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Testimony of Jane F. Ryder, Commissioner

Department of Developmental Services

Joint Hearing of the House and Senate Committees on Ways and Means

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Good afternoon Vice Chair Friedman, Vice Chair Donato and distinguished members of the Joint Committee on Ways and Means. It is my pleasure to provide you testimony on behalf of the Department of Developmental Services (DDS), which serves over 41,000 individuals with intellectual and developmental disabilities throughout the Commonwealth.

This past year has been incredibly challenging for our large and diverse service system that includes residential, day and employment, and a variety of family support services. The COVID-19 pandemic required DDS and our providers to adapt and pivot in ways we had never imagined - and as the impacts of the pandemic continue, so do our responses, services, and supports.

Although challenging, this pandemic sparked incredible creativity, collaboration, and innovation in the DDS system, which is reflected in the Governor's FY22 budget proposal. This H.1 budget allows DDS the continued flexibility so that we can remain nimble in responding to evolving service needs, it allocates resources for DDS to further build our supportive technology infrastructure and virtual service utilization, fully funds our Turning 22 programming for the fifth year in a row, and it reflects our commitment to the direct care workforce through increased Chapter 257 rates with salary benchmarks that reflect the importance of the critical work they do every day.

We ask for your support of Governor Baker's FY22 budget proposal which includes an increase of 6% (\$127.4 million) over the FY21 GAA for DDS. These resources are vital to maintain our traditional services, and to promote services that meet current and future needs of the individuals we serve.

The following are notable highlights proposed in the Governor's H.1 budget:

Technology Forward Agenda (5920-2003)

We are grateful for the Legislature's support of the Supportive Technology for Individuals line item in FY21 and seek your support to maintain this funding in FY22. This line item is dedicated to helping our provider system pilot innovative programs and scale-up successful existing programs using assistive technology and remote supports for individuals with intellectual and developmental disabilities.

In FY21, DDS released a Supportive Technology Request for Response (RFR) funded by this line item to build assistive technology and remote support systems to increase access to services, while promoting independence and community integration. This funding is designed to make Supportive Technology a core competency among residential, employment and day support staff by providing ongoing mentoring and support on new products and tools to better assist individuals in their care. Assistive technology "Lending Centers" will also be established to allow for accessible, cost-effective ways to have experimental trials with different devices. This person-centered approach will help staff and individuals to effectively evaluate their potential success and overall willingness to use a particular device/technology.

Investments in Direct Care Salaries (5920-2000)

In FY21, DDS will expend nearly \$2 billion on Adult Long Term Residential (ALTR) and Acquired Brain Injury (ABI) services and supports (primarily via line items 5920-2000 and 4000-1425). This community-based residential system (ALTR and ABI) is operated by over 100 private providers with over 2,200 group homes located throughout the Commonwealth. These group homes are staffed by approximately 20,000 Direct Care Support Professionals who serve over 8,000 individuals with intellectual and developmental disabilities or acquired brain injuries.

Over the past year, and in collaboration with the Executive Office of Health and Human Services (EOHHS), DDS reviewed the pricing methodology of Adult Long-Term Residential (ALTR) services and developed a new and simplified rate structure implemented in 2021. Notably, the new ALTR rate structure:

- Uses Federal Bureau of Labor Statistics salary data to standardize staff salaries,
- Prioritizes Direct Care Support Professional staff salaries with a 6-11% increase (*Note: Salaries are for modeling purposes only and private providers ultimately determine wages for position types*),
- Promotes rate standardization and administrative simplification across the ALTR system,
- Reduces the number of available rates by approximately 50%, from 356 to 189, and
- Results in an overall 10+% rate increase to private providers operating Basic or Intermediate homes.

These rate increases are supported by the Chapter 257 Rate Reserve this fiscal year and the Governor's FY22 budget fully annualizes these costs totaling \$133.6 M. These rate increases will enable community residential providers to help address increasing costs, including direct care and front-line staff salaries, which we believe is critical to developing and professionalizing the human service workforce.

DDS Turning 22 Program and Services (5920-5000)

For the fifth consecutive year, the Governor's FY22 budget proposal fully funds the Turning 22 class of 1,233 new members that will be entering the DDS adult system. The number of young people DDS transitions into the Department's adult service system continues to grow each year and includes individuals with Autism Spectrum Disorder (ASD)-only.

Of note, the Governor's proposal consolidates resources from five line items to the Turning 22 line item to provide the Department greater spending flexibility. This account consolidation allows DDS to better dedicate and track resources of our priority group and ensure 1st year placements into DDS services and supports can be made, and that 1st year placements have dedicated annualized funding, or year 2 funding, for these services. The proposed account consolidation will

not have any impact on Turning 22 services and ensures that funding is available for this priority group as it transitions from the special education system to the adult system operated by DDS.

DDS Day and Employment Program (5920-2025)

This account primarily funds DDS Day and Work programs, including Community-Based Day Supports (CBDS) and Supported Employment. Community-Based Day Supports is DDS's largest day service, serving over 7,500 DDS individuals annually through on-site engagement and skill-development activities that include career exploration through volunteer experiences, internships or situational assessments, community integration experiences, skill development and training including Activities of Daily Living and Independent Living, socialization experiences, and the pursuit of personal interests and hobbies. Integrating a pathway to employment is a core component of CBDS for individuals of working age.

In March 2020, on-site day programs were ordered closed as a result of the public health emergency and reopened in July 2020 under strict social distancing protocols. Over the past year, DDS day and employment providers have pivoted to provide new and innovative service delivery models to meet the needs of many individuals, through virtual services and through limited in person services that follow COVID-19 protocols again beginning in July 2020. The continued use of virtual services keeps many individuals engaged while on-site programming must be limited. Furthermore, there has been decreased interest from individuals and families to return to on-site programming over the course of the year, as participants and their families are opting not return until they feel safer about COVID, or until they are vaccinated. In certain areas where demand has reduced, costs are projected to be lower in FY22 lower than previous fiscal years, for expenses such as transportation and other on-site related costs.

The Department has also pivoted to ensure financial stability for Day program providers, including payment parity with in-person and virtual services, rounds of rate enhancements to assist in the adoption of remote/virtual service modalities during program closures (spring and summer of FY20) and additional emergency rate enhancements in FY21 at 40% and 25% to better support our service partners.

Over the course of FY21, DDS and MassHealth stabilized Day Program providers through rounds of financial assistance and rate enhancements to respond to the lowered on-site program

utilization. These actions have been successful in stabilizing DDS Day Program providers over the last year, despite the significant reductions in service provision as a result of program closures (Day programs are cost-reimbursement).

To continue supporting programs in FY22, flexibilities are proposed in Governor Baker's FY22 Budget that include transferability language between our Transportation, Day/Work and Community Residential accounts. This enables us to quickly address any changing needs in these spending areas which continue to evolve with our ongoing response to COVID-19. Although this line item is reduced in the Governor's Budget Proposal by \$25.03 M (-10%) below FY21 GAA when including funding which has been consolidated under the Turning 22 Account (5920-5000), DDS anticipates managing these services through FY22 without impact and with our requested account transferability, spending may be reallocated when the need and demand dictate.

DDS Family Support Programs (5920-3000)

Over the past year, DDS Family and Autism Support Centers have been very creative and resourceful in their outreach and support to families and individuals. In March 2020, the Department's Flexible Funding Guidance was modified to provide more flexibility in how these funding allocations could be used to support families during the pandemic. Some of the changes included allowing funding assistance for short term basic emergency needs such as food insecurity, to purchase household items (including disinfectants, wipes, bleach, etc.) and for adaptive equipment and supplies for enrichment and leisure activities. There was a great need for assistive technology devices (iPad, chrome books, etc.) to create access for individuals and families to engage in virtual services provided by the Family and Autism Support Centers as well as day and employment supports.

Family Support Programs remain proactive in maintaining regular contact with individuals and families served to provide timely information and resources related to the pandemic and for overall support. Family Support Providers also developed a rich variety of virtual and remote programming opportunities beneficial to both individuals and caregivers, including support groups, classes, trainings, music therapy, and stress management. This array of supportive services has provided an important lifeline to families. There has been great collaboration among

providers in sharing resources and information to increase overall access to opportunities and networking to minimize the barriers that sometimes occur due to geography and transportation challenges.

Conclusion

I am incredibly proud of the dedication and resiliency demonstrated by the DDS community over the past year. In addition to the notable achievements and ongoing priorities outlined above, I would be remiss to not acknowledge the unyielding efforts of our direct care staff. Their steadfast commitment to implement constantly evolving public health guidance, adapt to quarantine and other significant protective measures, facilitate surveillance testing and vaccination programs - among many other “never-experienced-before” operational requirements – has been nothing short of amazing. I would also be remiss to not acknowledge the significant challenges experienced by family caregivers during this pandemic, who in addition to our Citizen Advisory Boards, State Advisory Council, and self-advocates, have been instrumental in guiding the initiatives outlined in this testimony among many others. We look forward to continuing our collective work in responding to the ongoing impacts of the COVID-19 public health emergency, and, more importantly, advancing how DDS serves our diverse and dynamic consumer base.

I thank you for your ongoing support of DDS and the individuals and families we serve. I am happy to field any questions you have on the Governor’s H.1 budget proposal or other questions related to our services and supports.