

Developmental Disabilities

Environmental Data

- Treatment options for Autism Spectrum Disorder (ASD) have evolved significantly in a relatively short amount of time. Only 20 years ago, the vast majority of people with autism were eventually institutionalized. For decades, autism was treated with psychoanalysis. Today, ASD is commonly regarded as a neurobiological disorder and treatment is based on behavioral, cognitive-developmental and medical research findings.
- Medicaid is the major funding source for most services. Eligibility is limited to low-income children, but income requirement is waived if out-of-home placement exceeds cost of care in family's home.

Public Policy and Budget Discussions

New York

- The Enacted Budget includes resources for the Office of Mental Retardation and Developmental Disabilities (OMRDD) to continue to develop roughly 1,000 state and not-for-profit operated community residential opportunities. This reflects the state's efforts to continue to downsize developmental center capacity, develop over 500 NYS-CARES opportunities, and expand capacity for other special populations.
- The 2009-10 COLA (Cost of Living Adjustment) for human service providers is eliminated, though federal stimulus money will restore a 1% COLA. To reflect a long-term commitment to this program, a COLA is still planned for 2010-11 and 2011-12, and an extension of the COLA was enacted for an additional year (2012-13) to maintain a three-year commitment.
- In an effort to maximize non-state revenues, OMRDD and its partnering not-for-profit providers will also continue efforts to require families and individuals with developmental disabilities to apply for all Medicaid and Medicare benefits to which they are entitled. To assure that these benefits are accessed appropriately, OMRDD will provide education and assistance to families and individuals with developmental disabilities seeking or receiving supports and services that can be funded by Medicaid and/or Medicare.
- In terms of OMRDD local assistance, 2009-10 directives include: rationalize, reform, and restructure provider reimbursement rates to eliminate antiquated incentives, base reimbursement on regional costs, and target funding based on the level of service complexity. Specific actions include: reducing reimbursement for less intensive case

management services, and eliminating enhanced funding to certain Article 16 and 28 clinics. OMRDD also will impose tighter controls on Medicaid and non-Medicaid payments to its non-profit provider network, rationalize reimbursement and achieve efficiencies where appropriate in a myriad of programs, including Sheltered Workshops, Medicaid Service Coordination, Respite, Supported Employment, Prevocational, and Clinical services. Though fully supported in 2009-10, Unified Services funding and the current Day Habilitation rate methodology will sunset on July 1, 2010 to provide adequate planning/implementation time.

Massachusetts

- The FY 2010 Legislature's budget includes \$1.262 billion to the Department of Developmental Services (DDS). This appropriation is \$11.5 million below the amount included in the FY 2009 GAA and \$1.9 million below actual FY 2009 spending. The Governor did not veto any funding within the budget for DDS.
- Perhaps the biggest impact will be felt in the family support/respite line item, which has been reduced by \$9.6 million for FY2010. This program provides families with short-term relief so they can take a temporary break from the daily routine and stress in their lives. A cut of this magnitude will mean that as many as 4,787 individuals and families will lose these services.
- An estimated 270 people will be impacted by cuts to the Turning 22 program, which lost \$2.7 million in funding this year. The cuts mean that more people will find themselves on a waiting list for services once they transition out of special education services at the age of 22.
- One of the more contentious issues taken up during the budget process involved the planned closing of four of the state's six remaining residential-based facilities for the mentally retarded, beginning with Waltham's Fernald Developmental Center in 2010. The Patrick Administration wants to close these facilities and move the residents into community-based settings, but most Fernald families want to see that facility remain open as an option for their loved ones.
- Advocacy groups were concerned about proposed cuts to support services for families with autistic children, but the final budget restored funding to Fiscal YR 2009 levels (although this was a funding level that had already been reduced by \$1.8 million in mid-year 2009 cuts).

Federal Policy

- Direct Support Professionals Fairness and Security Act of 2009
- Amends title XIX (Medicaid) of the Social Security Act to provide funds to states to enable them to increase the wages paid to targeted direct support professionals in providing services to individuals with disabilities under the Medicaid program.

- Directs the Secretary of Health and Human Services, through the Inspector General of the Department of Health and Human Services, to audit a sample from among the states in order to assess the effectiveness of progress made in reducing or eliminating the wage gap between targeted and reference direct support professionals through funds under this Act. Requires the Comptroller General to study and report to Congress on the wage equalization and recruitment and retention of direct support professionals who are providing services and supports to individuals with disabilities.
- Referred to committee:

Congressional Legislation Community Living Assistance Services and Supports (CLASS) Act of 2009 Bill # S.697 (March 2009)

A bill to amend the Public Health Service Act to help individuals with functional impairments and their families pay for services and supports that they need to maximize their functionality and independence and have choices about community participation, education, and employment, and for other purposes.

Autism Treatment Acceleration Act of 2009 Bill # S.819 (April 2009)

A bill to provide for enhanced treatment, support, services, and research for individuals with autism spectrum disorders and their families.