



## **DEMOCRATS WIN MAJORITY OF NEW YORK STATE SENATE**

In what is being called an historic election both nationally and in New York State, the Democrats have won the majority of the New York State Senate for the first time in 43 years and control both Houses of the Legislature and all statewide offices for the first time since 1935. In Suffolk County, Supervisor Brian X. Foley defeated 36-year incumbent Senator Caesar Trunzo (R-Brentwood) in the 3rd Senate District and in Queens, New York City Councilman Joseph Addabbo, Jr. beat Senator Serphin Maltese, who was first elected in 1988.

These victories give Democrats a two-seat edge over Republicans in the 62-member Senate if no other seats change hands. As of this writing, it is too close to call whether Senator Padavan (R-Queens) has been able to maintain his Senate seat for a total of 30 Senate Republican seats to the Democrats 32 Senate seats. We

will keep you updated as the results are finalized and the Senate Majority elects their new Majority Leader.

## **GOVERNOR PATERSON ASKS U.S. HOUSE FOR ASSISTANCE**

The U.S. House of Representatives Ways and Means Committee, chaired by Representative Charles Rangel (D-Manhattan), held a hearing on October 29, 2008 which focused on economic recovery and job creation, examining the need for Congress to develop a second economic stimulus package. New York Governor David Paterson provided testimony that forcefully communicated the urgent need for a second stimulus package that includes federal assistance to states, specifically for state Medicaid programs.

In his testimony, Governor Paterson described New York's declining state revenues and staggering estimates of a \$47 billion state budget shortfall over the next three years. He asked a panel to consider a 5% increase in the Federal Medical Assistance Percentage (FMAP) through 2011. FMAP, the federal share of Medicaid funding, is an efficient way to provide federal assistance immediately to cash-strapped states. The Governor also asked Congress to provide emergency block grant funding to states as it did in 2003.

The Governor's request for federal funding support builds on his previous calls to Congress, in both an October 14 letter to both Presidential candidates and an October 27 National Governors Association letter sent to congressional leadership, to pass a second economic stimulus package that includes an FMAP increase before Congress adjourns for the year.

Governor Paterson urged the Committee to block the harmful Medicaid outpatient department and clinic regulation that could cut upwards of \$450 million from

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New York providers alone in federal funding. Prior to the election, we heard that this regulation could be finalized by November 5, 2008. It is unclear if CMS will finalize the regulation with the election of Senator Obama as the new President but we are optimistic that an Obama Administration will recognize the harmful impact of this and other CMS Medicaid regulations.

For many months, CP of NYS has been working with other advocacy partners around New York State in Washington for blocking the Medicaid outpatient department and clinic rules and increasing the FMAP. The New York State Delegation has unanimously gone on record in support of these priorities and we will continue to press for the inclusion of these priorities in any stimulus package Congress develops during its anticipated mid-November return to Washington, D.C.

### **MORE THAN 800 ATTEND ANNUAL CONFERENCE IN ALBANY**

An inspirational and humorous Keynote presentation by Nelson Lauver, creator and host of the nationally syndicated radio program, "The American Storyteller" ([www.theamericanstoryteller.com](http://www.theamericanstoryteller.com)) and a thought-provoking and hilarious Closing Plenary session delivered by Sister Anne Bryan Smollin, combined to create the perfect tone for the 48th Annual Cerebral Palsy Associations of New York State (CP of NYS) Conference.

More than 800 people from Affiliates across the state attended nearly 50 workshops and meetings, October 20-22, at the Desmond Hotel and Conference Center in Albany. It all began at 11:00 a.m. on Monday, October 20 with a special presentation by UCP of New York City entitled, My Child Without Limits, a web-based information and social networking resource for families and caregivers of young children with cerebral palsy and other developmental disabilities and the professionals who work with them.

The Keynote presentation that afternoon was followed by seven concurrent sessions, including an update from Diana Jones Ritter, Commissioner of the Office of Mental Retardation and Developmental Disabilities. The CP of NYS Annual Awards Dinner honoring more than a dozen organizations and individuals for their success

in overcoming obstacles, or for their contributions to people with disabilities and their families completed the first day of the Conference.

Tuesday saw 40 sessions and meetings on a broad range of topics and issues and an exhibition of artwork submitted by Affiliates from across the state. Tuesday evening featured the Celebrate Staff Dinner, recognizing employees from Affiliates for outstanding service.

Thank you to all our sponsored vendors who supported this year's Conference – through their support and the support of the NYS Developmental Disabilities Planning Council – we are able to offer a high quality program for people across New York State.

**SAVE THE DATE!** – The 2009 CP of NYS Annual Conference will be held November 2-4 at the Saratoga Hilton in Saratoga Springs.



*Diana Jones Ritter, Commissioner of OMRDD (center), accepts the Public Service Award on behalf of Governor David Paterson from CP of NYS Board Members Robert DiFrancesco and Natalie Rogers.*

### **HIGHER EDUCATION ACT REAUTHORIZATION AND STUDENTS WITH DISABILITIES**

In August, President Bush signed into law the Higher Education Opportunity Act of 2008, the first reauthorization of the nation's primary higher education laws in a decade. The legislation is intended to improve access and affordability of higher education for all Americans and is considered by many to be a major

step forward in improving postsecondary opportunities and supports for students with disabilities.

The Higher Education Opportunity Act will address some of the barriers students with disabilities face in accessing and completing higher education. The legislation will provide assistance to faculty, staff, and administrators in educating students with disabilities. The creation of an advisory commission and new programs is intended to improve access to college course materials for students with print disabilities. It is hoped that this legislation will assist institutions across the country in providing high quality disability support services to current and prospective students with disabilities.

### **EARLY INTERVENTION REIMBURSEMENT ADVISORY PANEL TO BE RE-CONVENED**

At the quarterly meeting of the NYS Early Intervention Coordinating Council held on Wednesday, September 17, 2008, DOH announced that the Reimbursement Advisory Panel, established in statute and which met initially in 1995, will be re-convened sometime during the Fall of 2008. According to statute, the panel will be comprised of sixteen members appointed by the Commissioner, at least four of which must be representatives of statewide or regional provider organizations and four must be municipality representatives.

The panel is being re-convened in response to numerous concerns regarding the adequacy of rates, varying costs associated with different service delivery models, availability of statewide services, and overall costs, service quality and effectiveness.

As part of its work, the panel will analyze the current rate structure and service taxonomy and actual provider costs based on Consolidated Fiscal Report (CFR) data and/or comparable data from providers which do not currently file CFRs. DOH has also indicated that the panel will explore all aspects related to reimbursement including service delivery models and new regulations, if necessary.

The panel will hold quarterly meetings, open to the public, with more frequent conference calls, if necessary, and is expected to make recommendations for the 2010-2011 state budget year. We will keep you informed as more information is available.

### **AFFILIATE SERVICES STAFF MEMBER OBTAINS NATIONAL COMPLIANCE CERTIFICATION**

CP of NYS is pleased to announce that Susan Hornbeck, Vice President of Regulatory Affairs, has received certification in health care compliance (CHC). The certification awarded by the Health Care Compliance Association (HCCA) is based upon the completion of rigorous academic requirements as well as a written examination. HCCA deems certification as evidence that the CHC is a professional with knowledge of relevant regulations and expertise in compliance processes sufficient to assist the health care industry to understand and address legal obligations, and promote organizational integrity through the operation of effective compliance programs. Susan Hornbeck joined the Affiliate Services Office in 2007 and has helped establish a Compliance Services program to benefit Affiliates; this latest certification only adds to her ability to offer CP of NYS Affiliates the highest level of expertise available to ensure effective and efficient corporate compliance programs are in place statewide. Please join us in congratulating Susan on this significant achievement.

### **MONTH-LONG UCP/NYC ART EVENT FEATURED EXHIBITION, ACTIVITIES FOR CHILDREN, TOURS, AND TALKS**

In October, United Cerebral Palsy of New York City (UCP/NYC) presented a month-long exhibition at the Prince George Gallery, 15 East 27th Street in Manhattan, featuring the work of adults enrolled in UCP/NYC programs. Celebrating the Creative Spirit offered additional events, including a talk by Roger Cardinal, an international authority on Outsider Art and author of the 1972 pioneering book of the same name. The term Outsider Art usually refers to art work created by self-taught artists. The event also offered hands-on workshops and tours for children. The thirty-five works of art in the exhibit were curated by Phil Demise Smith, an artist, poet and musician who has been involved in the Outsider Art World since 1996. Smith collects and curates Outsider Art and represents many American and European outsider artists.