

**Testimony of Jane F. Ryder, Commissioner
Department of Developmental Services
Joint Hearing of the House and Senate Committees on Ways and Means
March 11, 2019**

Good morning, Vice Chair Garlick, Senator Rush and distinguished members of the House and Senate Ways and Means Committees. My name is Jane F. Ryder and I am the Commissioner of the Department of Developmental Services (DDS). I want to thank you for the opportunity to testify before you today about the Department's mission, priorities and our proposed Fiscal Year 2020 budget.

The DDS mission is to create, in partnership with others, innovative and genuine opportunities for individuals with intellectual and developmental disabilities to participate fully and meaningfully in, and contribute to, their communities as valued members.

The Governor's FY20 proposed budget for DDS is \$2.074 billion and funds a wide range of services and supports for the approximately 41,000 individuals eligible for DDS services. These services include Residential, Day and Employment, Family Support, Service Coordination, and services to children through our Autism Waiver and the DESE/DDS Prevention Program that DDS runs jointly with the Department of Elementary and Secondary Education (DESE).

The Department remains focused on enhancing the services and supports provided to individuals and families and increasing operational efficiencies, while continuing to respond to the changing needs of the DDS service populations.

In the past year, we have concentrated on improving our internal systems in order to provide consistency of practice, accountability and transparency. This has included the establishment of a Bureau of Program Integrity, and the hiring of a Director of Internal Controls and an Ombudsman. Our goal is for our organization to be prepared to meet the needs of the individuals and their families we support by being responsive and providing consistent guidance.

For the upcoming fiscal year, Governor Baker's Budget expands and preserves funding for a number of critical DDS supports and services. The total agency budget is \$2.074 billion, an increase of 7.7 %

(\$148.3 million) over the FY19 GAA and \$10.5 million appropriated at DESE for the DESE/DDS Prevention Program, and increase of \$4 million or 62%.

I would now like to highlight a few of the key aspects of the Governor's FY20 DDS budget:

DESE/DDS Prevention Program

The DESE/DDS Prevention Program is a joint program operated by DDS and funded by a DESE line item (chargeback) that is currently funded at \$6.5 million in FY19 and supports approximately 500 children. This unique collaboration between the two secretariats was developed to offer alternatives to families with children with intellectual and developmental disabilities (ID/DD) to prevent out-of-home residential placement. Although DDS provides comprehensive supports to eligible individuals once they turn the age of 22, kids can be made eligible for DDS family support services if they require intense supports while living with their families. Developed in the early 1990s, the initial premise of the program was to divert children whose Individual Education Plan (IEP) supported or would support an out-of-home residential placement in a special educational setting. The program also supports a small number of children who return home from a residential school placement.

The Governor's FY20 Budget increases this line item by \$4 million (\$10.5 million proposed for FY20) which will help us serve an additional 264 youth in the coming Fiscal Year. If this increase is maintained, it will allow us to serve an additional 264 new students (760 youth in total) and their families in their communities. The average DESE/DDS individual budget is approximately \$14,000 and provides a family staffing and clinical supports to manage their child in their own home. The program results in significant cost avoidance for the Commonwealth as well as local school districts.

Turning 22 Program (5920-5000)

Of particular significance is the Department's Turning 22 (T22) account which was level funded at \$25 million in the Governor's FY20 Budget proposal. Chapter 688, better known as the **"Turning 22"** law, was enacted in 1984 to provide a planning process for young adults with severe disabilities as they leave special education and transition into the adult service system. Each year DDS transitions a growing number of young people into the Department's adult service system. Given the consistent increase in class size each year, the intensity of their needs and their projected costs of service, the

Baker-Polito Administration successfully increased funding to this line item in FY18 and FY19 (currently \$25 million) which allowed us to serve 1,171 individuals, including those with autism spectrum disorder (compared to 1,079 in FY18). The positive impact of fully funding this account has had a dramatic effect of decreasing the anxiety of families as their child enters adult services.

As previously mentioned, the T22 class continues to grow in size and need each year, particularly for intensive supports. We are projecting to serve approximately 100 additional individuals (1,269 total) in the FY20 Turning 22 class, and we estimate that approximately 30% (or 380) of those individuals will require residential placement given their level of need. To efficiently manage the Turning 22 Program, DDS will continue to expand our 1915c waiver capacity and work with newly age-eligible individuals to enroll in one of the three adult waiver programs. Enrollment in waiver services permits the Department to seek federal reimbursement on behalf of these individuals and therefore best utilize and maximize our resources; however, level funding is needed to ensure a continuity of services for the incoming FY20 class.

Day and Employment and Transportation Services (5920-2025 and 5911-2000)

The Department has made great strides in supporting individuals during the day. We continue to engage in the implementation of the **Employment First Initiative** as outlined in the “*Blueprint for Success: Employing Individuals with Developmental and Intellectual Disabilities in Massachusetts*”.

Highlights of progress during FY19 include:

- Securing employment placements for 6,014 individuals in the community where they earn minimum wage or higher and receive the same benefits as other employees;
- Increasing the number of individuals who are earning minimum wage or higher in Small Group Supported Employment Services from 49.5% in 2014 to 71% in 2018; and
- Providing 6,935 individuals with Community-Based Day Support services that provide a diverse array of inclusive and meaningful experiences such as skill-building activities, exploration of interests, development of work skills and social, communication and independent living skills.

Despite these achievements, we recognize that we still have work to do. We want to continue to listen to families and individuals as to what a meaningful day means to them. A competitive job in the

community is not possible for everyone. However, DDS will be working on more options for individuals to ensure they feel valued and feel they are making a contribution. Examples of services we are working on include expanding group employment opportunities, where one job coach takes a group of individuals to a community site to do a task. An example would be a group working a local restaurant to do light janitorial jobs. We also continue to work on our Community Base Day Service (CBDS) model. Providers are developing “CBDS Without Walls” where individuals actually never go to the provider building, rather are picked up at their home and spend the entire day doing volunteer work or meaningful activities that match their interests in the community.

The Governor’s FY20 Budget proposal provides \$232 million for Day and Employment services, an increase of \$22 million from the FY19 GAA. This funding supports annualization of the Department’s multi-year Employment Initiative as well as day and employment services for the FY20 Turning 22 class. Currently there are over 12,949 individuals served in the various programs funded through this account. The Transportation Services account is funded at \$28.7 million, an increase of approximately \$4.4 million over the FY19 GAA. This reflects the annualization of the cost of transportation for those Turning 22 to get to day and work services plus annualized funding for Chapter 257 rate increases.

Residential Services (5920-2000)

The Governor’s FY20 Budget proposal contains approximately \$1.278 billion, an \$85.9 million increase from the FY19 GAA, to support the Department’s provider operated community-based residential services account which serves over 10,000 individuals across the state. Included in the \$85.9 million increase is \$17.7 million in funding to address the changing needs of individuals we serve and help address the needs of individuals in crisis due to the unexpected loss of a family caregiver.

The Department also continues to explore other models to support individuals residentially. This includes offering the use of shared living, a person-centered residential setting that is more cost effective than a traditional 24/7 residential placement.

Conclusion

In addition to the supports and services outlined above, I would like to highlight upcoming challenges the Department plans to focus on in FY20.

- Improving retention and recruitment in our Direct Care workforce

DDS recognizes the challenges that both our state operated programs and our provider agencies are experiencing with the workforce. The ability to fully staff both residences and day programs is becoming increasingly difficult. For our state operated programs, we are conducting job fairs where applicants can learn about job opportunities with the state. We are also working with our unions in developing different shift options and work schedules. We are also working with our trade organization in campaigns to value our direct support work force, create promotional opportunities and developing benefit options to attract staff. DDS is aware of several legislative initiatives filed this session to help address this problem and better support our human service workforce. DDS welcomes any opportunity for collaboration on this issue and offer any assistance or input that may be helpful in this important debate.

- Supporting individuals with Autism Spectrum Disorder (ASD)

We continue to work on ways to better support individuals with Autism. Since changing our eligibility regulations in 2014, more individuals with ASD are eligible for DDS. However, it is clear that the traditional services offered by DDS do not necessarily meet their needs nor do individuals and families request these services. We are talking with individuals and families and are working with our colleagues at DMH for their expertise. Examples of enhancing services include coaching, supports to individuals in post high school educational opportunities, and a pilot targeting individuals who are challenged even leaving their family home.

- Expanding Self-Direction Models of Service

We are enhancing our Self-Direction model of service to meet the needs of individuals and families. We are working with our Self Direction Advisory Board and listening to individuals and families currently receiving this service. We are working to provide clearer more consistent guidance and improving our outreach efforts to ensure access to anyone interested and could benefit from this very unique and effective model. It is clear that many individuals benefit from services they define

themselves, not as defined by the Department. This is a model where individuals and their families let the Department know what they would like their services to look like, they hire their own staff and they manage their entire budget. This model is not meant for everyone, but when it works it is highly successful.

I want to thank you for your ongoing support and look forward to continuing to work with the Legislature. I urge you to support the Governor's FY20 Budget request to allow us to address the needs of the individuals and families we serve. I am happy to take any questions you may have at this time.