

MEMO

To: Joint Finance Committee
From: Brian J. Hartman, on behalf of the following organizations:

Disabilities Law Program, Community Legal Aid Society, Inc.
Developmental Disabilities Council
Governor's Advisory Council for Exceptional Citizens
State Council for Persons with Disabilities

Subject: Division of Services for Aging & Adults with Physical Disabilities FY 15 Budget
Date: February 27, 2014

Please consider this memo a summary of the oral presentation of Brian J. Hartman Esq. on behalf of the Disabilities Law Program ("DLP"), Developmental Disabilities Council ("DDC"), Governor's Advisory Council for Exceptional Citizens ("GACEC"), and the State Council for Persons with Disabilities ("SCPD"). Although input could be provided on several aspects of the DSAAPD budget, we are addressing one (1) component today, i.e., attendant services.

ATTENDANT SERVICES

As you may know, the Division administers an attendant services program in collaboration with two non-profit contractors, Easter Seals and JEVS Human Services.¹ Attendant services are subsidized to permit participants to engage in employment, attend school, or avoid institutionalization. This is a true "statewide" program. According to the latest annual report, 59% of participants live in New Castle County and 41% live in Kent and Sussex Counties.² Historically, the most prevalent disability diagnoses of participants have been Quadriplegia; Multiple Sclerosis (MS); and Cerebral Palsy. On average, participants receive approximately 15 hours of services weekly.³

Qualitatively, this program enjoys a terrific "track record". As reflected in the latest consumer satisfaction ratings compiled approximately nine (9) months ago, participants are overwhelmingly positive in their assessment of the program.

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¹ DSAAPD, Easter Seals, and JEVS summaries of the program are included as Attachment "A".

²The latest (FY13) DSAAPD Personal Attendant Services Program Annual Report (October, 2013) covers the period between July 1, 2012 and June 30, 2013. A copy would be provided on request.

³Consistent with statistics compiled in Section II of the FY13 Annual Report, participants averaged 801.9 units of service annually, i.e., 15.42 hours of service weekly.

INQUIRY	EASTER SEALS	JEVS
	PERCENTAGE OF FAVORABLE (AGREE OR STRONGLY AGREE) SURVEY RESPONSES	PERCENTAGE OF FAVORABLE (AGREE OR STRONGLY AGREE) SURVEY RESPONSES
SATISFACTION WITH QUALITY OF CARE	100%	94%
AGREEMENT WITH SERVICE PLAN	100%	88%
STAFF COURTEOUS	100%	100%
STAFF RESPONSIVE TO QUESTIONS & REQUESTS	90%	89%
ATTENDANTS PROMPTLY PAID	100%	95%
ATTENDANTS ARRIVE ON TIME	100%	94%
STAFF NOTIFIES OF ACTIONS TAKEN	95%	94%
CLIENTS WOULD RECOMMEND PROVIDER	100%	94%
CLIENTS WOULD RECOMMEND PROGRAM	100%	94%
LIFE IMPROVED BY PROGRAM	100%	100%

Individual comments are also compelling:

- I would not be able to survive without the assistance of PAS attendants.
- Due to the PAS program, I have greater independence.
- I cannot express my appreciation for the help I get from the Easter Seals.
- Staff is great. Wouldn't be where she is today if it wasn't for JEVS.
- A great program.

- Keep up the good work.
- Do not change. Wonderful program.

Quantitatively, the Department was successful in eliminating its entire waiting list for this popular program three years ago. Individuals eligible for the Medicaid DSHP Plus initiative now receive attendant services through that program. The balance are served through a combination of \$519,761 in State General Funds and \$686,100 in Tobacco funds.

The Governor's proposed budget includes level General Funds. The Governor's proposed budget also includes level Tobacco funds which is consistent with the Department's request and the Health Fund Advisory Committee's recommendation.⁴ With such level funding, the Division anticipates serving between 72-86 program participants in FY15. Unfortunately, "status quo" funding will not allow the Division to address a program waiting list which has burgeoned to 106 individuals, 79 of whom are designated "high priority".

Recommendation

We support at least level funding for this highly successful program. However, given the growing waiting list, we recommend consideration of increased funding to address the needs of a significant percentage of "high priority" applicants. Last Fall, the Department requested an additional \$600,800 in General Funds as an FY15 budget "enhancement" to serve 35 individuals on the waiting list.⁵ Investing in this program is "money well spent". The average per participant cost of attendant services is approximately \$16,700.⁶ In contrast, the average cost of a Delaware nursing home in 2014 exceeds \$87,000.⁷ In the past few years, the Department has diverted 88% of applicants for public nursing home placements by providing community supports and reduced the census of the Department's three long-term care facilities by 30%.⁸ That success is only possible with the availability of attendant services.

Thank you for your consideration.

Attachments

F:pub/bjh/legis/agebud14

⁴A copy of the DHSS FY15 Health Fund Application and the December 18, 2013 Health Fund Advisory Committee decision are included as Attachment "B".

⁵A copy of the relevant excerpt (p. 23) from the DHSS OMB FY15 Budget Presentation is included as Attachment "C".

⁶The DSAAPD FY 15 Health Fund Application (p. 3) envisions serving 41 participants with \$686,100, i.e., \$16,734 per participant. [Attachment "B"]

⁷See DHSS Admin. Notice, DMMA-11-2013 (January 2, 2014). [Attachment "D"]

⁸See DHSS OMB FY15 Budget Presentation at 6. [Attachment "E"]