

## New York Zero-to-Three Network

*fostering collaboration among those who work for babies, toddlers, and families*

### **Action Alert (March 19, 2010): Oppose parent fees and keep in-home provider fees on level for quality Early Intervention services**

#### **A. In home service rates will be decreased 10%**

**Background:** The New York State Early Intervention Program provides services to infants and toddlers with developmental delays. The Program is governed by the New York State Department of Health, Bureau of Early Intervention (NYSBEI). It is the responsibility of the NYSBEI to set the reimbursement rates for this statewide program. Since the inception of Early Intervention in New York State, in 1993, there has only been one rate adjustment and that was in 1995. On Friday, March 5<sup>th</sup> the NYSBEI announced a 10% decrease in the rate which supports home services to infants and toddlers, with an implementation date of April 1, 2010. This home-based service model has served our state's babies and toddlers very well for the last 16 years.

**Providers are being left with little time for preparation and planning.**

We believe the **NYSBEI has come to their decision to decrease the rate based on insufficient data that does not reflect 2010 expenses or the current landscape of services available to families.** The State's anticipated net savings as a result of this rate cut is approximately \$34 million dollars. During these most difficult fiscal times, we all understand that New York needs to save money. Indeed, *some* of the projected savings are being re-directed to increasing the rates for other much needed types of Early Intervention services, such as those provided at facilities.

However, our concern is that **this drastic change to home service rates may have unintended consequences to children and families by making home services less available and lowering the quality of services provided.** A recent New York Zero-to-Three Network report (*Unequal From the Start*) found that there is already a significant disparity in the availability of EI service providers based on children's socioeconomic status. Paying providers substantially less money will make access to services in low-income neighborhoods even more difficult.

In addition, implementing this rate change on April 1st, a time of peak caseloads, may create significant disruption in services as providers play agencies against each other, since agencies will handle the rate decrease in different ways.

It is important for infants and toddlers to receive services by high-quality veteran professionals with expertise in treating a wide range of medically involved babies, premature babies, children with autism, language dysfunction and other diagnoses. Home services are often the best and most appropriate type of intervention for these children. Such services also allow families to participate in their children's therapy. In fact, **the law requires EI services to be provided in the child's natural environment, such as the home, whenever possible.** Further study is necessary to determine appropriate rates for home-based services that will allow the state to meet its obligation to provide children with needed EI services.

#### **B. Parent Fees are in proposed State Budget for Early Intervention Services**

**Background:** Governor Paterson's budget proposal for Health and Mental Hygiene (S. 6608/ A. 9708), would require parents to pay for Early Intervention on a sliding scale. 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. 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.

**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 can quickly become a hurdle for those without means that prevent them from accessing services.

Experiences in other states show that even a modest fee requirement will reduce the number of children receiving critical EI services. 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 Plan has taught us that asking for things like social security numbers, adding fees, and paperwork decrease enrollment of the most vulnerable populations.

**Under the current budget proposal, families who do not document their incomes would be presumed to be in the highest income bracket and required to pay the highest fee, with no exceptions.** Low income families live hectic and unpredictable lives and the ability to document income often acts as an impediment to services. 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. Children in foster care would likely also have difficulty accessing services.

**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. The budget proposal does not outline a process for re-enrollment.

**Money spent to administer parent fees will limit the revenue they generate. There are more effective ways to reduce costs in EI, such as maximizing reimbursement from private insurance.**

**Action you can take:**

**1. Ask your legislators to issue a resolution calling upon the Governor's office to stop the 10 % reduction in reimbursement rates for home-based EI services from being implemented on April 1, 2010 and ask for further study.** You can send an e-mail through the Citizens' Committee for Children of New York's Web site:

<https://secure3.convio.net/voices/site/Advocacy?cmd=display&page=UserAction&id=1991>

**2. E-mail your state legislators through the InterAgency Council's Web site and urge them to oppose the proposed EI parent fees.** An e-mail for parents of children receiving EI services and an e-mail for staff are both at <http://capwiz.com/iacny/state/main/?state=NY>

**3. Call your state legislators and urge them to oppose Governor Paterson's budget proposal to require parents to pay for Early Intervention,** included in the Health and Mental Hygiene budget legislation (S. 6608/ A. 9708), because it would burden families, increase bureaucracy, and lead children to lose EI services,.

To find your NY State Senator, go to

<http://www.senate.state.ny.us/senatehomepage.nsf/senators?OpenForm>

To find your NY Assembly Member, go to <http://www.assembly.state.ny.us/mem/>

**4. Call key decision makers listed below:**

- **Governor David A. Paterson: CALL 518-474-8390 or**  
<http://www.state.ny.us/governor/contact/GovernorContactForm.php> or FAX: (518)474-1513
- **NYS Assembly Speaker Sheldon Silver: CALL 518-455-3791 or**  
<http://www.assembly.state.ny.us/mem/?ad=064&sh=contact> or Fax: -(518)455-5459

- **NYS Senate Conference Leader John Sampson: CALL 518-455-2788 or [sampson@senate.state.ny.us](mailto:sampson@senate.state.ny.us) or Fax: - (518)426-6806**
- **NYS Senator Tom Duane (Health Committee): Call 518-455-2451 or [duane@senate.state.ny.us](mailto:duane@senate.state.ny.us) or FAX: - (518)426-6846**
- **NYS Assemblyman Richard Gottfried (Health Committee): CALL 518-455-4941 or [GottfriedR@assembly.state.ny.us](mailto:GottfriedR@assembly.state.ny.us) or Fax:-(518)455-5939**
- **NYS Senator Carl Kruger (Finance Committee): CALL 518-455-2460 or [kruger@senate.state.ny.us](mailto:kruger@senate.state.ny.us) or FAX: (518)426-6855**
- **NYS Commissioner of Health, Richard Daines, M.D. : CALL 518-474-2011 or FAX: (518) 474-5450**
- **NYS, Director, Bureau of Early Intervention , Brad Hutton: CALL 518-473-7016 or [bjh08@health.state.ny.us](mailto:bjh08@health.state.ny.us) or FAX: 518-486-1090**

5. Forward this Action Alert to your friends and colleagues.

6. Visit [www.nyzerotothree.org](http://www.nyzerotothree.org) for sample letters.