

The Arc's FY2023 Budget Requests and Language Additions

This March (2022) marks 24 months of COVID's profound impact on the disability community! Individuals with intellectual and/or developmental disabilities (IDD), including autism, and their families have experienced significant barriers and service disruptions such as:

- *Several thousand adults with IDD have had no or limited day services and are still waiting!*
- *Transportation services have been significantly reduced.*
- *Assistance directly to individuals or families was and is limited by present regulations or Medicaid waiver agreements.*
- *An unprecedented direct support workforce shortage has stopped many transitions to adult services and across such services.*
- *Youth in school and home face limited accommodations and support.*

COVID has changed our world and our system of supports must change with it. Appropriate funding is key! But changes in regulations and waiver agreements are needed too if we are to reach those currently unserved or inadequately served – which we estimate at a minimum of *5,000 people with disabilities*.

The FY'23 budget must address relief for families & individuals who need lifeline supports and a stable service delivery system. We request a significant addition for Chapter 257 while maintaining and increasing DDS and MassHealth line items laid out in The Arc's FY'23 budget request chart below. This includes adding language for transferability across line items and flexibilities for recipients.

Rationale of Proposed FY'23 Budget Line Item Increases & Language Changes

- **Transportation (5911-2000):** We project 25% more capacity than the Governor's FY'22 budget due to increased costs for drivers, vehicle price increases and need for program flexibilities.
- **Community Day/Employment (5920-2025):** We project funding at 85% capacity of network rather than 60% estimated in Governor's budget; even with this increase it does not consider the approximately 500 individuals who turned 22 years in 2021. Note Governor's pre-COVID FY'2021 budget requested \$253 Million.
- **Technology (5920-2003):** Increased funding for strategic marketing and outreach development to constituents, staff development & training, online Assistive Technology (AT) credentialing program, and AT and remote supports & monitoring pilot programs to targeted populations.
- **Autism Waiver (5920-3010):** Increased funding for COVID impact on early intervention and addressing behavioral health.
- **Autism Omnibus-Adults (5920-3020):** Additional funding to address serving 300 new adults.
- **DESE DDS (5948-0012):** Designating funds from 7061-0012 will help address those with challenging behaviors and provide daily living skills training and communication skills for older youth at risk for out of home placement, which will serve 40 more youth.

Addressing utilization and unserved families: It is essential that the funds be flexible and transferable to adults at home with family or residential programs for those being served, if attendance and utilization of other services do not reach projected levels. A conservative estimate of 5,000 people (many with complex medical and behavioral challenges) are missing services in whole or part who were fully served prior to the COVID pandemic. This doesn't include any of the estimated 3,000 Turning 22 graduates between March 2020 and June 2022.

For more information, contact Maura Sullivan, Director of Government Affairs, at sullivan@arcmass.org and visit The Arc's advocacy webpage at www.thearcofmass.org/advocacy.

1. **Adjust language for DDS and MassHealth Line Items to increase transparency and flexibility** to stabilize the network of services and permit shifting of funding for support services to individuals living with family or other settings if/when delays in congregate care continue:
 - a. DDS Line Item 5911-1003, In line 2, replace “provided, that the commissioner of developmental services may transfer funds between items 5920-2025, 5920-2000, and 5911-2000” with “provided, that the commissioner of developmental services may transfer funds between items 5920-2025, 5920-2000, 5911-2000 and 5920-3000.”
 - b. DDS Line Item 5911-1003, In line 6, add “and provided further that the department of developmental services will revise regulations to allow flexible use of funding for support including goods and services by individuals not receiving adequate congregate day services including payment to responsible parties; and provided further, that the department will assist MassHealth in amending federal reimbursement agreements to maximize revenue and effectively serve adults in the least restrictive setting.”
 - c. MassHealth Line Item 4000-0300, In line 3 “provided further that MassHealth will revise regulations to authorize flexible use of funding for support including goods and services by individuals not able to attend congregate day services such as day habilitation including funds to responsible parties; and, provided further, that MassHealth amend federal reimbursement agreements to maximize revenue and effectively serve adults in the least restrictive setting.

2. **Include language in MassHealth Line Items to better support Day Habilitation services and Adult Foster Care (AFC) programs.** Given the workforce crisis, the 10% staff rate increases from the American Rescue Plan Act (ARPA) funding must be maintained for Day Habilitation services and AFC. Many individuals are still waiting to return to day habilitation programs due to staff shortages. Also, AFC caregivers did not receive any emergency relief during the pandemic such as “hazard pay” and other financial relief in recognition of the extraordinary efforts, burden, and personal risks these caregivers have endured. In addition, programmatic changes are needed to identify and retain caregivers and sustain the AFC program, which keep families intact and individuals out of long-term care facilities. We propose permitting responsible parties (guardians and spouses) to be paid AFC caregivers. Add to MassHealth Line Item 4000-0601, beginning on line 20:
 - a. “provided further that the rates effective for Adult foster care within MassHealth and MassHealth managed care entities on June 30, 2022 including the additional 10% shall continue and provided further that 90% of said 10% increase shall be directed toward staff related costs and caregiver payments.”
 - b. “and provided further that MassHealth amend applicable regulations, by October 1, 2022, to permit spouses, legal guardians, and other legally responsible individuals to be qualified as caregivers.”
 - c. “and provided further that the rates effective for day habilitation services within MassHealth and MassHealth managed care entities on June 30, 2022 including the additional 10% shall continue, and provided further that 90% of said 10% increase shall be directed toward staff related costs and caregiver payments, provided further that those enhancements will continue until utilization of said program achieves 90%. (MassHealth is not included in Chapter 257.)

Chapter 257 Request and 75th Percentile

Service providers, individuals, and families continue to face challenges recruiting, hiring, and retaining direct support staff, which severely impacts the supports and services needed. Chapter 257 (1599-6903) requires \$580 Million this year to accomplish the goal of having direct support workforce salary benchmark meet similar Massachusetts occupation titles at the 75th percentile based on current Bureau of Labor Statistics (BLS) data. This would get these essential staff into the \$20/per hour range and above to deal with this crisis. The total is \$350 Million above House 2 request. *(See full chart on next page)*

The Arc's Proposed FY 2023 Budget Request

Line Item	Description	FY'22 Final Budget*	Gov House 2 Proposal	FY'23 Request	Request Amount
DDS 5911-2000	Transportation	27,095,451	24,878,794	33,869,314	8,990,520
DDS 5920-2000	Community Residential	1,408,349,243	1,442,359,037	1,442,359,037	0
DDS 5920-2025	Community Day/Work	\$234,962,246	227,362,283	278,362,283	51,000,000
DDS 5920-3000	Respite/Fam Support	84,853,898	90,628,537	90,628,537	0
DDS 5920-2003	Technology for Individuals	500,000	500,000	3,000,000	2,500,000
DDS 5920-3010	Autism Waiver Children	7,433,900	7,478,033	8,433,900	955,867
DDS 5920-3020	Autism Omnibus	36,607,970	36,607,970	42,000,000	5,392,030
DDS 5920-3025	Aging w/DD	100,000	100,000	100,000	0
DDS 5920-5000	Turning 22	79,948,997	84,099,551	84,099,551	0
5948 & 7061-0012	DESE/DDS In Home***	10,500,000	10,500,000	11,500,000	1,000,000
DDS 5920-2010	State Operated Homes*	240,637,466	255,482,587		
DDS 5911-1003	Admin-Service Coord*	82,578,289	87,842,554		
DDS 5930-1000	State Schools	103,743,275	109,102,135		
4000-0601	MassHealth Senior-Dis****	3,714,225,672	3,725,368,077		
1599-6903	Ch 257 Reserve**	118,400,000	230,000,000	580,000,000	350,000,000

*Missing request amounts for State Operated Homes & Admin-Service Coord line items due to lack of information

**AnF spending on web doesn't appear to include initial \$81 M authorized in 2022 for line item 1599-6903

***Line-item 5948-0012, No language or data avail on DESE DDS but assume located there

****Line-item references requests for AFC & other LTSS services at MassHealth