



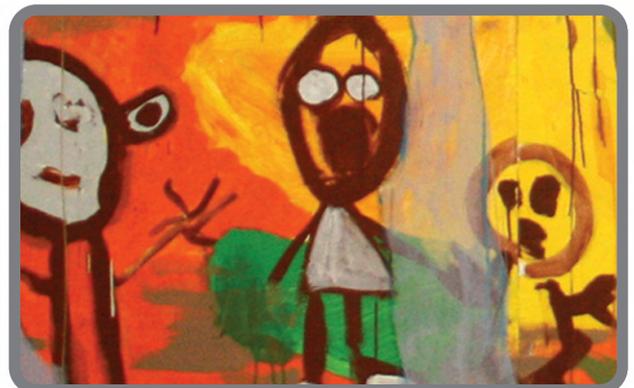
# Building a Stronger System for People with Developmental Disabilities

A One-Year Progress Report

April 2012



**Courtney Burke**  
Commissioner  
Office for People  
With Developmental  
Disabilities





**A collaboration between the Office for People With Developmental Disabilities (OPWDD) and the Institute for Community Living (ICL)**

This is the artwork of eight men and women supported by ICL. It is a representation of the daily experiences people with developmental disabilities have in their home and community lives. It also speaks to the power and therapeutic elements of art expression for individuals living with developmental and intellectual disabilities.





April 2012

Dear Friends and Colleagues:

In the last year, OPWDD has undergone many changes. Throughout this transition, your honesty and partnership has been critical to our efforts to strengthen oversight, improve services and supports for the individuals and families we serve, and make the system sustainable for years to come.

In my first six months as commissioner, our primary focus was on ensuring the safety of individuals in our system and increasing accountability, as well as improving transparency and communication. These will always be priorities. Our first six-month progress report, issued in October 2011, presented the results of reforms that dramatically improved our incident management system; strengthened our investigations and relationships with law enforcement; raised the qualifications of people working in our system; and increased accountability for all OPWDD employees.

Since October, we have focused more on promoting the positive aspects of care delivery in our system. We have listened to the concerns of staff at every level and responded to those concerns through better management of issues such as overtime, staffing, and unnecessary paid leave.

This second six-month progress report chronicles how we have built upon our initial reforms by:

- Further increasing the capacity of our incident management system, and improving data tracking and outcomes in a number of key areas;
- Strengthening our workforce through training and measures of competency;
- Promoting high achieving nonprofit providers; and
- Communicating extensively with all stakeholders to build an environment of awareness, respect, and teamwork.

We have also been focused on improving services through a variety of critical reforms under a proposed Medicaid waiver, which we call the People First Waiver. All of this is done recognizing that we must ensure that our system is prepared for the future, and is sustainable, flexible, better coordinated, and focused on measuring and improving outcomes for individuals.

I firmly believe that listening to the advice and constructive criticism of self-advocates, families, employees, providers, and others has helped us improve. Thank you.

I will continue to publicly share our progress reports, which will help keep the public informed, and help keep all of us accountable and focused on making the system even better.

Sincerely,

A handwritten signature in black ink, appearing to read 'Courtney Burke', written in a cursive style.

Courtney Burke  
Commissioner





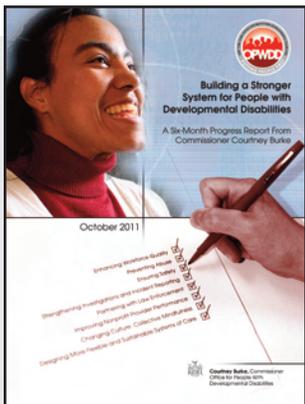
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## I. Introduction to One-Year Progress Report

In response to health and safety concerns affecting individuals with developmental disabilities, Courtney Burke was appointed commissioner of OPWDD by Governor Andrew M. Cuomo in March 2011, and confirmed to this position by the New York State Senate in April 2011. Over the past year, thousands of OPWDD staff, nonprofit agency partners, and other stakeholders have been working to improve the OPWDD service delivery system. Our primary focus has been on ensuring the health and safety of individuals receiving supports and services. We have also been focused on strengthening and sustaining the service system for the future. This one-year report, which builds on the accomplishments highlighted in our six-month progress report, is another way for us to be accountable to the people we serve, measure our progress, and focus our future reform efforts so that individuals with developmental disabilities and their families are supported by the strongest and best system possible.



### THE FIRST SIX MONTHS (April–October 2011): REFORM HIGHLIGHTS

- Raised the hiring and training standards for direct support professionals and redesigned the direct support job description and title.
- Began unequivocally seeking termination in cases of physical and sexual abuse.
- Established a centralized incident management unit to follow-up on incidents of abuse and neglect and conduct analyses of the data.
- Overhauled investigations, including certifying investigators, hiring a lead investigator, and centralizing the function to ensure an independent, unbiased process.
- Created effective relationships with law enforcement to ensure crimes against people with developmental disabilities are properly reported.
- Began holding providers more accountable for their performance.
- Promoted positive relationships and open communication between individuals with developmental disabilities and OPWDD staff.
- Began the process of a delivery system redesign to provide more flexibility for individuals and families, and encourage more integrated and person-centered services.



## REFORM HIGHLIGHTS (October 2011–April 2012)

### Strengthening the Workforce

- 98% reporting to law enforcement for allegations of physical abuse, up from 26% a year ago.
- 100% reporting to law enforcement for allegations of sexual abuse, up from 80% a year ago.
- Now have 64 highly trained and certified investigators, which has resulted in more timely completions of investigations.
- Reduced individual voluntary overtime of direct support professionals by 43%.
- Reduced unnecessary paid leave by 55% in less than six months.
- In second environment of trust survey, number of direct support staff judging that their coworkers “would always” report abuse rose by more than 6% in just six months.

### Ensuring Safety and Oversight

- Fully automated all incident reporting by state and nonprofit service providers.
- Presented information to over 30 law enforcement officials on responding to community homes for individuals with developmental disabilities.
- The next graduating class of state police cadets will undergo new training to support the OPWDD system.
- Obtained resources through the state budget that will enable OPWDD to improve the fire safety of the homes it operates and certifies.
- Launched an online provider performance report card so families and individuals with developmental disabilities can know about the quality of services they or their loved ones are receiving.

### Transparency and Communication

- Presented system redesign ideas at more than 100 public presentations across the state.
- Opened the lines of communication for all OPWDD employees by creating 7,000 additional email accounts for those previously not connected.

### Strengthening Supports and Services

- Restructured agency operations to be more focused on service delivery and oversight of nonprofit providers, while being more responsive to individuals and families.
- Assisted 71 additional individuals to move from institutions and into more integrated community-based settings in the last six months; 180 individuals have moved in the last year.
- Received a federal grant to create programs that support competitive employment of individuals with developmental disabilities.



## II. Building on Reform Efforts

For the last year, OPWDD has been in the process of overhauling virtually every aspect of our operations to make the system safer for the individuals we serve and to strengthen the quality of services and supports we deliver. When enacting reforms, there must be a comprehensive plan to make them work. Policy changes alone are not enough. Everyone in the system must understand their responsibilities and share OPWDD's mission to help people with developmental disabilities live richer lives. Significant progress has been made, but even more meaningful and impactful initiatives are now in development.

### A. Strengthening the Workforce

#### Creating an Environment of Trust

OPWDD conducted an anonymous employee trust and safety survey in June 2011 to research organizational culture change and to get a sense if employees felt they had the supports and resources needed to foster abuse prevention and reporting. The survey focused on the knowledge of staff to understand abuse and reporting, and why they would not report. The "Building an Environment of Trust" survey was recently re-administered to gather candid feedback from employees on reform efforts. The survey showed a notable increase in the percent of employees who felt their coworkers would report abuse. In the six months between surveys, the number of direct support professionals judging that their coworkers "would always" report abuse rose by more than 6%, while the number who thought that there were some circumstances under which their coworkers would not report decreased by 6%.

The 6% increase shows that in just six months, OPWDD's reforms have begun to make a positive change in people's attitudes toward reporting abuse.

Percentage increase of direct support staff who believe coworkers "would always" report potential abuse, reflecting a positive change in people's attitudes in just six months

6%



### Overtime Management

Knowing that concerns about staffing are important to ensuring the health and safety of individuals with disabilities, OPWDD has been working to closely track overtime patterns to be sure that employees are fit for work. Patterns tracked include staff working greater than seven consecutive days or more than 16 consecutive hours on any occasion. OPWDD's preliminary goal is to reduce the number of staff working these patterns by 50% in each category by June 2012.

Between October 2011 and January 2012, the number of employees working more than 16 consecutive hours in a shift declined by 43%.

Staff working greater than seven consecutive days

25%

Staff working greater than 16 consecutive hours on any occasion

43%

Between October 2011 and January 2012, the number of employees working more than 16 consecutive hours in a shift declined by 43%. Within the same time period, the number of employees working more than seven consecutive days in a pay period declined by 25%.

### Reducing Unnecessary Paid Leave

Another way OPWDD has sought to address the issues raised by employees in its June 2011 survey and demonstrate its commitment to safety was not only to reduce overtime but also to bring employees back to work more quickly from paid leave when appropriate. As a result, between November 2011 and February 2012, the percentage of staff on paid leave decreased by more than 55%. And between December 2011 and February 2012, the percentage of employees on paid leave for more than 30 days dropped 45%. These declines indicate that employees found guilty are more quickly being disciplined, placed on unpaid leave, or—when a charge is deemed unsubstantiated and it is assured the employee is fit for duty—returned to the workforce.

Reduction in Paid Leave Usage

Staff on paid leave for 30 days or more

45%

Staff currently on paid leave

55%



### Attracting Talented Candidates for Direct Support Professional (DSP) Positions

In fall 2011, OPWDD developed a plan to recruit graduating college students as part of a comprehensive workforce recruitment campaign. OPWDD has successfully launched this campaign, which is focused on positive relationships, respect, commitment, and ethical behaviors to recruit quality candidates with diverse backgrounds and experiences to work in state direct support positions with OPWDD. Outreach through the program includes engaging colleges statewide, as well as participation in career fairs, expos, and community programs.



"Being a DSP is one of the most rewarding and challenging endeavors that I've embarked on. Helping people grow to live richer, fuller lives and to become more independent brings me great joy and personal satisfaction, and is what I like best about being a DSP."

—Raymond Bowman, OPWDD direct support professional, Capital Region

A revamped careers page for state and nonprofit employment opportunities has also been created on the OPWDD website to complement an online campaign that shows the rewards and challenges of working in a direct support role. Since its launch in November 2011, visits to the OPWDD careers page have doubled from 3,500 to 7,000 monthly visits.

OPWDD has also joined with the state's Higher Education Opportunity Program and the State University of New York's Education Opportunity Program and Educational Opportunity Centers to recruit students affiliated with these programs at colleges, universities, and community programs. The purpose of this program is to support students to take Civil Service examinations for direct support positions prior to graduation.

# 7,000

Since its relaunch, visits to the OPWDD careers page have doubled from 3,500 to 7,000 monthly visits.

## B. Ensuring Safety and Oversight

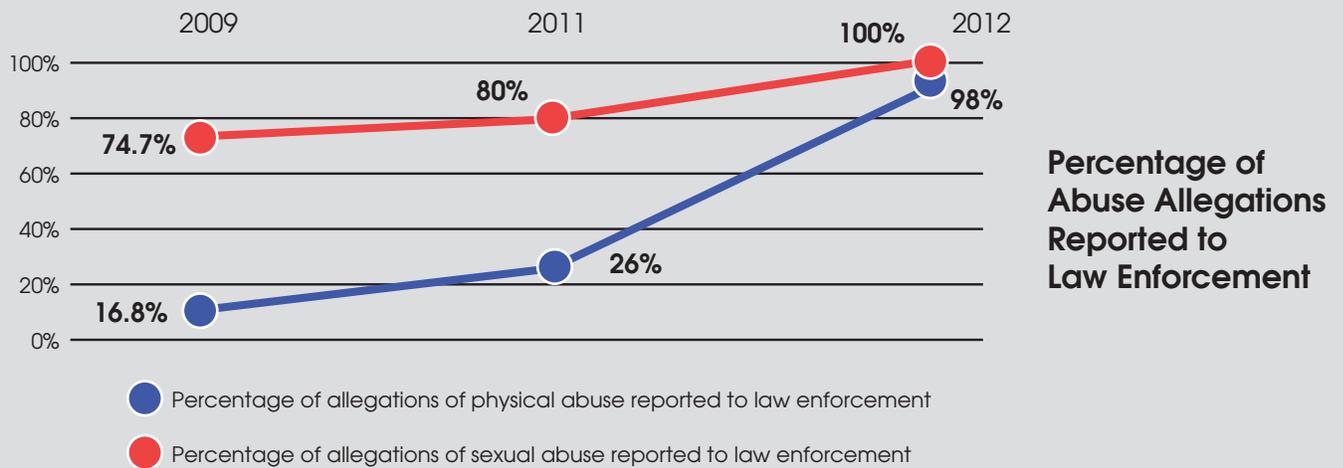
### Protocol for Reporting Possible Crimes

In March 2011, OPWDD issued a memo to all providers requiring them to immediately report all incidents of physical abuse and sexual abuse to law enforcement.

Since that time, the percentage of allegations of physical abuse reported to law enforcement rose from 26% to 98%, a dramatic increase demonstrating the substantial effectiveness of reform efforts to date. During this same period, the reporting of all allegations of sexual abuse increased from 80% to 100%.

### Partnerships with Law Enforcement

OPWDD's ongoing work with law enforcement entities has improved communication and fostered a greater understanding of the needs of individuals served by OPWDD. For the first time, graduates of the State Police Academy will have been provided specialized training on individuals with developmental disabilities. Additionally, OPWDD has worked with police to ensure they know the locations of homes and sites in the OPWDD system so that they have the information they need when responding to a call.



In August 2011, a joint agreement with the New York State Police was announced regarding a new protocol for reporting abuse to police whenever a possible crime is committed. In the past, incidents of physical abuse that constituted crimes were not consistently reported to police agencies and were often viewed as an internal matter. The implementation of this agreement and protocol has increased law enforcement response and investigation into allegations of abuse which could be criminal in nature.

OPWDD has established many partnerships with law enforcement, including with the New York State District Attorneys Association, the New York State Police Academy, and the New York City Police Department, among others.

Additionally, the state's Division of Criminal Justice Services (DCJS) has provided access to law enforcement-level training for OPWDD investigators. To date, 10 OPWDD investigators have attended missing person investigations and alert procedures training, 16 investigators have attended statement analysis training, and 20 have participated in interview and interrogation courses.

**Dramatic Improvements in Timely Incident Reporting**

In the fall of 2011, OPWDD mandated that all incidents be entered in a timely manner into a centralized database used by both the state and nonprofit providers. The time it takes for a reported incident to be entered into the incident management system has decreased from over 10 days to just 4 days.

OPWDD and its providers now enter 100% of incidents into the incident management system. Timely reporting enables OPWDD to respond quickly to any incidents of concern to ensure that individuals with developmental disabilities anywhere in the OPWDD service system are safe.



### Further Strengthened Investigations

OPWDD’s centralized Office of Investigations and Internal Affairs was established in April 2011 to ensure the independence of investigations and standardization of processes and outcomes in state-operated programs. A new training program for investigators was developed in June 2011, and new policies and procedures govern how investigations are conducted to ensure both their integrity and consistency. This has reduced the backlog of investigations and allowed current investigations to be completed in a more timely manner. As of March 2012, 64 investigators have been certified, and 12 additional investigators are being hired.

### Centralized Investigations Transformation Timeline



After strengthening its own investigations process, OPWDD issued regulations effective November 1, 2011 that enhance the requirements related to the independence of investigators for serious incidents and allegations of abuse for programs operated by nonprofit providers.

A new investigative report format was required for all state and nonprofit providers effective March 15, 2012, with a focus on the timeliness, quality, and consistency of investigations. OPWDD is also developing a data system to thoroughly document investigative processes and outcomes.

### Increasing On-site Visits

In the past year, OPWDD regional directors and deputy directors have conducted over 1,600 unannounced visits to the agency’s more than 1,100 state-operated homes. More than 88% of homes have been visited at least once. These visits not only enhance oversight efforts, they foster stronger relationships and increase communication among staff at all levels.

# 1,600+

OPWDD regional directors and deputy directors have made over 1,600 unannounced visits to state-operated homes in the past year.



**Established New Fire Safety Plan**

The safety of group homes is a top priority in New York State. This year’s state budget includes critical funding for improvements to community residential programs to meet more intensive fire safety standards, consistent with the recommendations of the 2010 fire safety panel of state and national experts. The budget also provides resources to support necessary fire safety improvements in state and nonprofit residential programs over the next several years. OPWDD has conducted a review of over 3,500 of its state and nonprofit provider homes that are in priority categories for safety upgrades to ensure those homes in greatest need will be the first to receive improvements.

Since February 1, 2012, the Office of Fire Prevention and Control (OFPC) has been conducting Life Safety Code inspections in OPWDD-operated homes and will be expanding to include all certified programs this year. OPWDD now reports all fires that occur in OPWDD programs to OFPC, which reviews the cause and origin. OPWDD providers have been instructed to report all fires occurring in OPWDD programs within one hour of a fire event or as soon as possible thereafter.

**A Provider Performance Report Card for Individuals and Families**

In March 2012, an initiative to create online “report cards” for every one of the more than 700 nonprofit providers in OPWDD’s system commenced. Individuals and family members must be able to access information about available supports and providers so that they can make informed choices. These report cards will help people navigate the system and raise the bar for all nonprofit providers within OPWDD’s network.

Information will include demographics about all provider agencies, as well as information on the quality of an agency’s Medicaid service coordination (MSC), fire safety, incident management, health services, and nutrition services. The initiative will be complete by fall 2012.



**Provider Performance Report Card Timeline**



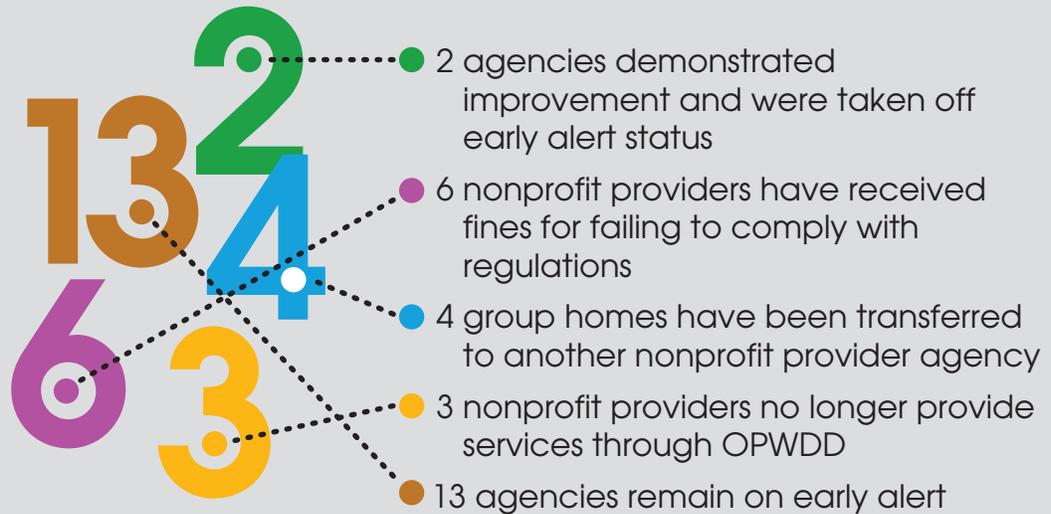
### Enhanced Early Alert Process

In July 2011, OPWDD substantially restructured its early alert committee, which monitors the operational status and performance of nonprofit developmental disabilities service providers.

Most agencies provide quality supports and services; the enhanced early alert process identifies poor performing agencies earlier in order to help them improve before issues worsen. Also, additional processes such as requiring corrective management plans, progress metrics, and defined timeframes have been put into place to better ensure agency response and accountability. Since reinvigorating the process in July 2011, 18 agencies have been placed on early alert status.

### Early Alert Status as of March 31, 2012

Since July 2011, 18 agencies have been placed on early alert.



### COMPASS: Achieving Excellence

Agencies admitted to OPWDD’s COMPASS program have achieved excellence in service delivery and have progressed beyond minimal regulatory compliance. Currently, there are eight COMPASS agencies. These agencies, along with 14 additional agencies that are pursuing COMPASS certification, are participating in case studies for the People First Waiver, where they will help OPWDD improve how it evaluates each individual’s need for services, assist with developing standards for care planning, and help to identify ways to measure the quality of outcomes for people receiving services.

## C. Cultural Change through Transparency and Communication



### I Spoke Out Campaign

The *I Spoke Out* campaign serves as a reminder to employees of OPWDD’s policy on abuse and neglect, and the obligation of all employees to speak out when they witness or suspect abuse or neglect. Since the campaign’s July 2011 launch, more than 15,000 informational posters with contact information have been distributed and 15,000 purse or wallet cards have been distributed throughout the system.

Additionally, with the focus on arming employees with the contact information they need at all times, the agency has produced key chains with information on how to report allegations.



### Empowering Individuals and Families

Gathering feedback from stakeholders from across New York State is essential to the successful development of the People First Waiver. In the past year, OPWDD has made over 100 presentations to the public about the proposed waiver. To promote transparency and encourage individuals and family members to share their input, OPWDD has appointed staff liaisons to each developmental disabilities services office (DDSO) to host waiver discussion boards made up of individuals with developmental disabilities, family members, and other stakeholders. In addition, each month OPWDD will host a statewide video conference to bring information to the discussion boards and hear stakeholder ideas, questions, and concerns. OPWDD is also holding similar bimonthly videoconference updates with nonprofit service providers and OPWDD employees.

### Building a Stronger Communications Platform

**Social Media** – OPWDD’s Facebook page went live in July 2011. Since then, it has become the third most visited page of any New York State agency. The page receives more than 60,000 unique visitors per month, and has become a trusted source for information, as well as a way for employees to bring issues to the attention of OPWDD’s leadership.



OPWDD has also launched a YouTube channel, which is used to distribute training opportunities and timely information about relevant topics and initiatives. Since its launch in fall 2011, informational videos have been viewed more than 25,000 times.

**Website Redesign** – OPWDD has overhauled its website to make it more interactive and easier for visitors to navigate. In the coming months, OPWDD will build more interactivity into the site, allowing users to create accounts, complete job applications online, share comments, and more.



### Comprehensive Email System for OPWDD Employees

One year ago, almost one quarter of OPWDD’s workforce (approximately 7,000 employees) had not been provided an email account or basic Internet access. As of December 2011, every employee has been given email access, ensuring that all OPWDD staff are connected and able to receive critical information, as well as respond directly to agency leadership with concerns and recommendations.

### Information Line

OPWDD’s information line (866-946-9733) is designed to help people get answers to questions about supports and services for individuals with developmental disabilities in New York State. It is also used to take complaints of alleged misconduct, fraud, waste, and abuse in our service system. Since March 2011, calls to OPWDD’s information line increased almost 8%, reflecting an increased awareness on behalf of the public and employees about where to go for information or to voice concerns.

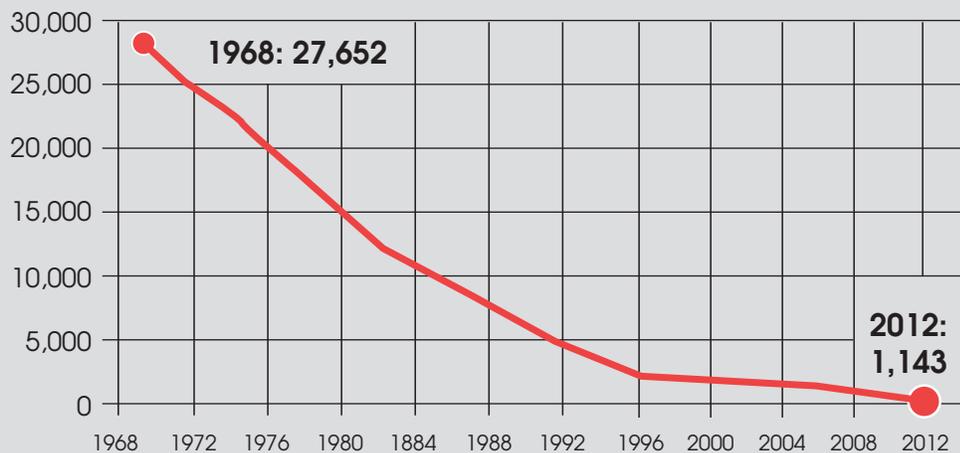


### III. Strengthening Supports and Services

Our system is growing. In addition to making the system safer for the individuals we serve, we have been implementing responsible changes to our service delivery to better position OPWDD to meet our needs today and in the future. We have made immediate changes to strengthen the quality of services and supports for the individuals we serve. In addition, long-term initiatives like the People First Waiver have placed a renewed focus on expanding community-based residential opportunities, helping individuals age in their homes and communities, and enhancing ways in which people can find employment and engage in meaningful activities.

#### Home of Choice

Home of Choice  
Institutional  
Census  
1968-2012



#### Keeping the Promise to Close Institutions, Promote Community Living

At one time, 20 state institutions housed nearly 30,000 people. Not only do institutional settings restrict more individualized service plans, they are costly, redirecting critical resources away from strengthening services to upkeep on aging structures.

Starting in the 1970s, with the development of the first community-based group home, the state focused on new residential opportunities. Today, just over 1,100 people continue to receive institutional care. Twelve institutions have closed their doors as those services have moved into the community, and the state has opened or certified more than 6,200 group homes statewide. OPWDD is keeping its commitment to close institutions and create new community opportunities with last year's closure of the West Seneca developmental center, and additional closures slated for the Staten Island Multiple



Disabilities Unit in June 2012, and the Finger Lakes and Wassaic campus-based residential programs in December 2013. While some individuals will continue to need intensive supports on an interim basis in campus-based settings, people can, should, and do have the right to live and receive their services in the most integrated community setting when they are ready.

Since October 2011, 71 individuals have moved out of OPWDD's institutional settings and into the community, and an additional 121 individuals are projected to move out of institutional settings by March 2013.

### **New Opportunities that Maximize Independence**

OPWDD has established a comprehensive infrastructure made up of public/private partners and collaborators to support its efforts, share risks, and maximize success in helping individuals live in the community. Some partners include the US Department of Housing and Urban Development, the US Department of Health and Human Services, New York State Homes & Community Renewal, financial institutions such as M&T Bank, the Capital District Transportation Authority (CDTA), faith-based institutions, and grassroots organizations, among others.

As of March 2012, Home of Your Own program opportunities are available in all 62 counties in New York State.

# 62

Additionally, OPWDD has strengthened agreements with federal and state agencies that:

- Expand opportunities for income-eligible families of individuals with developmental disabilities to own their own home in the Home of Your Own (HOYO) program from 21 counties to all 62 counties.
- Ensure that individuals and families that purchase a home in the Capital Region under HOYO have free access to public transportation for two years through a new agreement with CDTA.

### **Transitioning OPWDD Services Closer to Home**

Historically, children who cannot be adequately educated by their schools, and/or accommodated by their families often go to in-state or out-of-state private residential schools. A failure or lack of availability of in-state residential placements results in the need for more costly out-of-state residential services, and adds barriers to an individual's ability to remain close to loved ones.

OPWDD has begun a statewide initiative to return children who are eligible for OPWDD services and currently living at residential schools, both in and out of state, back to home and community-based services as they age out of the education system into adult services with OPWDD. The Aging Out Initiative aims to ensure that children who go to either in-state or out-of-state residential schools have access to person-centered services upon their entry into the OPWDD service system at the age of 22.



To ensure services exist, and to anticipate needs well in advance, OPWDD has taken the following steps:

- **Better External Coordination.** OPWDD is partnering with the State Education Departments in new ways and has established new review processes in order to increase the pace and fit of placements for students aging into our system.
- **Better Internal Coordination.** Regional OPWDD liaisons now meet quarterly to coordinate placements statewide, identify common issues, and coordinate action plans.
- **Information Management.** OPWDD is developing a database which tracks each individual’s information from their first point of contact through successful placement to ensure their specific needs are identified and met.

### Aging in the Community

Through a grant from the New York State Developmental Disabilities Planning Council, OPWDD and the New York State Office for the Aging developed *Aging in Community*, a two-phase collaborative initiative to help educate individuals with developmental disabilities as they get older, as well as their family members, friends, and care supporters, on how to continue to live successfully and as independently as they choose in the community they love.



This program aims to inform, provide tips, and open new ways of thinking to enhance the quality of life for people aging with developmental disabilities. Based in part on content created by OPWDD partnerships with the University of Rochester, the National Council on Aging and the Centers for Disease Control and Prevention, the training includes specifics about caring for individuals aging with developmental disabilities such as working with people who cannot communicate pain, fall prevention, and dehydration.

### Improving Individualized Services

OPWDD focuses on assisting individuals interested in planning and managing their own supports to be successful, and this often can include more independent residential programs through OPWDD’s consolidated supports and services, individual support services, and other initiatives that utilize individual budgets. The expansion of customized supports and person-centered planning are key goals of the People First Waiver.

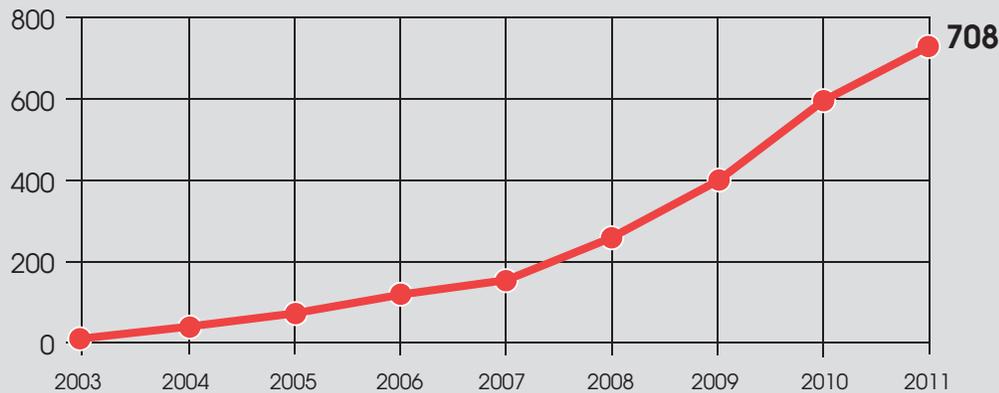
Popular self-direction and individualized services programs operated by OPWDD include consolidated supports and services, which enable individuals to hire and manage their own staff, access community resources, and plan their lives with a greater degree of autonomy and control.

# 2,340

## More than 2,300 individuals receive a rent subsidy through the Individual Support Services Program.

Through its Individual Support Services program, OPWDD offers rent subsidies to individuals who prefer to live outside a certified group setting and reside in their own apartment. From March 2011 to December 2011, enrollment in the Individual Support Services program increased by almost 10%.

With the help of individuals, families, and providers, OPWDD will continue to streamline and consolidate individualized services to make them easier to access and use.



**Individuals with Personal Resource Accounts and Individualized Budgets**

## Meaningful Activities and Relationships

### Thinking Creatively About Employment and Meaningful Activities

Nearly 9,500 individuals with developmental disabilities participate in some kind of integrated work setting statewide. OPWDD has made the commitment to doubling that figure in the years to come.

To help achieve that goal, in October 2011, New York was one of six states awarded a five-year grant from the US Department of Health and Human Services to create partnerships and development programs that support competitive employment for youth and adults with developmental disabilities.

Grant participants, led by the University of Rochester, will focus on:

- Developing policies that support a change in approach to employing young adults and youth with developmental disabilities;
- Improving employment preparation for high school students aging out of the State Education Department and into OPWDD; and
- Enhancing cross-agency communication and collaboration to support OPWDD's Employment First initiative, which aims to provide employment opportunities for people with developmental disabilities of all ages.

### Helping Individuals Practice their Faith of Choice

Empowering individuals to make decisions about activities in their life includes helping those who practice a faith of their choosing to do so in the community.

In 2011, OPWDD received a faith community development grant through the New York State Developmental Disabilities Planning Council that is being used to build sustainable relationships within the community that:

- Enrich the lives of individuals with developmental disabilities through integration in the faith community of their choice.
- Provide opportunities for individuals to gain access to other community activities that support more spiritual choices.
- Give individuals greater self direction in choosing activities that allow for participation on an individual basis at a time of their choosing



## Supporting Good Health

### Health and Safety Alerts

In November 2011, OPWDD began a health and safety alert program meant to raise consciousness throughout the system on the need for all employees and stakeholders to remain vigilant and aware of potential safety hazards that exist. The agency issues one or two alerts monthly, and many nonprofit providers reproduce the alerts within their own networks of employees, individuals, and families.

### Electronic Case Management

CHOICES is a web-based application that will allow nonprofit providers and the state to share case-specific information, which will improve care management decisions, and increase accountability and overall transparency. Since November 2011, more than one quarter of OPWDD’s nonprofit providers have begun using this electronic case management record system.

## People First and the Medicaid Waiver

### Supporting People to Live in the Most Integrated Setting

In his second state-of-the-state address, Governor Cuomo announced the creation of an Olmstead Implementation Plan for New York State for all agencies, which will develop the framework for the housing, employment, assessment, transportation, and other supports necessary to help New Yorkers with disabilities live in the most integrated community settings. New York’s plan will complement the goals of OPWDD’s People First Waiver.

### People First Waiver

New York State’s proposed People First Waiver is a large-scale reform initiative designed to improve OPWDD’s services to meet the needs of the more than 126,000 individuals with developmental disabilities in New York State. Through programmatic, fiscal, and administrative improvements, the waiver will establish an integrated system that delivers more flexible supports and services that are based on each individual’s needs.

The People First Waiver provides an opportunity to:

- Redesign services for people with developmental disabilities for increased focus on quality, choice, and community to support better outcomes;
- Align the developmental disabilities service system with New York’s health care reform and implement comprehensive care coordination across service systems; and
- Ensure the future sustainability of the service system.

The waiver will eventually provide comprehensive services for Medicaid-enrolled individuals with developmental disabilities, including all Medicaid health care services and long-term care services within the OPWDD system, as well as those under other state agencies (mental health services, nursing homes, personal care, etc.).

### Major Reform Initiatives of the People First Waiver

**Improved Access to Services** – Currently, access to services is shaped by the state agency or provider with which the person seeking services begins. Different processes, standards, and other requirements make access to services from multiple systems confusing. Using technology to support comprehensive care coordination, the waiver will support “No Wrong Door” to service access.

**Uniform Needs Assessment** – The waiver will establish a uniform needs assessment instrument and process that will support comprehensive person-centered planning, in





conjunction with each individual's family members and/or circle of support, and gear services toward each person to meet their unique needs regardless of the level of care he or she requires or where they live in New York State.

**Care Management and Integrated Care Coordination** – The waiver will establish a managed care service delivery structure to provide holistic, person-centered planning and improved service coordination, and support better outcomes for people. The managed care model will align incentives so that care coordination organizations assist people to achieve greater success.

Since April 2011, there have been over 100 waiver presentations to various audiences around the state.

100+

**A Sustainable Fiscal Platform** – Under the waiver, a uniform payment methodology based on each individual's need, will enable the full integration of medical, habilitative, and long-term care. The new payment system will promote preventive and innovative care, and by encouraging the delivery of the right level of supports in the right setting, will lead to improved efficiency and better outcomes for individuals.

**An Enhanced Menu of More Flexible, Community-Based Supports (including clinical and behavioral supports)** – Under the waiver, there will be a significantly smaller number of managed care entities, and providers will be part of organized networks. Additionally, the waiver will encourage a focus on the whole person and integrate services across funding sources and systems. Individuals currently receive Medicaid service coordination as well as Medicaid state plan services. These different funding sources and different Medicaid standards complicate service planning, increase administrative costs, and reduce effectiveness. The People First Waiver will redefine services in broader categories to allow greater flexibility in shaping person-centered plans that reflect each person's unique strengths, natural supports, and needs.

**An Enhanced Quality Assurance System** – OPWDD monitors quality through its oversight of more than 700 nonprofit providers and thousands of facilities. The waiver will establish a two-tiered approach to quality oversight that includes measurement of individuals' personal outcomes, satisfaction, and quality of life. Care management entities will hold providers accountable for these quality outcomes as well as for health and safety, and the New York State Department of Health and OPWDD will provide quality oversight, as well. The two outcome-focused quality assurance functions operating side by side will serve as another check and balance within the overall quality management framework. A new quality framework will track and report to the public meaningful measures of performance for improved transparency.



## IV. Next Steps

In the past year, significant progress has been made in strengthening our services and taking action to ensure the health and safety of the individuals we serve, improve services and supports, and plan for a sustainable future. As we enact reforms, and then track their progress to ensure they are working, OPWDD is also identifying our next steps over both the short- and long-term. That is critical to our success as a growing system capable of meeting current needs and anticipating future demands on service delivery. In the next six months to one year, we will be overhauling OPWDD regulations and providing training to build a system less reliant on the use of physical restraint or psychotropic drugs; establishing a values-based hiring process that complements our values-based workforce recruitment campaign; and placing a stronger focus on improving quality services across the board by empowering individuals through community-based services and positive relationships.

### **Improving Services and Supports for Individuals and Families**

#### **Individual and Community Services Made Easier**

Individuals in the OPWDD service system will be able to obtain individualized services through a new streamlined process that is based on an individual's preferences and informed choices. The streamlined process will be the result of an ongoing effort to combine and simplify consolidated supports and services and individualized supports and services processes. The newly revamped process is expected to be completed in the summer of 2012, with statewide implementation beginning shortly thereafter.

#### **Keeping Our Promise to Close Institutions and Create Community-Based Opportunities**

By December 2013, three additional institutions will close. In that time, OPWDD will conduct comprehensive assessments of the ability of every individual who is receiving services in these settings to live and be supported in the community.

## Implementing Language and Information Access for All Stakeholders

In 2011, Governor Cuomo signed an executive order for all state agencies to develop a Language Access Plan to ensure that all non-English speakers can access information. OPWDD is developing a comprehensive plan that will place multilingual materials at all offices and points of first contact, developing a database of employees who speak languages other than English and want to be supportive of this plan, and ensuring all critical materials are used consistently across the system and translated into the seven most common non-English spoken languages. OPWDD is also identifying ways to better communicate with individuals with disabilities, including those who are deaf, as the agency's overall communications take on a broader role through the use of video, audio, and Internet-based information.



## Increasing Employment Opportunities for Individuals

To achieve our goal of significantly increasing the number of people with developmental disabilities who are employed, OPWDD is focusing on necessary systemic changes, including:

- Restructuring current OPWDD employment programs to eliminate silos;
- Incorporating assessment, discovery, and person-centered planning into the delivery of supported employment services;
- Aligning day habilitation, pre-vocational, and workshop services with employment goals; and
- Increasing opportunities for individuals with disabilities to develop job readiness skills through volunteer and internship work experiences.

## Further Strengthening Our Workforce

### Competencies for All Direct Support Professionals and Supervisors

In 2011, the New York State Developmental Disabilities Talent Development Consortium, comprised of OPWDD staff, stakeholders, and national experts, was charged with developing a uniform set of core competencies and training standards for all direct support professionals and their supervisors.

Competencies for direct care staff have been finalized. Training curricula for employees are being developed and implementation will begin in summer 2012. This training will incorporate a review of existing best practices in training via a number of various sources, such as the College of Direct Support, OPWDD's nonprofit providers, and universities and colleges. OPWDD is also adopting the national code of ethics developed by the National Association of Direct Support Professionals.

### Positive Relationships Offer More Opportunity to Everyone (PROMOTE)

OPWDD has developed a comprehensive curriculum called Positive Relationships Offer More Opportunity to Everyone (PROMOTE), which will ensure that the agency's workforce not only understands the importance of building positive relationships, but that they have the skills and resources they need to do so effectively. Instructor training for the new curriculum began in March 2012.



Employee Jacqueline Bouquio of the Staten Island Children's Museum



### **Connecting the Workforce with New Technology**

The OPWDD service delivery system is vast, and sites in rural communities, or which are long distances from the closest regional office, sometimes feel disconnected and lack the most up-to-date information. In the next year, OPWDD will be implementing system-wide videoconference technology to all state sites, which will allow employees, supervisors, managers, and others to engage regularly.

## **Continuing Our Progress on Keeping Individuals Safe**

### **Camera Pilot Program for State Vehicles that Transport Individuals**

In April 2012, OPWDD began a pilot program that places video recording and global positioning system (GPS) devices in vehicles that are used to transport individuals directly supported by OPWDD. This camera and GPS program will make the system safer when individuals are in transit, help resolve complaints, and preserve evidence in cases where there is a substantiated allegation of abuse. Additionally, recordings can easily identify false accusations against employees, reducing the likelihood of an unnecessary drain on law enforcement and OPWDD resources that are better spent investigating true allegations.

The cameras and GPS activate when the vehicle is in use, and recordings are retrieved through a secure connection. They are automatically cataloged and may be accessed to review allegations, and used as evidence in investigations. The high-level technology can also report, in real-time, if a state vehicle diverges from its expected route or if it is in use when it should not be. It can also produce reports indicating if a driver is exceeding the speed limit or engaging in other behaviors that compromise the safety of passengers.

OPWDD will be assessing the pilot program throughout April and May, and will be using the results of this assessment to make any necessary modifications before expanding the program statewide.

### **Utilizing Positive Approaches to Lessen Physical Restraint and Psychotropic Drug Usage**

OPWDD has proposed regulations that will completely overhaul how certain techniques to provide behavior supports are used, including a committee review process and informed consent requirements. These regulations will address the use of psychotropic medications and physical restraints, as well as establish clear requirements for the use of a hierarchy of positive interventions before more restrictive techniques may be used, which will give employees the supports they need to build positive relationships with individuals, and experience in identifying concerns before reaching a point when the person is in danger of harming themselves or others. Additionally, these regulations establish a post-use review process for any use of physical restraints, with a goal to greatly reduce their use. The new regulations are expected to be adopted by January 2013.

### **Adopting Consistent Reporting of any Incident of Death**

OPWDD has been working closely with the University of Massachusetts, which runs a highly respected tracking program on any deaths that occur within their state's system, to adopt a similar model in New York. OPWDD has already strengthened the oversight and review process for all individuals who pass away within the system, to ensure information matches what is reported to CQCAPD and that the cause of all deaths is known. Beginning in May 2012, OPWDD will be rolling out a monthly reporting system that will enable immediate review of all data and trigger an inquiry when issues of concern arise.



## **Requiring a Timeline for Completion of Investigations**

OPWDD is in the process of introducing new regulations for all state and nonprofit providers that establish a clear timeframe in which all investigations must be completed. Since OPWDD has dedicated resources to developing an independent unit of nationally certified investigators, the average amount of time it takes to complete an investigation has been consistently decreasing.

## **Creating a Culture of Awareness, Respect, and Teamwork**

### **The “ART” of Safety and Collective Mindfulness**

OPWDD is committed to creating a culture of dignity, equality, and respect. This long-term process is based on recognizing the responsibility each of us has to support those around us, identify weaknesses, and work together on our common goal of enriching the lives of people with developmental disabilities. True and lasting systemic reform can only be achieved through a change in agency culture.

In November 2011, OPWDD established a focus group on culture change comprised of administrators, advocates, direct support staff, families, individuals, and nonprofit service providers. The focus group was commissioned to provide a context and framework for OPWDD's goals based on our core values of compassion, dignity, diversity, honesty, and excellence.

Four common themes emerged, all rooted in an environment of shared responsibility for “Awareness, Respect, and Teamwork” (ART):

- The importance of meaningful relationships;
- Having a values-based focus when making hiring decisions;
- Mission driven training and supports for direct support staff and supervisors; and
- Implementing supervisory models that are founded on values-based criteria.

In January 2012, the group created a written framework that will support ART initiatives on individual and organizational levels. This plan will integrate the many initiatives now underway in the agency.

### **Establishing Values Based Hiring Process**

OPWDD is developing a values-based hiring model that complements ART initiatives, and includes a series of interviews that clearly set the bar on all expectations that come with the position for which the candidate is applying, and provides a realistic overview of the challenges and rewards that come with being a direct support professional.



## V. Conclusion

As this second progress report outlines, many positive and measurable changes have occurred over the past year to ensure that individuals are safe, that the workforce is further strengthened, and that services and supports are enhanced. The progress outlined in this report builds on what was done in the previous six months. Contributing to this progress is the strong support of Governor Cuomo and the efforts of thousands of staff of OPWDD, nonprofit providers, self-advocates, families, and others. Our system was built through the advocacy and commitment of all of these people, and will only improve if we continue to work together.

Tracking our progress is important. It allows the agency to recognize the hard work of many people, and helps us to identify areas for improvement. At the same time, it keeps us accountable to the public. Accountability is important not only because New York State operates one of the largest service systems for individuals with developmental disabilities in the world, but also because we owe it to every individual in our system to do the best job possible.

In many ways, this past year was challenging, but as this report outlines, the system has overcome adversity, and been strengthened by it. We are committed to involving all stakeholders in our efforts, and will continue to report on our progress.





## VI. Appendix: Overview of OPWDD System

OPWDD is responsible for coordinating services for New Yorkers with developmental disabilities, including intellectual disabilities, cerebral palsy, Down syndrome, autism spectrum disorders, and other disabilities. It provides services directly and through a network of approximately 700 nonprofit service providing agencies, with about 80% of services provided by the private nonprofits and 20% provided by state-run services.

Presently, there are more than 126,000 people with developmental disabilities who receive supports and services, which include Medicaid funded long-term care services such as habilitation and clinical services, as well as residential supports and services, primarily provided in communities across the state. Largely because of intensive treatment needs, about 1,200 people continue to reside in institutional settings such as developmental centers, secure facilities, and children's residential programs.

In addition to these Medicaid services, OPWDD also provides family support services, which are designed to assist families in providing care for their loved ones who live full-time in their family home, and employment supports, which include ongoing job coaching, job matching, and vocational training.





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