



# Committee on Mental Health and Developmental Disabilities

Winter 2014 Newsletter

Sheldon Silver, Speaker • Aileen M. Gunther, Chair

## Message from the Chair

Dear Friends,

I am pleased to share news from the Assembly Committee on Mental Health and Developmental Disabilities. The developmental disabilities field will make significant changes to its service delivery system in New York State over the next few years. This includes the movement to managed care, a new “Front Door” Policy which allows for individual choice in services, and the transformation of employment opportunities for individuals with developmental disabilities. Below you will find further information on many of these changes, including efforts made by the Assembly Committee on Mental Health and Developmental Disabilities to assist individuals, families and service providers through many of these transitions.

Sincerely,

Aileen M. Gunther, Chair

## OPWDD’s “Front Door” Policy

Over the summer, the Office for People with Developmental Disabilities (OPWDD) introduced a new initiative for guiding individuals through eligibility determinations, assessments and service authorization, known as the “Front Door” Policy. This new policy will improve the way people learn about and access services. It will also allow them to direct their own service plans to the greatest extent possible.

According to the OPWDD website, the Front Door Policy “...builds on the philosophy of self-determination and person-centered planning, and the understanding that people with developmental disabilities have the right to enjoy meaningful relationships with family, friends, and others in their lives; experience personal growth; fully participate in their communities; and live in the home of their choice.”

While implementation of the Front Door Policy remains underway, OPWDD has said that it will be receptive to the needs and concerns of people and their families as the service delivery system transforms. Below is a link to common questions and answers about the Front Door Policy.

<http://www.opwdd.ny.gov/welcome-front-door/questions-answers>

If you or a loved one is having difficulty accessing services please contact your Developmental Disabilities Regional Office (DDRO). Contact information for the DDROs can be accessed from the link below:

<http://www.opwdd.ny.gov/node/2470>

## The Move to Managed Care

### Developmental Disability Integrated Support and Care Coordination Organizations (DISCOs)

Over the past several years, OPWDD has been working with the Department of Health (DOH) and the federal Centers for Medicare and Medicaid Services (CMS) to transform New York’s developmental disabilities system into a system of managed care. Through the “People First Waiver,” OPWDD and DOH have developed managed care organizations, called DISCOs, through which individuals with developmental disabilities will obtain services and supports.

DISCOs were codified in the 2013-14 Enacted Budget (A.3006-C, Part A) and pilot programs will begin this fall with full implementation expected by 2015. The final enacted DISCO language includes many protections for service recipients and their families that were supported by the Committee.

Additionally, the Assembly passed A.6962-A (Gunther) which establishes a Developmental Disabilities Ombudsman Program – an advocacy program for individuals with disabilities who receive services through a managed care organization, or DISCO. The program would advise individuals of their rights and responsibilities; provide information, referrals and technical assistance; and pursue legal, administrative and other appropriate remedies to ensure the protection of the rights of the enrollees. The Ombudsman Program would provide individuals receiving services and their families with assistance in navigating this new system of care.

Further information on OPWDD’s transition to managed care can be found at:

[http://www.opwdd.ny.gov/transformation-agreement/OPWDD\\_Road\\_to\\_Reform\\_April2013](http://www.opwdd.ny.gov/transformation-agreement/OPWDD_Road_to_Reform_April2013)



Assemblywoman Gunther attends a walk for Autism.

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## Restoring Funding for OPWDD Providers

Last year New York State was in a difficult position as the Federal government sought to recover \$1.1 billion dollars in Medicaid payments received over the last two decades. As a result, the 2013-14 Executive Budget proposed a reduction of \$120 million in funding to not-for-profit providers serving individuals with disabilities. The Assembly was successful in restoring \$30 million of this cut in the 2013-14 Enacted Budget. However, individuals with disabilities, their families, and service providers were faced with \$90 million in cuts to programs that provided vital services and supports. In the days following the passage of the Budget, the Assembly introduced legislation (A.6692-C/Weisenberg; S.4777-D/Golden) to restore the remaining \$90 million to OPWDD providers. That bill was signed into law by the Governor as Chapter 349 in September.

### Restoration to OPWDD Not-for-Profits

#### Chapter 349 of the Laws of 2013

The law requires the Commissioner of OPWDD and the Director of the Division of Budget (DOB) to restore \$90 million in cuts to not-for-profits serving individuals with developmental disabilities using federal funding and other cost-saving actions recommended by a workgroup.

### Removing the Prior Notice Requirement for OPWDD Inspections

In October, Governor Cuomo signed into law a bill that removes the requirement of prior notice for inspections of facilities operated and/or licensed by OPWDD (A.6992-A (Gunther)/S.5098-A (Carlucci), Chap. 445). Before this change took effect, a minimum of two inspections were required, one without prior notice, one with prior notice. The new law does not change the total number of visits, but, instead, makes them both unannounced.

This is an important piece of legislation aimed at protecting people with developmental disabilities and providing a level of comfort to their families. While many facilities maintain exceptional standards, the hope is that by removing prior notice, more facilities will maintain inspection standards throughout the year.



Assemblywoman Gunther leads a discussion on significant legislation during a Committee meeting.

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Assemblywoman Gunther speaks with children at the annual Legislative Disabilities Awareness Day.

### Contact Assemblywoman Aileen M. Gunther

#### District Offices:

18 Anawana Lake Road • Monticello, NY 12701  
845-794-5807

16 James Street, 3rd Floor • Middletown, NY 10940  
845-342-9304

#### Albany Office:

LOB 826 • Albany, NY 12248  
518-455-5355

[gunthea@assembly.state.ny.us](mailto:gunthea@assembly.state.ny.us)