



2012-2013 ANNUAL REPORT



Cerebral Palsy Associations
of New York State

Real people. Realizing potential.

We Have. We Can. We Will.

2013 CP of NYS Annual Conference Theme

This year's theme captures the essence of Cerebral Palsy Associations of New York State. All our Affiliates were built upon a solid foundation and have been guided by the principal that we always can do better to support people with disabilities. Our shared vision remains with us and ensures that we will continue to fulfill our mission in the future.

The past year has been one of the most trying in our history. New York State Government singled out the OPWDD programs and services for a funding cut when the rest of the New York State budget remained flat. At the same time, New York is moving toward a managed care approach that will fundamentally change and potentially threaten the array of services and supports that have helped New York's residents with disabilities lead lives of dignity. Our school programs for children with disabilities across the State have had their funding essentially cut with no increases for over five years, and our clinics – the sole place in many communities providing access to health care for our patients with high needs – continue to operate with significant deficits. We have not let these factors stop us.

With our Affiliates, we launched a successful advocacy campaign that lessened the State's cuts and we've opened the door for increases in school funding in the year ahead. Many of our clinics across the State are transitioning to a federal model that will provide a more coordinated approach to primary and specialty services in a managed care world. And we have worked to support Affiliates as they adjust to mandates from the new Justice Center and the Office for People With Developmental Disabilities. We do all this while maintaining our focus on the people we support.

Our Metro Services continues to provide essential, quality programs throughout New York City to support almost 450 people in our residential programs and thousands more in our day program and health centers. We continue to develop programs and services that the people we support and their families want and need in line with the values and principles identified in our mission. Despite funding cuts and adjustments in staffing, we have maintained a level of service each of us would desire for our family members. We will continue to provide programs of choice for people with disabilities.

As we look to the future, we must not forget to look back to our history and why we are here. The founding members of CP of NYS understood that advocacy would be critical to ensure that people with disabilities were truly integrated in our communities. Despite budget threats, increased regulatory demands, and a growing number of people who forgot or never knew about the biases and unacceptable conditions we and our Affiliates have worked to erase, we continue to make possible what once seemed unattainable. **We HAVE** been successful in assisting people live their dream. **We CAN** make a difference as changes in public policy threaten the rights of people with disabilities. **We WILL** build upon the past and continue our fight for those we support. It has always been through our joint efforts and it must continue today that together: **We HAVE. We CAN. We WILL.**



Thomas J. Caserta Jr.

Thomas J. Caserta, Jr., Esq.
Board Chair



Susan Constantino

Susan Constantino
President & CEO

The cover photo featuring the rise of the new Freedom Tower was taken by Patrick Emproto not far from his home in lower Manhattan. Anyone wishing to see more of Patrick's work can go to <https://www.facebook.com/#!/ProgressiveVisionsPhotoClub>.

AFFILIATE ACTIVITIES

ANNUAL CONFERENCE

More than 800 people from across the state attended educational presentations and meetings October 22-24 at the 2012 Cerebral Palsy Associations of New York State (CP of NYS) Annual Conference in Saratoga Springs.

New York State Assemblyman Micah Kellner was the featured luncheon speaker where his remarks on his experiences as a person with cerebral palsy were delivered to more than 350 attendees. Other featured speakers at the event included Commissioner Courtney Burke, NYS Office for People With Developmental Disabilities (OPWDD), and NYS Medicaid Director Jason Helgerson.

CORPORATE COMPLIANCE CONFERENCE

Nearly 140 people from organizations across the state attended the 2013 Corporate Compliance Conference. The conference is presented each year by CP of NYS and NYSARC, Inc.

This year's featured speaker was New York State Medicaid Inspector General James Cox who acknowledged the challenges organizations face and expressed a desire for an open dialogue between his office and non-profit service providers.

GUARDIANSHIP PILOT PROJECT

CP of NYS is continuing a pilot project with the Center for Disability Services involving a new guardianship corporation. The Cerebral Palsy Associations Guardianship Corporation has become operational over the past three years and is accepting applications for guardianship on behalf of consumers served by the Center for Disability Services. If successful, this pilot project will be expanded and offered to consumers of all CP of NYS Affiliates.

POOLED SUPPLEMENTAL NEEDS TRUSTS BECOMING POPULAR

The CP of NYS "Community Trusts" (pooled supplemental needs trusts) are increasingly being used by consumers served by CP of NYS Affiliates. These trusts allow consumers to benefit from assets or income that would otherwise render them ineligible for government benefits. They offer families and consumers significant opportunities for fiscal peace of mind as government policies on payment for disability services shift.

NYS ELKS ASSOCIATION

The nearly 50-year relationship between the NYS Elks Association and CP of NYS continues to be strong. In recognition of annual cuts in state funding, the Elks Major Projects Corporation has increased its financial support for the CP of NYS Home Service Program by three percent and its support of the Home Service Vehicle Grant Program by 20 percent. The organization also awarded CP of NYS a \$5,000 grant to support Affiliate staff education and training in sports and recreation opportunities for people with disabilities.

AFFILIATE ACTIVITIES

CP of NYS STATEWIDE COMMITTEES

- Assistive Technology
- Corporate Compliance
- Development/Public Relations
- Education/Early Intervention
- Employment/Vocational/Day Services
- Finance
- Guardianship
- Health & Clinical Services
- Human Resources
- Information Technology
- Medical Directors Council
- Quality Assurance
- Residential Services
- Service Coordination
- Traumatic Brain Injury



People with disabilities, family members and staff from UCP of Nassau County are joined by their NYS Senate Republican members and Susan Constantino and Barbara Crosier from CP of NYS after a successful Town Hall meeting.

TECHNICAL ASSISTANCE

CP of NYS provided technical assistance, information and direct assistance to Affiliates regarding program development, reimbursement and other critical issues including:

- Rate Appeals (tuition, clinic, residential, day, SED, DOH, OPWDD) — Changes to Day Program —
- Residential Program Oversight and Development — Respite Programs — Medicaid Service Coordination —
- Implementation of Special OPWDD Initiatives — Early Intervention — Implementation of Early Intervention Reforms —
- New Regulations and Rate Methodologies — New DOH Guidelines for DME — Assistive Technology/Durable Medical Equipment —
- APG Implementation and Billing Issues — Fiscal and Program Audits and Surveys —
- Office of Medicaid Inspector General Audits and Surveys — OMIG Effectiveness Reviews —
- Required Documentation and Training for “Medicaid in Education” — Clarification of Preschool Reevaluations —
- Application for Corporate Practice Waivers — Approval of New and/or Expansion of Special Education Program Models —
- Re-Configuring SED Program Models to Eliminate the Need for 1:1 Aides —
- Article 16 MRT Cuts — Article 28 Certificate of Need — Health Homes and Care Coordination Initiatives —
- Medicare “Improvement Standard” Settlement — Capital Recalculation Recoupment and Appeals

GOVERNMENT NETWORKING

Staff members from CP of NYS and its Affiliates represent the organization and its constituents on various statewide advisory councils and task forces, committees and advisory groups, as well as at public hearings, including the following:

OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES (OPWDD)

Provider Associations Council — Employment Training Internship Program Advisory Council — Workforce Recruitment & Retention Work Group — Real Choice Grant Committee — Electronic ISP Subcommittee — Quality Indicators Subcommittee — Housing Subcommittee — Provider Efficiency Work Group — Fiscal Sustainability Design Team — Cuomo Transition Committee on Health and Education — People First Waiver Steering Committee — Managed Care Steering Committee

NYS COMMISSION ON QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES

TRAID Interagency Partnership for Assistive Technology Advisory Board

DEPARTMENT OF HEALTH (DOH)

Early Intervention Coordinating Council (EICC) — EICC Executive Committee — EICC Developmental Group Task Force — Public Comment Submitted Regarding EI Regulations — DOH/OPWDD Clinical Services Provider Council — AHCF Cost Report Work Group

STATE EDUCATION DEPARTMENT (SED)

Special Education Financial Advisory Group — Participated in three separate SED workgroups/panels to discuss preschool rate setting, school age rate setting and a review of the Reimbursable Cost Manual — Arranged the first of several tours of CP Affiliate school programs by SED Cabinet level managers. More tours will be scheduled as SED staff schedules permit.

METRO SERVICES

CP of NYS's Metro Services offers a wide range of programs and services designed to support individuals with disabilities in leading more independent and productive lives. These include comprehensive health care services, community living services, adult day programs, vocational services, service coordination and family support services.

COMMUNITY LIVING SERVICES

- 369 individuals live in 78 certified Individual Residential Alternatives (IRAs).
- 76 individuals live in 6 certified Intermediate Care Facilities (ICFs).

DAY SERVICES

- Our Day Programs provide supports to over 400 individuals in inclusionary programs where people are integrally involved in their immediate communities.
- Metro Options for Independence provides work related services to 150 people.
- We support 107 individuals on work sites through various programs and have developed 25 new paid work opportunities this year.

HEALTH CARE CENTERS

Article 28

- Metro Services operates four full-time health care centers providing care to over 2,500 patients. In addition to primary care services, we provide specialty medical services including cardiology, gastroenterology, neurology, ophthalmology, physiatry, podiatry, audiology and psychiatry.
- Dental services are provided in Staten Island, Brooklyn and the Bronx.
- Our team of health care professionals includes 23 physicians, 5 dentists and 2 nurse practitioners.

Article 16

- Currently 232 individuals receive long-term physical, occupational and speech therapy services through our Article 16 Clinic.

COMMUNITY AFFAIRS AND VOLUNTEER SERVICES

- Metro Services has trained 78 individuals under a \$300,000 three-year contract by the MTA to provide travel training to qualified Access-A-Ride participants.
- Parent/Advocate meetings continued to be held on a quarterly basis to share relevant information including the proposed changes to the State's service delivery system, CP of NYS's pooled supplemental needs trusts and other topics of interest.
- Eight participants are currently enrolled in the After School program at the Hungerford School main site on Staten Island. In addition, a new After School program was approved and started in April 2013 at an offsite campus. Currently, seven students are enrolled, most of whom are on the autism spectrum.
- We continued to have volunteers and interns from New York School of Urban Ministry, New York City College of Technology, Fordham University, Summer Youth Employment Program and South Richmond High School. Volunteers and interns provided enhanced support to residential, day and health care programs as well as to agency support departments.

COMMUNITY SUPPORT SERVICES & SERVICE COORDINATION

- Metro Services provides Medicaid Service Coordination (MSC) to 445 individuals living in various settings, including 260 people living in IRAs operated by CP of NYS. In the past year, 82 new individuals chose to begin receiving MSC from CP of NYS.

STAFF DEVELOPMENT AND TRAINING

- Our partnership with the City University of New York (CUNY) and the JFK, Jr. Institute for Worker Education continues. There were 18 students in allied health accepted into the Health Coaching and Care Coordination curriculum, a 10 credit, 5 course program for frontline workers. Tuition expenses are paid in full by CUNY.
- Members of the Training Department who are part of the OPWDD Direct Support Professional Talent Development Work Group continued their work in finalizing the DSP Core Competencies along with accompanying performance evaluations and suggested resources for training. The projected implementation date is April 2014. Additionally, the work group began drafting the NYS Frontline Supervisor Competencies.
- This past year, 50 employees from across all agency programs were selected to participate in the *I Make It Possible* Leadership Development Program. In partnership with the Leadership Institute of Utica College, members of the Training Department customized the program to create an educational experience to meet the needs of CP of NYS. The program consisted of seven modules, with two groups of 25 employees that met once a month. Our first graduation ceremony took place in June 2013.

DEVELOPMENT

- Our Bronx site was approved by HUD for a Section 811 Independent Living project and was awarded \$2.3 million to construct 14 independent living units for people with disabilities.
- CP of NYS was awarded 13 development opportunities to serve individuals “aging out” of residential school placements. Construction is expected to be completed in 2014.
- A plan is in development to reconstruct the Astoria and Medina Group Homes following the recent transfer of the property from the state to CP of NYS.

METRO SERVICES

ENERGY CONSERVATION

- Our Boston Road facility in the Bronx has been certified as a Gold LEEDS Building by the US Green Building Council for its energy efficient design and construction.

HEALTH MANAGEMENT PROJECTS

- Six providers successfully attested to year 2 of CMS's "Meaningful Use" standards using an Electronic Health Records (EHR) system in the Article 16 Clinics and Article 28 D&TCs. This attestation qualified them for \$8,500 each in incentive payments.

- The project to transform CP of NYS's Article 28 Diagnostic and Treatment Centers into Federally Qualified Health Centers (FQHCs) continues. The new Board of Directors of Metro Community Health Centers adopted all of the required US Health Resource Services Administration (HRSA) compliant agreements and Policies and Procedures. It is anticipated that the FQHC will be operational in 2014.
- A number of Affiliates are participating in a project to develop a network of FQHCs across the State, after the model created by CP of NYS. Affiliates are joining together in partnerships to establish the new FQHCs. The goal of the project is to create a financially sustainable Health Center model which improves health services to patients with complex needs.



David Horsham's daytime photo of a busy Times Square offers his unique perspective on an iconic New York City scene. Anyone wishing to see more of David's work can go to <https://www.facebook.com/#!/ProgressiveVisionsPhotoClub>.

GOVERNMENT RELATIONS

2013-2014 NEW YORK STATE BUDGET

The 2013 Legislative Session and budget was extremely challenging but also extremely rewarding. Although we didn't get exactly what we wanted, we achieved what was unthinkable even a year ago. From the day Governor Cuomo announced the 6% funding cut in his 30-day budget amendments to the revised \$90 million budget bill at the end of session, advocates, families, staff, volunteers and individuals with developmental disabilities became forceful advocates for change. In an unprecedented move, every Assemblymember and many Senators signed on to the bill that made it clear that there could be no more cuts to people with developmental disabilities.

People with disabilities, their families, staff and volunteers demonstrated that they are not to be ignored or dismissed and they helped to restore credibility that had been lost to exposés about financial and physical abuse. In hundreds of news stories across the state, and even the nation, New York State's developmental disabilities field made it clear that it can focus enormous public attention on major political figures. With the dramatic changes in our field and with every state legislator and the Governor up for election in 2014, these are critical considerations.

FAMILY ADVOCACY DAY

In anticipation of further funding cuts in the Governor's 30-day budget amendments, CP of NYS worked with other advocacy groups to promote Family Advocacy Day when legislators were home in their districts. This was effective because family members' concerns are far more effective than professionals visiting their legislators in Albany.



People made their voices heard at a New York City rally against cuts in funding for OPWDD supports.

RALLIES ACROSS THE STATE

Thousands of people with developmental disabilities, their families, staff and volunteers from non-profit organizations that provide critical supports and services, rallied in New York City, the Hudson Valley, Western New York and on Long Island on March 15, 2013. The message to the Legislature was clear: Albany cannot proceed with the cuts in funding that will result in the loss of services and jobs and severely impact local economies.

TESTIMONY AT LEGISLATIVE FISCAL HEARING

CP of NYS presented testimony in January at the Joint Legislative Fiscal Hearing on Health and Medicaid. CP of NYS was the only association representing developmental disability providers to present testimony at the hearing. The testimony discussed the concern that the Governor's budget proposed to move all Medicaid into the Department of Health while simultaneously racing into mandatory managed care for all supports and services for people with developmental disabilities. Our testimony also included recommendations and concerns related to the Governor's budget proposal for Early Intervention.

GOVERNMENT RELATIONS

STATEWIDE MEDIA COVERAGE

- The Governor's 30-day amendments, which proposed another \$120 million or 6% cut to not-for-profit supports and services, sparked hundreds of news stories and editorials across New York State. There were news conferences in Schenectady, Rochester, Buffalo, Syracuse, Albany and Niagara Falls that attracted thousands of concerned citizens and legislators and reinforced the message that New York State cannot cut funding for its most vulnerable citizens.

SIGNIFICANT LEGISLATION

- Revised \$90 Million Budget Bill, A.6692-C (Weisenberg)/S.4777-C (Golden) – The bill, provides a safety net in the event the current savings plan to reduce OPWDD spending by \$90 million through recoveries, administrative efficiencies and savings expected to be generated from moving consumers from higher cost segregated settings to lower cost integrated settings in the community does not produce the required savings.
- Article 28 Capital Recoupment, A.7665-C (Gottfried)/S.5483-A (Hannon) – In order to maintain the fiscal viability of these clinics, which are integral to a robust health care delivery system, this bill authorizes the DOH Commissioner to fully or partially waive or modify the retroactive recoupment of Medicaid capital payments for Article 28 Clinics with the primary mission to serve individuals with developmental disabilities.
- Applied Behavior Analysis (ABA) Licensure, A.6963 (Morelle)/S.4862 (Fuschillo) – This bill complies with New York State Department of Financial Services regulations that mandate the licensure of applied behavioral analysts and certification of applied behavioral analysis assistants. State-operated OPWDD and chartered elementary and secondary schools are among the exempt entities in the bill. OPWDD voluntary-operated programs and services are exempt from licensure or certification requirements until July 1, 2018 and we will work to secure permanent exemption.
- NYS Comptroller's 4410 Reform, S.5568-A (Flanagan)/A.7302-A (Nolan) – The New York State Comptroller's Office proposed legislation that would have prohibited providers from evaluating and providing 4410 preschool special services to the same child. CP of NYS advocated with the Legislature and the Executive and the legislation was amended to take prudent and reasonable steps to ensure that public funds are used appropriately while not restricting appropriate options for preschool children with special needs.

FINANCIAL REPORT

CEREBRAL PALSY ASSOCIATIONS OF NEW YORK STATE
STATEMENTS OF SUPPORT, REVENUE AND EXPENSES
FOR THE YEARS ENDED JUNE 30, 2012 AND 2013

(In Thousands)

	<u>6/30/13</u>	<u>6/30/12</u>
SUPPORT AND REVENUE		
Support from the public:		
Contributions		
NYS Elks Association Major Projects, Inc.	\$ 429	\$ 439
Total Support	<u>\$ 429</u>	<u>\$ 439</u>
Government Fees/Grants for Program Services:		
Medicaid Fees	\$ 108,758	\$ 104,481
Grants/Fees: Education, Training and Direct Consumer Services	<u>392</u>	<u>\$ 518</u>
Total Grants and Fees	<u>\$ 109,150</u>	<u>\$ 104,999</u>
Other:		
Affiliate Support	\$ 730	\$ 730
Other Revenues	<u>3,850</u>	<u>2,399</u>
Total Other	<u>\$ 4,580</u>	<u>\$ 3,129</u>
<i>TOTAL SUPPORT AND REVENUE</i>	<u>\$ 114,159</u>	<u>\$ 108,567</u>
EXPENSES		
Program Services		
Day Services	\$ 15,214	\$ 14,671
Residential Services	81,136	76,491
Clinic	7,736	7,500
NYS Elks Association Major Projects, Inc.	429	439
Affiliate Clinics	592	554
Affiliate Services and Conference	1,780	1,922
Transportation	<u>\$ 286</u>	<u>\$ 201</u>
Total Program Services	<u>\$ 107,173</u>	<u>\$ 101,778</u>
Administrative/Supporting Services	<u>\$ 6,806</u>	<u>\$ 6,586</u>
<i>TOTAL EXPENSES</i>	<u>\$ 113,979</u>	<u>\$ 108,364</u>
EXCESS (DEFICIENCY) OF SUPPORT AND REVENUE OVER EXPENSES	<u>\$ 180</u>	<u>\$ 203</u>

*Copies of complete audited financial statements are available upon request from
CP of NYS, 330 West 34th Street, New York, NY 10001

MISSION STATEMENT

The mission of Cerebral Palsy Associations of New York State is to advocate and provide direct services with and for individuals with cerebral palsy and other significant disabilities, and their families, throughout New York State in order to promote lifelong opportunities and choices for independence, inclusion and enhanced quality of life.

BOARD OF DIRECTORS 2012 - 2014

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CEREBRAL PALSY ASSOCIATIONS OF NYS

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