

NYAPRS Testimony

Before the Assembly Standing Committees on People with Disabilities and Labor and the Assembly Subcommittee on Employment Opportunities for People with Disabilities
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Len Statham Chief Operating Officer
The New York Association of Psychiatric Rehabilitation Services

Good morning. Thank you to the chairs and members of the committees for this opportunity to present the following testimony on behalf of Board, Employment Committee and the thousands of New Yorkers with psychiatric disabilities who are represented by the New York Association of Psychiatric Rehabilitation Services (NYAPRS).

Since 1981, NYAPRS has served as a state and national change agent dedicated to improving services, public policies and social conditions for people with mental health, substance use and trauma-related challenges, by promoting health, wellness, rights and recovery, with full community inclusion, so that all may achieve maximum potential in communities of choice.

Towards those ends, we bring together a very unique partnership of New Yorkers who receive and/or provide mental health recovery and rehabilitation services in upwards of 85 community-based mental health agencies located in every corner of the state.

My name is Len Statham, and I am the Chief Operating Officer at the NYAPRS. Like most of my colleagues on the NYAPRS Board and staff, I'm also a person with lived experience of mental health recovery - and that experience shapes what I will share with you today.

Employment has always been critical to the quality of my life, my recovery and my service to others. I have spent much of my career helping individuals to obtain employment and, in many instances, leave the mental health system and integrate into their chosen communities. Far too few New Yorkers with psychiatric disabilities leave that system, leaving their lives to be defined by their challenges and not by the things we value most: purpose, friends, family and employment.

Our mental health, vocational and social service systems have not been very friendly to New Yorkers with disabilities seeking employment. In fact, they present far too many barriers than opportunities for those who want to start or return to work.

When someone from the general public wants to work, they typically brush up their resumes and research and apply for available jobs in their community. They don't have to navigate through a series of intake forms and interviews, assessments, referrals, and work readiness programs that people with disabilities routinely face.

The on ramp to employment must be simplified and multiplied making it easier for people to access employment at any time of their choosing.

My colleagues and peers have come here today because we all want New York State to get it "right" on employment. In that spirit, the New York State Legislature enacted the 2002 law that created the state's Most Integrated Settings Coordinating Council (MISCC). The MISCC is a body comprised of state agency representatives and advocates that have been charged with "ensuring that New Yorkers of all ages with physical, intellectual, developmental, and mental disabilities receive care and services in the most integrated settings appropriate to their individual needs."

These goals are consistent with requirements contained with the Americans with Disabilities Act and affirmed by the Supreme Court's 'Olmstead decision."

Since then, employment has been identified as a major priority within the MISCC and within New York's 2013 Olmstead Plan, the 2014 Executive Order on Employment First, and the subsequent Employment First Commission's Report. Each one of these highlighted strategies for moving the needle on employment for people with disabilities.

While there have been a number of efforts, we have nonetheless failed to significantly move that needle. Despite our efforts, only 15% of New Yorkers with disabilities sought and found employment.

NYAPRS believes we all have to hold ourselves to account. This includes the state agencies, the advocates, the Administration and the Legislature. We each can and must all do better.

I speak today in part on behalf of Harvey Rosenthal, NYAPRS CEO and a member of the MISCC since its origins. Harvey officially chairs the MISCC Employment Subcommittee, and I have helped to lead the committee in its development of recommendations that we have provided to the Administration and that I will share with you today.

1. The MISCC Employment Subcommittee should assume oversight of the implementation of the Employment First Commission's recommendations, as cited in the Employment First Report, and receive regular reports between MISCC meetings, demonstrating follow through and results from state agencies.

Included here are the recommendations of an Executive Order whereby the state committed itself to

- increase the employment rate of individuals with disabilities by 5%
- decrease the poverty rate of individuals with disabilities by a comparable 5%; and
- engage 100 businesses in adopting policies and practices that support the integrated employment of individuals with disabilities.

2. The state should ensure that people with disabilities are included in any new economic development, workforce development, apprenticeship, and entrepreneurial programs. Accordingly, any monies given to the Regional Economic Development Council's (REDCs) by the Governor's Office must be tied to requirements that individuals with disabilities be included in any workforce proposals and subsequent awards. Furthermore, the state's various disability workforce agencies must be included in any regional and state economic development policy decisions to ensure people with disabilities are offered related employment opportunities.

3. The NYS Department of Labor and its disability workforce partners will identify strategies and resources necessary to increase the number of Supplemental Security Income (SSI)/Social Security Disability Insurance (SSDI) beneficiaries who receive benefits advisement and work incentive counseling, resulting in increases in the assignment of tickets to the state under the Social Security Administration's (SSA) Ticket to Work (TTW) program.

Towards those ends, it is recommended that the Office of Mental Health and other state agencies should work with providers within their Employment Network to increase the number of individuals who they are entering into the New York Employment Services System.

4. The state should integrate and improve data reporting and analytics to better understand and respond to the need, track progress, assess impact of interventions and policies related to employment goals and outcomes. Towards those ends:

- Identified state agencies should submit the employment data that they are currently collecting, how their platform is compatible with other state agency employment systems and how they define when individuals are considered employed.

- The state should create and house a registry of qualified benefits planners who can be accessed by anyone in the state – including individuals, family members, Independent Living Center Career Centers, Disability Resource Coordinators within community rehabilitation agencies, Vocational Rehabilitation counselors et al.
- Information regarding work incentives should be shared with all individuals and the treatment, rehabilitation, residential, social services and other staff and family members who support them. This extends to those who have yet to develop their career plans.
- This information should be housed on a prominently displayed site, similar to the past use of www.NYmakesworkpay.com website.

5. The state should launch an OMH-led “Employment for All” Campaign to raise awareness of work incentives, including the Medicaid Buy-In and the NYS of Health Navigation system, that assist individuals in getting back to work while maintaining their healthcare benefits. Further, the Department of Health should ensure that the Medicaid Buy-in program should be integrated into the online New York State of Health application portal, automating eligibility determinations, and referring applicants who require additional assistance to the state enrollment assistance center. DOH should also ensure that local Social Service departments knowledgeably process MBI applications.

6. The state should ensure that employment goals are included in every individual’s service/life plan, along with identification of specific support/services that individuals feel they need and the barriers they identify to overcome to meet those goals. These goals must not be based upon functional assessments that are biased towards solely medication and treatment related factors.

Accordingly, the MISCC should review a sampling of service and discharge plans from all agencies that support people with disabilities to evaluate if employment is considered a goal in all instances, and to work with those agencies to see that it is.

7. The state should identify the impact that potential biases based on racism and previous involvement in the criminal justice system have on the hiring and employment of people with disabilities. Accordingly, the MISCC should assess the data that agencies are currently gathering on race, criminal justice involvement and other bias related factors.

In order for these recommendations to have any meaning, we are urging the state to hire a Chief Disability Officer if not the restoration of the Office of Advocate for Persons with Disabilities with sufficient staff to ensure that those recommendations are carried out and reviewed regularly at the quarterly MISCC meetings.

And, as so many speakers have said today, we must address the crushing workforce crisis that ironically robs people who want to go to work for the workers who are best at supporting them to do so.

Thank you for the opportunity to address this essential issue, as we aim to put employment at the center of our efforts to support New Yorkers with disabilities to live and work in the most independent setting across our state.

The New York Association of Psychiatric Rehabilitation Services serves as a state and national change agent dedicated to improving services, public policies and social conditions for people with mental health, substance use and trauma-related challenges, by promoting health, wellness, rights and recovery, with full community inclusion, so that all may achieve maximum potential in communities of choice.

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