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. 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. 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.

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.

Joint Finance Committee
Page 2
February 27, 2014

1 DSAAPD, Easter Seals, and JEVS summaries of the program are included as Attachment “A”.
2 The 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.
3 Consistent 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.
<table>
<thead>
<tr>
<th>INQUIRY</th>
<th>EASTER SEALS PERCENTAGE OF FAVORABLE (AGREE OR STRONGLY AGREE) SURVEY RESPONSES</th>
<th>JEV'S PERCENTAGE OF FAVORABLE (AGREE OR STRONGLY AGREE) SURVEY RESPONSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>SATISFACTION WITH QUALITY OF CARE</td>
<td>100%</td>
<td>94%</td>
</tr>
<tr>
<td>AGREEMENT WITH SERVICE PLAN</td>
<td>100%</td>
<td>88%</td>
</tr>
<tr>
<td>STAFF COURTEOUS</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>STAFF RESPONSIVE TO QUESTIONS &amp; REQUESTS</td>
<td>90%</td>
<td>89%</td>
</tr>
<tr>
<td>ATTENDANTS PROMPTLY PAID</td>
<td>100%</td>
<td>95%</td>
</tr>
<tr>
<td>ATTENDANTS ARRIVE ON TIME</td>
<td>100%</td>
<td>94%</td>
</tr>
<tr>
<td>STAFF NOTIFIES OF ACTIONS TAKEN</td>
<td>95%</td>
<td>94%</td>
</tr>
<tr>
<td>CLIENTS WOULD RECOMMEND PROVIDER</td>
<td>100%</td>
<td>94%</td>
</tr>
<tr>
<td>CLIENTS WOULD RECOMMEND PROGRAM</td>
<td>100%</td>
<td>94%</td>
</tr>
<tr>
<td>LIFE IMPROVED BY PROGRAM</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

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.
Excellent program.

Joint Finance Committee
Page 3
February 27, 2014

- 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. 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. Investing in this program is “money well spent”. The average per participant cost of attendant services is approximately $16,700. In contrast, the average cost of a Delaware nursing home in 2014 exceeds $87,000. 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%. That success is only possible with the availability of attendant services.

Thank you for your consideration.

Attachments

F:pub/bjhl/egis/agebud14

---

4 A copy of the DHSS FY15 Health Fund Application and the December 18, 2013 Health Fund Advisory Committee decision are included as Attachment “B”.
5 A copy of the relevant excerpt (p. 23) from the DHSS OMB FY15 Budget Presentation is included as Attachment “C”.
6 The DSAAPD FY 15 Health Fund Application (p. 3) envisions serving 41 participants with $686,100, i.e., $16,734 per participant. [Attachment “B”]
8 See DHSS OMB FY15 Budget Presentation at 6. [Attachment “E”]