



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES

Margaret M. O'Neill Bldg., Suite 1, Room 311
410 Federal Street
Dover, Delaware 19901
302-739-3621

The Honorable John Carney
Governor

John McNeal
SCPD Director

MEMORANDUM

DATE: June 16, 2020

TO: Joint Finance Committee

FROM: Mr. J. Todd Webb, Chairperson *JTW*
State Council for Persons with Disabilities

Ms. Ann Fisher, Chairperson *Ann C Fisher*
Governor's Advisory Council for Exceptional Citizens

RE: FY 2021 Budget

We write on behalf of the State Council for Persons with Disabilities (SCPD) and Governor's Advisory Council for Exceptional Citizens regarding Delaware's FY 21 budget relating to persons with disabilities. Councils appreciate the difficult times, competing interests and the resulting difficult decisions that must be made by the Joint Finance Committee (JFC). Councils have reviewed the June 3, 2020 FY 21 Mark Up Document and certainly appreciate that the status quo is being maintained in most programs in the FY21 Mark Up Budget. However, we have serious concerns regarding some of the proposed budget cuts to the FY 21 Governor's recommended Budget (GRB).

Of particular concern is any cuts to programs that provide home and community-based services (HCBS) and supports for persons with disabilities and their families. The Delaware State News reported in a June 15, 2020 article that "individuals living in nursing homes or similar facilities account for 64% of deaths and just 10% of cases in the First State." See Harrowing blame game over COVID-19 toll in nursing homes". That is unacceptable. The opportunity to live in the community with appropriate supports is a basic human right and a civil right as well. These cuts

go to the heart of those rights.

Crucial community based services and supports include, but are not limited to: Diamond State Health Plan (DSHP) Plus and Lifespan HCBS waivers; attendant services and personal care including increased pay and benefits for direct support professionals; home modifications; nursing home transition planning; Pathways to Employment and other programs providing competitive and integrated employment opportunities; respite and other family supports; dental services for adult Medicaid recipients; mental health, substance abuse and other community-based services including PROMISE and school-based mental health programs; accessible transportation; housing; and food supplement and general assistance programs. All these provide the gateway to healthy independent living opportunities. Removing the recommended funding for programs providing community supports may drive more people into long-term care facilities and other congregate settings, where they will encounter greatly increased risk of infection and death, in addition to losing their independence and autonomy. Getting people out of long-term care facilities and preventing individuals with disabilities from going in would seem to be a more likely priority

Most people and family members do not choose to put themselves and/or family members into LTC facilities because that it is the desired option. They choose it only because there are not appropriate services and supports in the community. The results are unnecessary costs to the state since institutional care is much more expensive than HCBS. Moreover, as has been proven this year, residing in congregate living facilities is unhealthy and deadly – People needlessly die!

The current cuts to the GRB (as indicated by the FY 21 Mark-Up) should not be at the expense of persons with disabilities and their families who would greatly benefit from the programs and services. Councils strongly encourage the JFC and General Assembly to reconsider their current position on cuts to the following agencies and programs which impact individuals with disabilities:

- **DSHA** - The GRB included a \$1 M increase to the State Rental Assistance Program (SRAP) allocated to the Delaware State Housing Authority (DSHA) which would assist an additional 100 – 125 households annually. SRAP currently supports 376 households and is one of the most valuable housing programs impacting persons with disabilities. The shortage of accessible, affordable, integrated housing for people with disabilities is well known. (See “Out of Reach” Housing Report for Delaware for telling statistics <https://reports.nlihc.org/oor/delaware>). Many individuals and families with disabilities live at or below poverty level and cannot afford market rent.
- **DSAAPD** - The GRB included \$1.755 M for the Division of Services for Aging and Adults with Physical Disabilities (DSAAPD) population and service growth. This funding would be used for the increased need for services where demand exceeds supply for the elderly, including persons with disabilities. It is critical to include this funding in the FY 21 budget, as we know the need will inevitably be greater due to the COVID-19 pandemic. Moreover, Delaware’s population will continue to age and make increased demands for services.

- **DHSS** - It is Councils' understanding that the JFC voted not to include the 1% discretionary additions to the DHSS FY21 budget. Unfortunately, this included items that fund services for the disability community including the DSAAPD wait lists; expanded funding for assistive technology for the Division of Visually Impaired (DVI) students; additional naloxone funding for community distribution; electronic medical and case records systems for Delaware Psychiatric Center/Division of Substance Abuse and Mental Health (DPC/DSAMH) and the Division of Developmental Disabilities Services (DDDS); and funding the next phase of the FY20 DDDS epilogue rate methodology report. With respect to items in the FY20 budget that were set to continue for the DHSS FY21 budget, this includes door openers and the much needed increase of \$3,000,000 for Purchase of Care, the subsidized child care program that will likely not be included in the budget. Councils suggest that these are core services and funding should be reinstated.
- **Center for Disabilities Studies, University of Delaware.** The SY 2021 proposed budget eliminates funding for the Delaware Network for Excellence in Autism (DNEA) completely, negating years of work and eliminating this resource for individuals with Autism, their families, and professionals. DNEA provides training to agencies, professional, families, organizations and those directly impacted by autism via in-person or online training, webinars, consultation. It leverages interdisciplinary expertise across partners and promotes the use of evidence-based practices.
- **DOE** - JFC eliminated all funding (\$2,000,000) from the GRB for early childhood initiatives. This system is already seeing an alarming number of children falling through the cracks between early childhood services and kindergarten, especially kids with disabilities. JFC eliminated all funding (\$3,022,100) from the GRB for the Opportunity Fund Expansion, which provides mental health services and reading assistance for kids in kindergarten through 5th grade. JFC eliminated funding of \$85,000 for Unified Sports Teams serving children with disabilities. This program is widely popular and just starting to gain momentum.

Thank you for your consideration and please contact us if you have any questions or comments regarding our position, observations or recommendations on the FY 21 proposed budget.

cc: Governor John Carney
 Lt. Governor Bethany Hall-Long
 Members of the Delaware General Assembly
 Ms. Wendy Strauss, GACEC

JFC/FY 21 Budget PWD 6-20