

# CT COMMUNITY NONPROFIT ALLIANCE

---



*formerly*



To: Members of the Human Services Committee

From: Jeffrey Walter, Interim CEO, CT Community Nonprofit Alliance

Re: Human Services Public Hearing on Governor's S.B. No. 17 AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS FOR HUMAN SERVICES

Date: February 18, 2016

Good afternoon distinguished members of the Human Services Committee,

My name is Jeffrey Walter, Interim CEO of CT Community Nonprofit Alliance. CT Community Nonprofit Alliance represents more than 550 community nonprofit organizations and associations across the state and is the largest advocacy organization representing community nonprofits in Connecticut. Our members serve more than 500,000 Connecticut residents each year.

I'm here to voice concerns about Governor's S.B. 17, An Act Implementing the Governor's Budget Recommendations for Human Services. Several sections of the bill raise concern for community nonprofits across Connecticut.

## Community Residential Services Transfer from the Department of Developmental Services to the Department of Social Services

Several sections of Governor's S.B. 17 propose legislative language governing the proposed transfer of the Community Residential Services line from DDS to DSS, including the creation of an Intellectual and Developmental Disabilities Partnership modeled after the Behavioral Health Partnership. In the proposed budget, this moves more than \$537 million from DDS to DSS, or nearly half the total DDS Operating Budget in SFY17.

**The proposed shift has the potential to create positive change** in the provision of services for people with intellectual and developmental disabilities; however, without adequate rates, no rate setting methodology can fix the problems in the DDS Community Residential Services program. Without adequate rates, the waiting list cannot be reduced.

Community nonprofits, families and individuals with intellectual and developmental disabilities must be at the table throughout all aspects of writing a state plan amendment, rate setting methodology and setting of a rate at DSS. Without the assurance of meaningful participation, we cannot support moving Community Residential Services to DSS.

In the Governor's budget presentation, the Behavioral Health Partnership is cited as an example of a successful transition in Connecticut. One of the most important reasons for its success is the Behavioral Health Partnership Oversight Council (CGS § 319 Sec. 17a-22j). The BHPOC provides critical oversight of DSS and DMHAS, including an

important role in the review of rates and rate methodologies. **If an I/DD Partnership is created, an I/DD Partnership Oversight Council must be established as well – with similar statutory provisions as the BHPOC.** Without it, we cannot support the proposed transfer of Community Residential Services to DSS.

Community nonprofits and other stakeholders know what works and what doesn't work on the ground. Our perspective is the difference between success and failure. **Please work with all stakeholders, including community nonprofits, to strengthen the language in Governor's S.B. 17 to provide a statutory mandate with teeth for the proposed I/DD Partnership.**

#### Section 2 (e) and (f)

This section mandates that the Commissioners of DSS and DDS be able to approve any changes of ownership of licensed Community Living Arrangements, or CLAs, and denies providers the opportunity to divest themselves of properties that no longer meet the needs of the community. Nonprofits must be able to make changes to properties that no longer work on a financial level as a way to maintain the fiscal viability of their charitable mission and direct any gains realized from the sale of such properties towards furthering that mission.

DDS currently has oversight over the location of CLAs through the development agreement and licensing processes, and DSS has existing oversight through the development agreement, rate setting and cost reporting processes. **More oversight is not required.**

#### Sections 30 and 31

These sections repeal Connecticut General Statutes Section 17b-505a and Section 17b-706c, removing the oversight of the legislature from the Department of Social Services and the Department of Developmental Services when they seek to file a new waiver or amend an existing waiver with the federal government's Center for Medicare and Medicaid Services. As part of this legislative review, a public hearing is held in front of this committee and the Appropriations Committee. This process is the only statutorily mandated opportunity for public input throughout the waiver amendment process. Without it, there is no formal opportunity (outside of the submission of written comments) for the public, including nonprofit providers, families and consumers, to be heard.

State agencies shouldn't have unilateral authority over the often life-sustaining services that nonprofits provide across Connecticut. The legislature is responsible to their constituents, and the loss of input from those constituents who receive, provide and support those services would be a momentous shift from the principles of person-centered service delivery and transparent government.

**Please do not support the inclusion of Sections 30 and 31 in the final bill.**

In conclusion, Connecticut's community nonprofits deliver the state's core services. The individuals served by community nonprofits are some of the state's most needy citizens, and in many instances, those who strive every day to increase or regain their independence. The services they receive are life sustaining. They are our children and parents, our neighbors and friends. Without community services, they will have no place to go to meet their needs, or they may be forced to more costly alternatives, such as emergency departments, hospitals—even jails.

In the past, the legislature has proven that it takes the needs and well-being of Connecticut residents seriously. Please continue to support the hundreds of thousands of individuals, children and families served by community nonprofits across Connecticut.

Please do not hesitate to contact me with any questions at [jwalter@ctnonprofitalliance.org](mailto:jwalter@ctnonprofitalliance.org).

XXX