

# ***COMMISSION ON QUALITY OF CARE FOR THE MENTALLY DISABLED***

## ***MISSION***

The Commission on Quality of Care for the Mentally Disabled provides oversight of the State and local mental hygiene systems that collectively spend more than \$5 billion in public funds annually. The Commission monitors conditions of care in State institutions for the mentally ill and mentally retarded, licensed residential facilities, and outpatient programs; reports to the Governor and Legislature on how the laws and policies established to protect the rights of mentally disabled persons are being implemented; and makes recommendations to improve quality of care.

## ***ORGANIZATION AND STAFFING***

Soon to be headquartered in Schenectady, the Commission consists of a full-time chairman and two unsalaried members, each appointed by the Governor and confirmed by the Senate to serve for staggered five-year terms. During 1999-2000, the agency will have a workforce of 93 positions funded by the General Fund, Federal Grants and other Federal revenues related to oversight of Medicaid programs.

## ***FISCAL BACKGROUND AND BUDGET HIGHLIGHTS***

The Commission's State Operations appropriation, which comprises 95 percent of the total agency budget, consists of 31 percent General Fund, 44 percent Federal, and 25 percent from other sources.

Federal funding provides statewide protection and advocacy services for individuals with disabilities, using State staff and contracts with non-profit agencies, through the following Federal programs: Protection and Advocacy for the Developmentally Disabled; Client Assistance; Protection and Advocacy for Individuals with Mental Illness (PAIMI); and Protection and Advocacy of Individual Rights programs. The 1999-2000 Executive recommendation includes a new Federal appropriation of \$165,000 in anticipation of a new direct Federal grant for the Technology Related Protection and Advocacy (TRPA) program, as well as an increase of \$47,300 for the PAIMI program. The new TRPA funds replace moneys previously suballocated from the Office of the Advocate for Persons with Disabilities. These new Federal funds will assist the Commission in strengthening the non-profit contract network which provides individuals with severe disabilities with protection and advocacy services under Federal law.

Other funds include the Federal Salary Sharing account which is funded by Federal revenue generated by agency staff activities related to Medicaid services. A combination of State tax dollars from the General Fund and Federal Salary Sharing accounts support staff investigations of deaths and allegations of abuse and neglect in mental hygiene facilities and other agency oversight functions.

The Aid to Localities appropriation, which comprises 5 percent of the total agency budget, funds contracts with private, non-profit service provider agencies. Taxpayer dollars from the General Fund support contracts with non-profit agencies that provide advocacy services to residents of adult homes and adult care facilities. Contracts with non-profit Community Dispute Resolution Centers, which provide support services for the Surrogate Decision Making Committee (SDMC) program, are supported by Federal Salary Sharing account funds.

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The 1999-2000 Executive Budget recommendation fully annualizes the Governor's 1998-99 initiative to expand the SDMC program statewide. The SDMC program provides a more responsive and lower cost alternative to the court system for securing non-emergency medical treatment for individuals in Department of Mental Hygiene residential facilities who cannot consent to treatment and do not have a surrogate to make these decisions.

The Executive Budget recommendation of \$9.8 million reflects a General Fund decrease of \$254,000 from 1998-99 levels principally as a result of one-time moving costs that were included in 1998-99, and the shift of personal service costs to available Federal Salary Sharing revenues. The recommendation fully supports existing program and service levels while annualizing the SDMC program expansion from 1998-99.

### ALL FUNDS APPROPRIATIONS

| Category                    | Available<br>1998-99 | Appropriations<br>Recommended<br>1999-00 | Change            | Reappropriations<br>Recommended<br>1999-00 |
|-----------------------------|----------------------|--|-------------------|--|
| State Operations . . . . .  | \$9,190,000          | \$9,283,600                              | + \$93,600        | \$5,261,800                                |
| Aid To Localities . . . . . | 468,000              | 468,000                                  | . . . . .         | . . . . .                                  |
| Capital Projects . . . . .  | . . . . .            | . . . . .                                | . . . . .         | . . . . .                                  |
| <b>Total . . . . .</b>      | <b>\$9,658,000</b>   | <b>\$9,751,600</b>                       | <b>+ \$93,600</b> | <b>\$5,261,800</b>                         |

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

| Program   | Available<br>1998-99 | 1999-00 Recommended Average Fill Level |                              |                                 | Change     |
|---|----------------------|--|------------------------------|---------------------------------|------------|
|   |                      | Personal<br>Service<br>(Regular)       | Maintenance<br>Undistributed | Total<br>Recommended<br>1999-00 |            |
| Administration  |                      |  |                              |                                 |            |
| General Fund . . . . .                                      | 41                   | 41                                     | . . . . .                    | 41                              | . . . . .  |
| Special Revenue Funds — Other . . . . .                     | 27                   | 28                                     | . . . . .                    | 28                              | + 1        |
| Protection and Advocacy for the Developmentally<br>Disabled |                      |  |                              |                                 |            |
| Special Revenue Funds — Federal . . . . .                   | 11                   | 11                                     | . . . . .                    | 11                              | . . . . .  |
| Protection and Advocacy for the Mentally Ill                |                      |  |                              |                                 |            |
| Special Revenue Funds — Federal . . . . .                   | 10                   | 10                                     | . . . . .                    | 10                              | . . . . .  |
| Client Assistance   |                      |  |                              |                                 |            |
| Special Revenue Funds — Federal . . . . .                   | 2                    | 2                                      | . . . . .                    | 2                               | . . . . .  |
| Protection and Advocacy IR                                  |                      |  |                              |                                 |            |
| Special Revenue Funds — Federal . . . . .                   | 1                    | 1                                      | . . . . .                    | 1                               | . . . . .  |
| <b>Total . . . . .</b>                                      | <b>92</b>            | <b>93</b>                              | <b>. . . . .</b>             | <b>93</b>                       | <b>+ 1</b> |

### STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE APPROPRIATIONS

| Fund Type                                 | Available<br>1998-99 | Recommended<br>1999-00 | Change            |
|---|----------------------|------------------------|-------------------|
| General Fund . . . . .                    | \$3,140,000          | \$2,886,000            | -\$254,000        |
| Special Revenue Funds — Federal . . . . . | 3,835,000            | 4,062,600              | + 227,600         |
| Special Revenue Funds — Other . . . . .   | 2,195,000            | 2,315,000              | + 120,000         |
| Enterprise Funds . . . . .                | 20,000               | 20,000                 | . . . . .         |
| <b>Total . . . . .</b>                    | <b>\$9,190,000</b>   | <b>\$9,283,600</b>     | <b>+ \$93,600</b> |

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## STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM APPROPRIATIONS

| Program  | Available<br>1998-99 | Recommended<br>1999-00 | Change            |
|--|----------------------|------------------------|-------------------|
| Administration   |                      |                        |                   |
| General Fund . . . . .                                   | \$3,140,000          | \$2,886,000            | -\$254,000        |
| Special Revenue Funds — Other . . . . .                  | 2,105,000            | 2,225,000              | + 120,000         |
| Enterprise Funds . . . . .                               | 20,000               | 20,000                 | . . . .           |
| Protection and Advocacy for the Developmentally Disabled |                      |                        |                   |
| Special Revenue Funds — Federal . . . . .                | 1,482,000            | 1,492,800              | + 10,800          |
| Protection and Advocacy for the Mentally Ill             |                      |                        |                   |
| Special Revenue Funds — Federal . . . . .                | 1,123,500            | 1,170,800              | + 47,300          |
| Client Assistance  |                      |                        |                   |
| Special Revenue Funds — Federal . . . . .                | 629,500              | 629,000                | -500              |
| Protection and Advocacy IR                               |                      |                        |                   |
| Special Revenue Funds — Federal . . . . .                | 600,000              | 605,000                | + 5,000           |
| Technology Related Protection and Advocacy               |                      |                        |                   |
| Special Revenue Funds — Federal . . . . .                | . . . .              | 165,000                | + 165,000         |
| Conference Fee Account                                   |                      |                        |                   |
| Special Revenue Funds — Other . . . . .                  | 90,000               | 90,000                 | . . . .           |
| <b>Total . . . . .</b>                                   | <b>\$9,190,000</b>   | <b>\$9,283,600</b>     | <b>+ \$93,600</b> |

## STATE OPERATIONS — GENERAL FUND SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES 1999-00 RECOMMENDED

| Program                  | Total Personal Service |                   | Personal Service Regular<br>(Annual Salaried) |                   | Holiday/Overtime Pay<br>(Annual Salaried) |                |
|--------------------------|------------------------|-------------------|---|-------------------|---|----------------|
|                          | Amount                 | Change            | Amount  | Change            | Amount                                    | Change         |
| Administration . . . . . | \$2,022,000            | -\$108,000        | \$2,015,000                                   | -\$108,000        | \$7,000                                   | . . . .        |
| <b>Total . . . . .</b>   | <b>\$2,022,000</b>     | <b>-\$108,000</b> | <b>\$2,015,000</b>                            | <b>-\$108,000</b> | <b>\$7,000</b>                            | <b>. . . .</b> |

## STATE OPERATIONS — GENERAL FUND SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED APPROPRIATIONS AND CHANGES 1999-00 RECOMMENDED

| Program                  | Total            |                   | Supplies and Materials |                |
|--------------------------|------------------|-------------------|------------------------|----------------|
|                          | Amount           | Change            | Amount                 | Change         |
| Administration . . . . . | \$864,000        | -\$146,000        | \$33,100               | . . . .        |
| <b>Total . . . . .</b>   | <b>\$864,000</b> | <b>-\$146,000</b> | <b>\$33,100</b>        | <b>. . . .</b> |

| Program                  | Travel          |                | Contractual Services |                  |
|--------------------------|-----------------|----------------|----------------------|------------------|
|                          | Amount          | Change         | Amount               | Change           |
| Administration . . . . . | \$92,200        | . . . .        | \$415,600            | -\$16,000        |
| <b>Total . . . . .</b>   | <b>\$92,200</b> | <b>. . . .</b> | <b>\$415,600</b>     | <b>-\$16,000</b> |

| Program                  | Equipment       |                | Maintenance Undistributed |                   |
|--------------------------|-----------------|----------------|---------------------------|-------------------|
|                          | Amount          | Change         | Amount                    | Change            |
| Administration . . . . . | \$23,100        | . . . .        | \$300,000                 | -\$130,000        |
| <b>Total . . . . .</b>   | <b>\$23,100</b> | <b>. . . .</b> | <b>\$300,000</b>          | <b>-\$130,000</b> |

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## STATE OPERATIONS — OTHER THAN GENERAL FUND SUMMARY OF APPROPRIATIONS AND CHANGES 1999-00 RECOMMENDED

| Program  | Total       |             | Personal Service |            |
|--|-------------|-------------|------------------|------------|
|  | Amount      | Change      | Amount           | Change     |
| Administration . . . . .   | \$2,245,000 | + \$120,000 | \$1,467,000      | + \$86,000 |
| Protection and Advocacy for<br>the Developmentally<br>Disabled . . . . . | 1,492,800   | + 10,800    | 606,200          | + 30,400   |
| Protection and Advocacy for<br>the Mentally Ill . . . . .                | 1,170,800   | + 47,300    | 437,000          | -15,000    |
| Client Assistance . . . . .  | 629,000     | -500        | 94,200           | -6,000     |
| Protection and Advocacy IR . . . . .                                     | 605,000     | + 5,000     | 66,400           | -43,800    |
| Technology Related Protection<br>and Advocacy . . . . .                  | 165,000     | + 165,000   | . . . .          | . . . .    |
| Conference Fee Account . . . . .   | 90,000      | . . . .     | . . . .          | . . . .    |
| Total . . . . .  | \$6,397,600 | + \$347,600 | \$2,670,800      | + \$51,600 |

| Program  | Nonpersonal Service |             |
|--|---------------------|-------------|
|  | Amount              | Change      |
| Administration . . . . .   | \$778,000           | + \$34,000  |
| Protection and Advocacy for<br>the Developmentally<br>Disabled . . . . . | 886,600             | -19,600     |
| Protection and Advocacy for<br>the Mentally Ill . . . . .                | 733,800             | + 62,300    |
| Client Assistance . . . . .  | 534,800             | + 5,500     |
| Protection and Advocacy IR . . . . .                                     | 538,600             | + 48,800    |
| Technology Related Protection<br>and Advocacy . . . . .                  | 165,000             | + 165,000   |
| Conference Fee Account . . . . .   | 90,000              | . . . .     |
| Total . . . . .  | \$3,726,800         | + \$296,000 |

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

| Fund Type                               | Available<br>1998-99 | Recommended<br>1999-00 | Change  |
|---|----------------------|------------------------|---------|
| General Fund . . . . .                  | \$95,000             | \$95,000               | . . . . |
| Special Revenue Funds — Other . . . . . | 373,000              | 373,000                | . . . . |
| Total . . . . .                         | \$468,000            | \$468,000              | . . . . |

## AID TO LOCALITIES ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM APPROPRIATIONS

| Program  | Available<br>1998-99 | Recommended<br>1999-00 | Change  |
|--|----------------------|------------------------|---------|
| Surrogate Decision Making<br>Special Revenue Funds — Other . . . . . | \$373,000            | \$373,000              | . . . . |
| Adult Homes<br>General Fund . . . . .                                | 95,000               | 95,000                 | . . . . |
| Total . . . . .  | \$468,000            | \$468,000              | . . . . |