March 7, 2014

House Ways and Means Chairman Representative Brian Dempsey
House Ways and Means Vice Chairman Stephen Kulik
House Ways and Means Assistant Vice Chairwoman Cheryl Coakley-Rivera

Senate Ways and Means Chairman Stephen Brewer
Senate Ways and Means Vice Chairwoman Senator Jennifer L Flanagan
Senate Ways and Means Assistant Vice Chairman Senator Sal DiDomenico

Dear Senators Flanagan and DiDomenico, and Representative Coakley-Rivera,

Thank you for the opportunity to submit testimony today for the Ways and Means budgets with regard to disability services and supports. My name is Barbara L'Italien. I am a former MA State Representative; I serve as the Chair of the Governor’s Commission on Autism; and am the Director of Government Affairs for the Arc of Massachusetts.

The Arc of Massachusetts represents nearly 200,000 individuals with intellectual or developmental disabilities and their families. Our mission is to enhance their lives through the advocacy of community supports and services. Our budget request focuses upon the Department of Developmental Services although there are some supports provided through Mass Health, the Massachusetts Rehabilitation Commission and other agencies, which are important to our constituents.

In concert with other organizations, The Arc’s request focuses on three categories of need:

*Supporting Families and providing resources to keep them together*
*Promoting Work and Self-Sufficiency*
*Successful Lives in the Community*
First we must continue to support families who have children and adults with Intellectual and Developmental disabilities living at home with them. We know there are 20,000 people who need family support and of those, 10,000 receive some support at this time. This is a cost effective use of state money. There are three line item requests that address supporting families:

- **5920-3000** | DDS Respite and Family Support | $ Support H2
- **5948-0012 & 7061-0012** | DESE/DDS Family Preservation | $2 Million
- **5920-3010** | Autism Division | $3 Million

Respite-Family Support, as we already noted, serves about half the families eligible and in need of support. We request that you support the Governor’s appropriation of an additional $2.5 Million dollars which totals $54,933,705 for the account. DDS currently serves families – the additional money would allow for 1,100 families who would either be new or receive increased support. In addition to slowing down out of home placements, these funds will help families with respite care, medical supplies or adaptive equipment, after-school programs, skills instruction for children and adults and educational planning among other things.

DESE/DDS Family Preservation account solely aims to keep youth with their families. Currently, 350 families utilize this service; however, 193 families are on a waiting list. The request restores the program to the 2009 level.

The Autism Division’s Autism Federal Medicaid Waiver currently serves 220 children ages 0 – 8 years old of the 600 families who applied. This increase is due to the legislature’s allocation of an additional $1 million for FY’14. This program provides communication and behavioral supports so that low-income children with autism get the early intervention they require to succeed at school and in community life. The Autism Commission has set a goal of reaching a minimum of 500 children state-wide over the next 5 years. Our request would place 2.2 Million additional into the Waiver – which receives a 50% Federal match. The balance of funding proposed within this line-item (800 K) should also be apportioned to the 7 state-wide Autism Support Centers as their funding has been flat over the last five years despite their growing numbers of people served, many of whom do not currently qualify for other services and desperately need support, information and referral. DDS has expressed a willingness to expand to be the lead agency for the entire Autism Spectrum of all ages so additional capacity within the centers would be a critical component of this effort.

The second category requiring funding is “Promoting Work and Self-Sufficiency” and we highlight two accounts:

This year these accounts are tied to the Olmstead decision and the Americans with Disabilities Act. DDS convened a collaborative stakeholder group to help plan the phase out of the DDS center-based, segregated work centers. In Oregon and Rhode Island, states have been required to enter into restrictive settlements and legal advocates are closely monitoring to see how our state will respond. Massachusetts is proactively planning a phase out of sheltered workshops and this request is tied to that goal plus full-year funding
(annualization) of 629 students who turned 22 years old (thus aged-out of the education system into the adult service system) in FY’2014. There is a four-year plan to address Olmstead, least restrictive setting requirements. $11.1 Million is tied to Employment First (Olmstead) in 5920-2025. This account is fully reimbursable with federal funds.

The Governor’s budget funds 5.5 Million which is roughly half of the amount necessary to implement year 1 of this change. We would ask that the full 11.1 Million be funded to allow for timely implementation of the employment blueprint and to avert any legal action here in MA.

5920-2025 DDS Day and Employment Services $6 Million over H2
5911-2000 Transportation $ Support H2

These line items are inter-related since transportation is necessary for the employment options. We support the Governor’s H 2 allocation of $15,907,400 in the transportation line item. The account is also fully reimbursable with federal funds.

Over 10,000 individuals receive employment services and/or a variety of day supports. The individuals either live in community residential programs or live at home with their families.

The third category of funding is to “Support Successful Lives in the Community”. The accounts here are:

5920-2000 Community Residential $ Support H2
5920-5000 Turning 22 $15.2 Million

The Community Residential account serves 10,229 individuals. This account has not had any cost of living adjustment for 25 years. The account includes 25% of the Chapter 257 allocation, which was slated for 2014. Most of the increase is to address the 75% remaining in 2015 with nearly $23 Million to address full year funding for those who received residential services and turned 22 years in FY’2014. The Chapter 257 increase is a major step forward to ensure a more stable and effective workforce. The Governor’s budget fully funded the increase by allocating an additional 148 Million in this account and it is critically important that this funding remain.

The turning 22 account provides funding for 804 students graduating this year from high schools across the state; this is the highest number ever recorded. A little over 200 of the 804 students will receive residential supports. Funding for the remaining majority focuses on employment or day support with some funding for transportation and in-home support. The Governor’s budget provided level funding from last year. An additional 8.7 Million is needed to cover all students transitioning from school to adult services this year.

We need the House and Senate to maintain the Governor’s full funding of Chapter 257 in Community Residential and to fully fund the Employment Initiative. One account relates to
maintenance while the other significant investment concerns compliance with the Olmstead decision. Both accounts also tie into the Governor's Community First policy.

**Review of Line Items:**

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<th>Item</th>
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<td>Employment total</td>
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<td>DESE/DDS</td>
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<td>Autism</td>
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Thank you for listening, and for your vigilance in protecting services in these economically challenging times.

Sincerely,

Barbara A L’Italien
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