



OMRDD TO TAKE REDUCTIONS FROM CASH MANAGEMENT AND OTHER ACTIONS

Faced with the Governor’s budget cuts, which were also approved by the Legislature (see related summary on the Deficit Reduction Plan – DRP – below), OMRDD has worked with the Division of Budget (DOB) to obtain a plan for the DRP mandated amounts for reduction. OMRDD’s plan for the \$35 million cuts in the Aid to Localities budget was achieved without significant reduction in programs. The way they will achieve the \$35 million cash savings includes:

1. There will be a State Aid reduction of 10% beginning in January 2010. This reduction will be on the non-Medicaid programs and those that have a county contract. The counties have begun to receive letters notifying them of the cut and OMRDD is asking the counties to develop plans and submit to OMRDD. They are stressing to the counties that they should try to achieve savings without

hurting the programs. That will save about \$1.3 million.

2. Natural delays in development in programs such as CRP, Aging Out, Enhanced SEMP, and others. While we do not know the exact savings from this, the Commissioner stressed that this was a one shot and that the development would go forward, just at a slightly later date.
3. Cash Management . Again we do not know the value of this, but OMR feels that it will be enough to achieve the needed savings.

While this is positive news, we have learned that DOB approved the plan because OMRDD agreed to move the Day Hab cut that was planned for July 1, 2010 to May 1, 2010. That means that the planned savings increases from \$10.5 million for 9 months (State share) to \$12.8 million for 11 months (achieved by starting in the second month 5/1/2010 of the State’s fiscal year). Annualized it is a \$14 million State share cut (\$28 million total impact) on day programs.

There is an additional \$500 million that the Governor needed to save in this fiscal year that was not approved in the DRP, but we believe that OMRDD will be able to achieve their share of this additional savings target without taking additional cuts from providers.

While the cuts will not have a direct impact on most services to people with disabilities, we know that the State’s dire fiscal situation continues and this is not the end of our advocacy to protect the funding for people with disabilities. CP of NYS will continue to work with Affiliates to develop proactive approaches to change some of the systems now in place to effect cost savings while at the same time ensuring continued access to needed supports and services.

Additionally, we need to continue our advocacy with the Legislature, particularly the Assembly, to ensure that there won’t be any further cuts in the 2010-2011 state budget that will cut supports and services for people with disabilities and dismantle the OMRDD service systems that has been

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built over the past 30 years. Please join us in the Statewide Family Advocacy Day on January 7, 2010 (see related article) to begin this advocacy with your local legislators.

NYS SENATE FOLLOWS ASSEMBLY'S AND GOVERNOR'S LEAD AND CUTS OMRDD MEDICAID PROGRAMS

After a full month of daily vigils, letters, phone calls, hearings and rallies by consumers, staff and family members from across New York State the Legislature passed the Deficit Reduction Plan S.66022/A.40022, which cuts OMRDD Medicaid programs by 5% and non-Medicaid programs by 10%. The bill passed the Assembly 105 to 32 and the Senate 59 to 3 on December 2. In a story from the New York Observer's Politiker blog, illustrating the way some politicians feel about the DRP, Senator Frank Padavan (R-Queens) is quoted explaining why he voted "no" on the DRP. "We were told time and time again that there would be no cuts to OMRDD [Office of Mental Retardation and Developmental Disabilities], that would impact negatively on providers of group homes and community-based facilities throughout the system. Throughout the day that was changed, and I felt that was wrong."

Because there were no cuts in state aid to school districts and health care, many legislators apparently felt pressure to vote for the bill. The final bill includes a target of \$37 million in cuts to OMRDD-funded voluntary services, compared to the Governor's originally proposed \$160 million. OMRDD is currently working with providers on ways to mitigate the impact of the cuts by cutting as little of Medicaid as possible. For every \$1 in state savings in a Medicaid-funded program, providers lose a total of \$2 to \$2.60. It appears at this writing that OMRDD were the only Medicaid services that were cut.

Other local assistance programs and grants, particularly in OMH and OASAS, were cut by 12.5% but only for non-Medicaid programs and services. The state workforce was untouched and unionized state employees will still be receiving their raises this year. Additionally, in agreement for a new Tier V pension agreement, there will be no state union layoffs for 2 years. The state "rainy day fund" and school district reserves of over \$1 billion across the state were also left untapped.

MANY THANKS TO ALL AFFILIATES for fighting the good fight and coming to Albany to vigil, rally in NYC,

writing letters and making phone calls. Also, we want to thank our colleagues at The Alliance, IAC, NYSARC and NYSACRA for all their work in the vigil and fighting these cuts. It has been a privilege to work with each and every one of you!

We are now preparing for the January release of the Governor's 2010 – 2011 Budget which one Senator described as "the main event" and everyone predicts will be even tougher than this DRP battle.



People from Metro Services visit with NYS Senator Pedro Espada, Jr.

All of the Associations have begun to plan for a January 7th Family Advocacy Day. All Affiliates are encouraged to plan to organize family members, staff and consumers to visit their local Senators and Assembly members in their district offices on January 7th. More details will be sent to all Affiliates.

VESID SEEKING INPUT FOR NEW PLAN

A series of three public meetings were announced that VESID and the State Rehab Council will be holding to gather recommendations from individuals with disabilities, their families, advocates and services providers on how VESID can improve vocational rehabilitation and supported employment services. VESID is interested in identifying the vocational rehabilitation and employment needs of individuals with disabilities who are unserved and underserved and in developing priorities, goals and strategies to address those needs. In addition to the public meetings, comments may also be submitted in writing.

The current State Plan for Vocational Rehabilitation and Supported Employment Services is available for review at the VESID website: www.vesid.nysed.gov. The newly developed State Plan for Vocational Rehabilitation and Supported Employment Services will be for Federal Fiscal Year beginning October 1, 2010.

CP of NYS will be submitting comments in addition to the comments submitted by people in your community and we ask that Affiliates forward any comments they would like incorporated into that response to Tom Hamel at thamel@cpofnys.org by December 30, 2009.

The public meeting dates and cities are:

Albany - January 13
NYC - January 27
Buffalo - February 26

MEDICARE CROSSOVER PROJECT

Effective December 3, 2009, DOH will be implementing an automatic Medicare Crossover project to reduce the workload for providers by enabling NYS Medicaid to receive Medicare crossover claims (i.e., claims for people who are eligible for both Medicare and Medicaid) directly from Medicare's Coordination of Benefits Contractors (COBC), Group Health Inc., (GHI), regardless of the claim's date of service. GHI, in its role as the COBC, will be sending crossover claims to New York Medicaid for all of New York State.

Although the goal of this project is to reduce administrative processing, there remains a problem which would prevent certain providers from receiving the enhanced payment for dually eligible consumers under this automatic crossover. CP of NYS has been working with DOH to resolve this problem which has arisen due to a missing element in the electronic claims form for Medicare Part B billing. This form, 837P, does not have a field to include a rate code which is necessary for clinics to receive the higher of the Medicaid rate or the Medicare allowed amount (considered an enhanced payment) for patients with a developmental disability designated by Code 95. In order for the eMedNY system to pay this higher payment, there must be a rate code included on the crossover remittance from Medicare until such time as DOH can resolve this issue. Without the rate code, the eMedNY system will not pay the higher payment for claims submitted using 837P and providers would then need to adjust these claims in order to receive proper payment. In order to avoid this duplicative process, CP of NYS has provided DOH with a list of clinics to be exempt from this automatic crossover until DOH determines a process for paying clinics the correct enhanced rate. Under this arrangement, exempt providers should continue to bill Medicare and Medicaid as they currently do – their claims will not be automatically crossed over from Medicare to Medicaid until a solution to this problem is identified.

Additional information on the Medicare Crossover project is included in the September, October and November 2009 Medicaid Updates at the following link - http://www.nyhealth.gov/health_care/medicaid/program/update/2009/index.htm. If you have any questions, please contact Deb Williams.

2010 COMPLIANCE SURVEY

We have developed a survey in conjunction with NYSARC that is intended to identify the true costs of a compliance program. The survey will be sent out in December. The CEO, Finance Director and Compliance Officer should complete the survey; however, each Affiliate should only submit one survey.

The survey is intended to capture costs aside from the compliance officer. For example, if your HR department is checking exclusions you will count them in when calculating the cost of compliance. With the information, we will be analyzing the impact of compliance costs on Affiliates.

We will be using the resulting analysis in our advocacy efforts with the Legislature, OMIG and OMRDD to obtain improvement to corporate compliance rules, regulations and enforcement practices.

MEDICAID MAXIMIZATION

OMRDD is amending the liability regulations to include more services. The services to be covered under this legislation are Medicaid Service Coordination, Day Treatment, At Home Res Hab, Prevocational, SEMP, Respite and blended and comprehensive services. However if you have individuals who ONLY receive SEMP or ONLY receive respite they will not be subject to the new regulations. OMRDD expects the draft legislation to take effect March 15, 2010.

The new food stamp regulations defining the need to apply for food stamps will go into effect January 1, 2010. The food stamp Q and A on OMRDD's website has been updated to include new information. The link to the Q and A is:

http://www.omr.state.ny.us/wt/publications/msc/wt_liabilityforservices_fs_revised.jsp

OMRDD has identified providers who are not in compliance with the existing liability regulations. The good news is that there are no CP providers on this list.

ANNUAL CONFERENCE WELL RECEIVED IN FIRST VISIT TO SARATOGA SPRINGS

Appearances by Tiki Barber, James Sheehan, Diana Jones Ritter, Beth Mount and Al Condeluci certainly lent star power to the 2009 CP of NYS Annual Conference. But for many of the more than 800 people from Affiliates across the state who attended workshops and meetings, November 2-4, at the 49th Annual Conference, the city of Saratoga Springs was just as big a story.

The city and the Saratoga Hilton Hotel rolled out the welcome mat and most attendees noticed. Early indications are that most attendees appreciated the new venue and would look favorably upon a return engagement. The decision about whether to return to Saratoga will be made later this month.

New York State Medicaid Inspector General James Sheehan began the event with a presentation to Board Members

and executive leadership teams on Monday morning. That was followed by Dr. Beth Mount's Keynote Address entitled, "Realizing Potential Through Innovation." The inspirational presentation offered new ways to help improve operations and adopt ideas that best fit the goals and mission of individual Affiliates.

The afternoon included several concurrent sessions, including a presentation by retired NFL great Tiki Barber discussing his new venture Tiki Recreation and the company's Play Proud playgrounds. Barber also made brief remarks to a luncheon crowd of more than 300 people.

Monday afternoon also featured a well-attended presentation by Commissioner Diana Jones Ritter from the New York State Office of Mental Retardation and Developmental Disabilities (OMRDD).

Monday concluded with the CP of NYS Annual Awards Dinner for more than 450 people honoring individuals and organizations for their success in overcoming obstacles, or for their contributions to people with disabilities and their families.

On Tuesday the schedule included nearly 40 sessions and meetings on topics and issues important to people with disabilities, volunteers and professionals.

An exhibition of artwork submitted by Affiliates was on display at a silent auction throughout the day. Carleen Giannotti, from Upstate Cerebral Palsy in Utica, was chosen as CP of NYS Artist of the Year. Cory Bonomo, from the Center for Disability Services in Albany, was named winner of the first statewide Children's Art Contest.

Tuesday night featured the Celebrate Staff Dinner recognizing employees from CP of NYS Affiliates for outstanding service and then many in attendance moved a couple of blocks south to the Parting Glass Irish Pub for some music by The Heaters, a well-known local club band.

The Annual Conference concluded on a high note Wednesday morning with an inspiring and energetic Closing Plenary session by Al Condeluci from UCP/CLASS. He addressed the challenge of community inclusion and focused attention on a broader, more culturally relevant and positive approach to building community.

The CP of NYS Annual Conference was made possible in part by the generous support of Affiliates, businesses and individuals from across the state. Please read about all of them by clicking on this link <http://tinyurl.com/yzpspd6>.

FIRST CHILDREN'S ART CONTEST AND AUCTION A BIG HIT

This year's first children's art contest was a big hit at the CP of NYS Annual Conference. Thirteen entries were submitted and two were sold at the silent auction conducted at the Saratoga Hilton Hotel, November 3rd.

People viewing the artwork were asked to vote for their favorites. The balloting was close, but in the end, Cory Bonomo was chosen as the winner of the children's art contest and received a framed certificate. The children's art was displayed along with 19 entries from the annual Visions of New York Art contest and silent auction.

AFFILIATE STAFF RECOGNIZED AT ANNUAL DINNER

On Tuesday, November 3 in Saratoga Springs, nearly 60 employees from CP of NYS Affiliates across the state were honored at the annual Celebrate Staff Dinner. The event was part of the 49th CP of NYS Annual Conference at the Saratoga Hilton Hotel. More than 800 people attended three days of workshops and meetings at the Conference.

CP of NYS: *Rosemary Brunetti, Erline Desir & Joan Walker*

Jawonio: *Jean Robert Joseph, Jamie Wolf & Joseph Zweig*

Hudson Valley Cerebral Palsy Assn: *Stephanie Gasparich, Patricia Paulo & Franklyn Teelucksingh*

UCPA of Nassau County: *Malkie Adler, Samantha Alexander, Meena Mohan, Richard Mondello & Desiree Thompson*

UCP/NYC: *Nancy Imbriale, Adriana Miron & Barbara Perkins*

CP & Handicapped Children's Assn. of Chemung County: *Kathleen Graham, Colleen Marsh & Natalia Mazzitelli*

Cerebral Palsy of Westchester: *Jacqueline Alimena & Felice Gritz*

HCA of Southern NY: *Bonnie Cole, Maxine Gage & Jamie Sanford*

Enable: *Karen Abbott*

Happiness House: *Julie Bertram, Deborah Connelly, Chrissy D'Amico & Susan Garrett*

Aspire of WNY: *Naida DeJesus & Elizabeth Hitchens*

Upstate Cerebral Palsy: *Kathy Gregg & Judy Stubba*

Queens Centers for Progress: *Maggie Cerillo, Mary Holtenbeck & Joyce Madhoo*

The Center for Discovery: *Joyce Shaffer, Petra Stephens & Patsy Walters*

CP of the North Country: *Richard Edwards, Lori Raymond & Jessica Wells*

Niagara Cerebral Palsy: *Marlies Borzynski, Robert Donoughe, Lisa Dutcher & Rebecca Green*

Inspire of Orange County: *Carmela Doyle, Eileen Forney & Michelle O'Loughlin*

E. John Gavras Center: *Jacqueline Drechsler, Kathryn Mabbett & Cynthia Springstead*

CP of Ulster County: *Julie Coon, Laurie Gambino & Collette Levy*

Center for Disability Services: *Bobby Henderson, Dawn Montanye & Mark Wheeler*

2009 ANNUAL CONFERENCE OVERALL EVALUATION SURVEY

If you attended the CP of NYS Annual Conference, November 2-4 at the Saratoga Hilton, please take a minute of your time to complete a very brief Overall Evaluation Survey online. (All responses to this online survey are anonymous.) Responses to this survey will help us make our future conferences to be the best possible.

<http://www.surveymonkey.com/s/ZVWQGM3>

Thank you to those who have already responded.



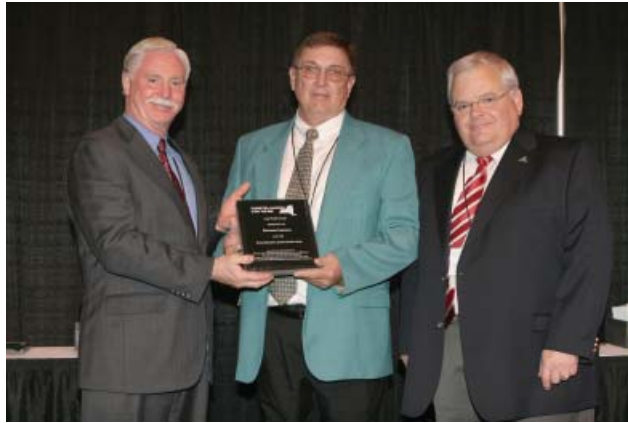
Dr. Beth Mount makes a point during her Keynote presentation



CP of NYS President & CEO Susan Constantino, OMRDD Commissioner Diana Jones Ritter and Retired NFL player Tiki Barber prior to the Commissioner's Conference session



Emcee Bob DiFrancesco presents the Program Innovation Award to representatives of UCP Nassau



NYS Elks Major Projects Board Chair Jamie Peace (left) and Bob DiFrancesco present the Elks Awards to Richard Crudele



Oral Webb accepting the Al Felmet Achievement Award



Ricky Ryder was named co-recipient of the Al Felmet Achievement Award



Hudson Valley Cerebral Palsy employees Franklyn Teelucksingh, Patricia Paulo and Stephanie Gasparich were among the staff members honored at Tuesday night's Staff Recognition Dinner



Felice Gritz (left) and Jacqueline Alimena, from CP Westchester, were also honored