

2015 TOP LEGISLATIVE PRIORITIES

The Arc of Delaware, a statewide advocacy organization for citizens with intellectual/developmental disabilities (I/DD), urges the Delaware General Assembly to take the following actions this year:

1. **Support state latitude in defining ‘community-based’ criteria for Home and Community Based Services.**

- Person-centered choice is the essential foundation for quality of life. At The Arc, we advocate on behalf of persons with I/DD and their families to honor their choices in where they live, where they work, and more. Many of these choices may be at risk if overly strict interpretations of ‘community-based’ settings are implemented.
- For example, group homes are the choice for many people with I/DD because they provide security, staffing and companionship in local neighborhoods. Overly strict interpretations of ‘community-based’ may assert those settings are segregated and do not meet the criteria because all the residents have disabilities.
- Many people with I/DD cannot succeed in competitive settings due to the severity of their needs. However, some choose to go to work every day at sheltered workshops, where they feel capable and safe, in the company of friends and caring staff. Although the pay rate may be sub-minimal, the routine and pride of accomplishment are often more significant factors in their quality of life. Overly strict interpretations of ‘community-based’ would shut these choices down, asserting the environment was ‘isolating’ and the compensation too low despite actual employee satisfaction with the setting.
- Federal policies provide for discretionary latitude in interpreting the new regulations regarding Medicaid-funded community-based services. We urge DDDS, DMMA and all the relevant decision makers in Delaware to develop a transition plan that allows for integrated and diverse services without sacrificing the informed and effective choices already in place.
- The state intends to include a range of stakeholders, including HCBS consumers and their families, and The Arc of Delaware, in the oversight committees for both the transition and implementation plans. These committees also need to ensure that the plans include sufficient funding to provide services in CMS compliant settings without negatively impacting quality and availability.

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2. Approve the revised Family Support Waiver application and provide start-up funds for SFY2016.

- Many families who care for individuals with I/DD at home struggle with enormous strains on time and finances, while saving the state significant costs of caring for them elsewhere.
- These families may need occasional or ongoing supportive services covered by the Family Support waiver.
- The legislature approved this initiative last year but not the actual application. DDDS has drafted another application but the FY2016 budget provides no funds to administer it.
- Start-up funds are needed to cover administrative costs associated with this new waiver.
- Federal matching dollars are available for every state dollar spent on services.

3. Appropriate funds to reduce the significant deficit to service providers.

- Provider agencies must be able to attract and retain capable and qualified caregivers, provide appropriate training, and pay them a living wage.
- Federal programs will match our state dollars by more than half.
- We urge the legislature to approve the annualization funds for FY 2015, and appropriate FY2016 funds needed to reach the 80% benchmark in service provider rates.

Achieve with us.