33,400 persons with disabilities. Over 850 people attended the NYS Assistive Technology Expo in Albany, which was coordinated by the CQCAPD's TRAIID Project.

The Commission's Disability and Business Technical Assistance Center grant funding will continue to be used to provide comprehensive education, public awareness, and technical assistance programs which promote increased voluntary compliance with the Americans with Disabilities Act (ADA).

OVERSIGHT OF SERVICE DELIVERY IN THE MENTAL HYGIENE AREA

The Commission provides independent oversight and review of State and voluntary programs serving individuals with mental illness, developmental disabilities, and chemical dependence. Most importantly, it investigates allegations of consumer abuse or mistreatment in facilities operated or licensed by these agencies. The Commission reviews approximately 13,000 reports of abuse, neglect or death and conducts investigations on nearly 1,400 cases annually. By realigning existing resources and staff, the Commission established a new Children's Oversight and Technical Assistance team in 2006 to more efficiently carry out children's oversight activities and enhance the Commission's capacity to provide technical assistance to other agencies, enabling them to better respond to emerging issues.

QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES

PROTECTION AND ADVOCACY

Through a combination of staff resources and contracts with non-profit agencies, Federal funding provides statewide protection and advocacy services for individuals with disabilities through the following programs: Protection and Advocacy for the Developmentally Disabled; Client Assistance; Protection and Advocacy for Individuals with Mental Illness; Protection and Advocacy of Individual Rights; Protection and Advocacy for Beneficiaries of Social Security; Protection and Advocacy for Assistive Technology; Protection and Advocacy for Traumatic Brain Injury; and Protection and Advocacy for Voting Access. These programs assist the Commission in strengthening the non-profit contract network by providing individuals with severe disabilities with Federally-mandated protection and advocacy services. Annually, more than 74,000 individuals with disabilities are served through the Commission's protection and advocacy programs.

ADULT HOMES

The Commission contracts with local non-profit organizations to provide advocacy services to protect the rights of residents of adult homes who have been consumers in the mental hygiene system. The Commission's dedicated team will continue to work collaboratively with the Department of Health (DOH) and the Office of Mental Health (OMH) to conduct programmatic and fiscal investigations into the quality of care provided to individuals living in adult homes. The Commission's efforts have been expanded to assist in the implementation of new State initiatives already underway to improve the quality of life and safety of adult home residents. Last Year, Commission staff conducted comprehensive reviews of 19 adult homes serving over 1,600 people and collaborated with DOH and OMH in on-site monitoring of the closure of eight homes serving approximately 1,700 people.

SURROGATE DECISION MAKING COMMITTEE

The Surrogate Decision Making Committee (SDMC) program reviews recommendations for medical services on behalf of individuals receiving mental hygiene residential services who have neither a legal guardian nor the ability to make decisions for themselves. Volunteer teams comprising medical, legal and health care professionals and advocates work via local dispute resolution centers located throughout the State to represent these individuals. More than 1,600 SDMC cases are resolved, and no less than 700 volunteers and providers are trained to utilize these services annually.

ADVOCACY AND OUTREACH

The Division of Advocacy and Outreach coordinates the Commission's efforts to provide information, support and technical assistance to empower people with disabilities, family members, advocates, local government officials and others to identify and undertake the actions necessary to support people with disabilities in becoming fully participating members of their chosen communities. In 2005-06, Commission staff made more than 125 presentations which reached over 2,500 people on such disability related topics as Disability

QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES

Awareness and Inclusion, the Americans with Disabilities Act, Reasonable Accommodations and Barrier Reduction, Accessibility and the State Building Code, Educational Rights and Advocacy Skills. In addition, the Commission partnered with the State Board of Elections to conduct trainings statewide for local election officials to improve accessibility of the voting process.

ALL FUNDS APPROPRIATIONS (dollars)

| Category | Available 2006-07 | Appropriations Recommended 2007-08 | Change | Reappropriations Recommended 2007-08 |
|-------------------|------------------------------|---|------------------|---|
| State Operations | 15,685,000 | 15,126,000 | (559,000) | 14,182,000 |
| Aid To Localities | 711,000 | 711,000 | 0 | 0 |
| Capital Projects | 0 | 0 | 0 | 0 |
| Total | 16,396,000 | 15,837,000 | (559,000) | 14,182,000 |

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

Full-Time Equivalent Positions (FTE)

| Program | 2006-07 Estimated FTEs 03/31/07 | 2007-08 Estimated FTEs 03/31/08 | FTE Change |
|--|--|--|-------------------|
| Administration | | | |
| General Fund | 46 | 46 | 0 |
| Special Revenue Funds - Other | 31 | 31 | 0 |
| Client Assistance | | | |
| Special Revenue Funds - Federal | 2 | 2 | 0 |
| Protection and Advocacy for Beneficiaries of Social Security | | | |
| Special Revenue Funds - Federal | 1 | 1 | 0 |
| Protection and Advocacy for the Developmentally Disabled | | | |
| Special Revenue Funds - Federal | 9 | 8 | (1) |
| Protection and Advocacy for Individual Rights | | | |
| Special Revenue Funds - Federal | 3 | 3 | 0 |
| Protection and Advocacy for the Mentally Ill | | | |
| Special Revenue Funds - Federal | 11 | 11 | 0 |
| Technology Related Assistance for Individuals with Disabilities | | | |
| Special Revenue Funds - Federal | 2 | 2 | 0 |
| Technology Related Protection and Advocacy | | | |
| Special Revenue Funds - Federal | 0 | 1 | 1 |
| Total | 105 | 105 | 0 |

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

| Fund Type | Available 2006-07 | Recommended 2007-08 | Change |
|---------------------------------|------------------------------|--------------------------------|------------------|
| General Fund | 4,156,000 | 4,316,000 | 160,000 |
| Special Revenue Funds - Federal | 7,625,000 | 6,990,000 | (635,000) |
| Special Revenue Funds - Other | 3,859,000 | 3,775,000 | (84,000) |
| Enterprise Funds | 45,000 | 45,000 | 0 |
| Total | 15,685,000 | 15,126,000 | (559,000) |

QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES

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

| Program | Available 2006-07 | Recommended 2007-08 | Change |
|--|----------------------|------------------------|------------------|
| Administration | | | |
| General Fund | 4,156,000 | 4,316,000 | 160,000 |
| Special Revenue Funds - Federal | 300,000 | 300,000 | 0 |
| Special Revenue Funds - Other | 3,859,000 | 3,775,000 | (84,000) |
| Enterprise Funds | 45,000 | 45,000 | 0 |
| Client Assistance | | | |
| Special Revenue Funds - Federal | 671,000 | 651,000 | (20,000) |
| Protection and Advocacy for Beneficiaries of Social Security | | | |
| Special Revenue Funds - Federal | 313,000 | 344,000 | 31,000 |
| Protection and Advocacy for the Developmentally Disabled | | | |
| Special Revenue Funds - Federal | 2,039,000 | 2,010,000 | (29,000) |
| Protection and Advocacy Help America Vote Act | | | |
| Special Revenue Funds - Federal | 195,000 | 179,000 | (16,000) |
| Protection and Advocacy for Individual Rights | | | |
| Special Revenue Funds - Federal | 916,000 | 902,000 | (14,000) |
| Protection and Advocacy for the Mentally Ill | | | |
| Special Revenue Funds - Federal | 1,615,000 | 1,610,000 | (5,000) |
| Protection and Advocacy for Persons with Traumatic Brain Injury | | | |
| Special Revenue Funds - Federal | 86,000 | 85,000 | (1,000) |
| Technology Related Assistance for Individuals with Disabilities | | | |
| Special Revenue Funds - Federal | 1,088,000 | 679,000 | (409,000) |
| Technology Related Protection and Advocacy | | | |
| Special Revenue Funds - Federal | 402,000 | 230,000 | (172,000) |
| Total | <u>15,685,000</u> | <u>15,126,000</u> | <u>(559,000)</u> |

STATE OPERATIONS - GENERAL FUND SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES 2007-08 RECOMMENDED (dollars)

| Program | Total | | Personal Service Regular (Annual Salaried) | |
|----------------|------------------|----------|---|----------|
| | Amount | Change | Amount | Change |
| Administration | 3,150,000 | 0 | 3,150,000 | 0 |
| Total | <u>3,150,000</u> | <u>0</u> | <u>3,150,000</u> | <u>0</u> |

QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS - GENERAL FUND SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED APPROPRIATIONS AND CHANGES 2007-08 RECOMMENDED (dollars)

| Program | Total | | Supplies and Materials | |
|----------------|-----------|---------|------------------------|--------|
| | Amount | Change | Amount | Change |
| Administration | 1,166,000 | 160,000 | 53,800 | 6,800 |
| Total | 1,166,000 | 160,000 | 53,800 | 6,800 |

| Program | Travel | | Contractual Services | |
|----------------|---------|---------|----------------------|--------|
| | Amount | Change | Amount | Change |
| Administration | 138,600 | (8,400) | 802,900 | 24,900 |
| Total | 138,600 | (8,400) | 802,900 | 24,900 |

| Program | Equipment | |
|----------------|-----------|---------|
| | Amount | Change |
| Administration | 170,700 | 136,700 |
| Total | 170,700 | 136,700 |

STATE OPERATIONS - OTHER THAN GENERAL FUND SUMMARY OF APPROPRIATIONS AND CHANGES 2007-08 RECOMMENDED (dollars)

| Program | Total | | Personal Service | |
|--|------------|-----------|------------------|-----------|
| | Amount | Change | Amount | Change |
| Administration | 4,120,000 | (84,000) | 2,059,000 | 47,000 |
| Client Assistance | 651,000 | (20,000) | 38,000 | (70,000) |
| Protection and Advocacy for Beneficiaries of Social Security | 344,000 | 31,000 | 66,000 | 11,000 |
| Protection and Advocacy for the Developmentally Disabled | 2,010,000 | (29,000) | 439,000 | (20,000) |
| Protection and Advocacy Help America Vote Act | 179,000 | (16,000) | 0 | (6,000) |
| Protection and Advocacy for Individual Rights | 902,000 | (14,000) | 131,000 | (33,000) |
| Protection and Advocacy for the Mentally Ill | 1,610,000 | (5,000) | 503,000 | (69,000) |
| Protection and Advocacy for Persons with Traumatic Brain Injury | 85,000 | (1,000) | 0 | 0 |
| Technology Related Assistance for Individuals with Disabilities | 679,000 | (409,000) | 0 | 0 |
| Technology Related Protection and Advocacy | 230,000 | (172,000) | 0 | 0 |
| Total | 10,810,000 | (719,000) | 3,236,000 | (140,000) |

| Program | Nonpersonal Service | | Maintenance Undistributed | |
|--|---------------------|----------|---------------------------|-----------|
| | Amount | Change | Amount | Change |
| Administration | 1,460,000 | (13,000) | 601,000 | (118,000) |
| Client Assistance | 613,000 | 50,000 | 0 | 0 |
| Protection and Advocacy for Beneficiaries of Social Security | 278,000 | 20,000 | 0 | 0 |
| Protection and Advocacy for the Developmentally Disabled | 1,571,000 | (9,000) | 0 | 0 |
| Protection and Advocacy Help America Vote Act | 179,000 | (10,000) | 0 | 0 |
| Protection and Advocacy for Individual Rights | 771,000 | 19,000 | 0 | 0 |
| Protection and Advocacy for the Mentally Ill | 1,107,000 | 64,000 | 0 | 0 |
| Protection and Advocacy for Persons with Traumatic Brain Injury | 85,000 | (1,000) | 0 | 0 |
| Technology Related Assistance for Individuals with Disabilities | 0 | 0 | 679,000 | (409,000) |
| Technology Related Protection and Advocacy | 0 | 0 | 230,000 | (172,000) |
| Total | 6,064,000 | 120,000 | 1,510,000 | (699,000) |

QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES

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

| <u>Fund Type</u> | <u>Available 2006-07</u> | <u>Recommended 2007-08</u> | <u>Change</u> |
|-------------------------------|------------------------------|--------------------------------|---------------|
| General Fund | 293,000 | 293,000 | 0 |
| Special Revenue Funds - Other | 418,000 | 418,000 | 0 |
| Total | <u>711,000</u> | <u>711,000</u> | <u>0</u> |

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

| <u>Program</u> | <u>Available 2006-07</u> | <u>Recommended 2007-08</u> | <u>Change</u> |
|-------------------------------|------------------------------|--------------------------------|---------------|
| Adult Homes | | | |
| General Fund | 170,000 | 170,000 | 0 |
| Surrogate Decision Making | | | |
| General Fund | 123,000 | 123,000 | 0 |
| Special Revenue Funds - Other | 418,000 | 418,000 | 0 |
| Total | <u>711,000</u> | <u>711,000</u> | <u>0</u> |