

New York Zero-to-Three Network

• fostering collaboration among those who work with babies, toddlers and their families •

March 19, 2010

Honorable David Paterson
Governor of New York
Executive Chamber
Albany, New York 12224

Re: Early Intervention parent fee in Executive Budget

Dear Governor Paterson,

We know that these are trying times that demand tough fiscal decisions, and that you are trying to be fair and just. In that spirit, we ask you to cancel the proposal to impose parental fees for the New York State Early Intervention (EI) program in the Executive Budget 2010-2011. This proposal could result in the loss of services to vulnerable infants and toddlers at the time that they are developing most rapidly and when intervention is most cost-effective.

Parent fees are essentially a tax on families with children with special needs that other families don't pay. Families are participating in EI by necessity, not by choice. Fees are often meant so that families pay their fair share. But fees can quickly become a barrier that those with the means can easily overcome and a hurdle for those without means that prevent them from accessing services.

Experiences in other states have shown that even a modest fee requirement will reduce the number of children receiving critical EI services. Fees would impose an enormous burden on hard-working families. A child with special needs is not something that can be anticipated; there is no savings plan for such an occurrence. Moreover, a co-payment may discourage low-income families from applying for EI, even if they were ultimately exempted from the fee. The experience with Children's Health Insurance Program has taught us that asking for things like social security numbers, adding fees, and paperwork decrease the enrollment of the most vulnerable populations.

Under the current budget proposal, families who did not document their incomes would be presumed to be in the highest income bracket and required to pay the highest fee, with no exceptions. Such a provision would impede the access of our most vulnerable children, including children in foster care. Poor families live hectic and unpredictable lives and the ability to document income often acts as an impediment to services for them. Immigrant families that may work in undocumented circumstances would be very vulnerable in this situation and may not even seek services due to this kind of scrutiny.

Families in need would be punished for failure to pay. Missing one EI payment would leave children without services. This disruption would result in significant set-backs for the child and would be accompanied by the increased administrative costs of re-enrolling children and finding new service providers for them. We are concerned that the budget proposal does not outline a process for re-enrollment.

The due process set aside for appealing fees only takes into consideration medical expenses or other "extraordinary expenses or catastrophic circumstances." Many families are currently struggling with mortgages, debt payments, and expenses for elderly parents and other children. The appeal process takes none of these common problems that young families face into consideration.

These critical EI services not only benefit individual children and parents but the community at large. Early Intervention reduces special education costs, increases parent involvement and, according to a solid body of research, produces significantly better outcomes in teenage and adult health, behavior, and productivity.

Money spent to administer parent fees will limit the revenue they generate. We believe there are more effective ways to reduce costs in EI, such as maximizing reimbursement from private insurance. We urge you to implement and assess measures to maximize reimbursement before considering parent fees. The estimates of revenue are notoriously inaccurate and the cost of the implementation of the fees always underestimated. It would be a shame to institute a fee and risk children in need losing services without generating any income.

We urge you to maintain EI at no cost to families and look for budget savings elsewhere. EI is based on solid scientific research. We stand ready to work with you to find a reasonable solution appropriate for New York State's youngest residents and families that will set them on the path to school success and productive citizenship.

Sincerely,

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