

Advocacy in Action FY 2014 Annual Report



Oh yes, we know The Arc Montgomery County!

We've had so many calls from you guys that we can hardly get our work done.

This comment from a legislative aide during the 2014 State Assembly session proved that our advocacy efforts were making an impact! We were helping the people we support and their families express their concerns about recently introduced legislation. We were helping our

staff connect with their own elected representatives and explain why increased funding was critical. **We were getting attention.** Starting with delivery of The Arc Maryland legislative calendars in January and continuing through Developmental Disabilities Day in February, last-minute calls for testimony and a "Raise the DD Wage" lobby night, The Arc Montgomery County was seen and heard in Annapolis. Will our efforts make a difference over the long term? Only time will tell, but some legislation passed which *will* improve the quality of life for the people we support and their staff.

Funding to support people with disabilities has not kept pace with inflation; minimum wage and other programmatic costs keep rising. Sometimes providing basic support services is a fiscal challenge. Our mission is to do *more* than simply feed, clothe and shelter people with disabilities; we want to help them construct fulfilling lives in their communities and to make connections with other people. For our mission to become reality, we need more funding...and that's the advocacy message we shared.

Tobie P. Conley

Tobin Conley President, Board of Directors

Annalo

Joyce Taylor Executive Director



Beginning in 2008, drastic cuts were made by both state and federal governments to support services for people with disabilities. During the same time period, service

providers saw their costs continue to rise and the need for services continue to increase. This is the first generation of people with I/DD who are living well into their 70s and 80s, and the financial strain on provider agencies like The Arc is growing. People who entered the system when they were



young and relatively healthy now suffer from age-related issues including diabetes and dementia, but funding does not keep pace with the cost of providing more intensive support services. Over 8,000 people are on a waiting list for services in Maryland and unfunded mandates like nurse supervision and staff training continue to expand.

Service providers like The Arc are paid a "wage factor" from Maryland's Developmental Disabilities Administration (DDA) which is intended to cover the cost of wages and benefits for direct support staff. In FY 2014, this wage factor was \$9.82 per hour and it applied equally to staff at all levels (long-term employees and new hires). Seven years earlier, this wage factor was 77% higher than the state minimum wage. It dropped to only 35% higher in 2014 and will fall even lower, because the state minimum wage is increasing to \$10.10/hour and the county minimum wage is increasing to \$11.50/hour.

On top of the increases in minimum wage, the Affordable Care Act exponentially increased staffing costs and other overhead expenses continue to rise more quickly than DDA increases, which are well below cost of living allowances. Unless the DDA wage factor increases over the next few fiscal years, direct support staff positions will become minimum wage jobs.



Board members, self-advocates and staff arrived in Annapolis on a cold February evening to encourage their elected officials to support increasing DDA funding.



Family members, board members, staff and self-advocates hand wrote over 100 letters to their elected officials, urging for an increase in the rate DDA pays to providers for staff support of people with disabilities.

This is the platform from which The Arc Montgomery County's advocacy efforts launched. Direct support staff deserve to be paid more than minimum wage, as these positions require specialized training and skills, and they are directly responsible for the safety, health and community engagement of people with disabilities. Competitive pay rates are a key factor in keeping quality staff and avoiding the "revolving door" effect which has such a negative impact on people with disabilities.

By banding together with other service providers and advocacy organizations, including Maryland Association of Community Services (MACS) and The Arc Maryland, The Arc Montgomery County and other I/DD service providers successfully negotiated a legislative mandate to increase funding for community-based I/DD services by 3.5% each year from FY 2016-FY 2019. These increases, combined with a 4% budgeted mid-year increase in FY 2015, will keep the DDA wage factor rate at least 30% above state minimum wage through FY 2019.

This hard-won success is due directly to the advocacy efforts of people with disabilities, their family members, staff and board members. **Real stories about real people made a key difference in Annapolis!**

Testimony in Support of House Bill 1266 (DHMH Minimum Wage Reimbursement)

In any human service agency that provides support to individuals with developmental disabilities, the strength of the agency's programs relies heavily on its direct support professionals. As a recruiter and front-line supervisor, I have seen first-hand that these staff members are the heart of our agency. They bear the responsibilities of making sure that our participants' most immediate needs are met and that they are leading

Direct support professionals assist someone with disabilities with cooking and other household tasks. They work around the clock to secure adequate housing for lowincome participants and to facilitate access to state and local benefits. They help those with financial challenges to make careful decisions in monitoring their budget. They support families in emergencies and are the first ones waiting in the ER until a participant is discharged from the hospital. These staff must undergo background checks, complete and pass over 70 hours of state-mandated training, and maintain current status with their medication certifications and annual training renewals.

Our staff wear many different hats, acting as family, advocate, counselor, educator, nurse, and friend all at once. With crises always around the corner, they often find themselves in a situation where they have to take risks and make independent decisions that have huge implications for the health and safety of the individual being supported. Because of our staff, someone's son or daughter now finds it possible to cope with life's ongoing challenges. Because of our staff, someone previously institutionalized can now live in the community and hold a job. Because of our staff, someone can have access to friends and participate in regular church outings, visit the local book club, or be active

Do these direct support positions sound like they should be minimum wage jobs? I think not. It is hard enough now for non-profit agencies to recruit, train, mentor, and retain high quality staff. If there isn't an increase in the wage to direct support professionals proportionate to the increase in the state minimum wage, it will be devastating to the people we support. Our participants need consistency, structure, and ongoing nurturing from their staff to lead fulfilling lives and this cannot be provided if the wages do not remain competitive. While we support raising the minimum wage, we also need DDA to provide us with the funding to increase the wages of the workers who matter most to our participants. They are truly the unsung heroes. Thank you!

> Yufei Hou, Program Coordinator The Arc Montgomery County

Yufei Hou (left), Tanya Olson and Rose Ogiata met with a legislative aide to explain the need for increased DDA funding to pay competitive wages to direct support staff.



How Cree Creates Jobs

Our son, Cree, now age four, has attended The Arc Montgomery County Karasik Family, Infant & Child Care Center since he was four months old. He is a heart surgery survivor who was also born with the rare Phelan-McDermid Syndrome and neurofibromatosis 2. In addition to all of the issues that result from those chromosome deletions, including severely low muscle tone, lack of speech, and eating issues, he has epilepsy and bilateral hip subluxation. Cree is a medically fragile child who at times requires an intense level of care.

We have been blessed to have all of Cree's support services under one roof—child care, special education preschool program, nursing support, physical/occupational/speech/vision therapies, and family support. Given the nature of Cree's disabilities, he requires the skills of many professionals from various backgrounds—this one small child creates jobs for many!

Larry Pearce and Catherine Valcourt-Pearce





Larry Pearce, Catherine Valcourt-Pearce and Cree Pearce met with Delegate Ariana Kelly (above) and other elected officials to share their story and to stress the importance of continued funding for programs which provide specialized child care for medically-fragile children.

Developmental Disabilities Day in Annapolis focused on strength in numbers by encouraging people with I/DD, their staff and family members to join together and ask for support from their elected officials (right).

State Legislation Enacted in 2014 Impacting People with Disabilities

HB 294/SB 542: Law Enforcement Officers Training Requirements. Alters entrance-level and annual in-service training for law enforcement offices to include training regarding individuals with physical, intellectual and developmental disabilities.

HB 295/SB 331: Maryland Minimum Wage Act of 2014. Increases the Maryland minimum wage to \$10.10 by 2016 and ties future increases to the Baltimore/Washington Consumer Price Index (CPI). Creates a statutory mandate for an annual 3.5% rate increase from FY 2016 through FY 2019 to ensure funding for DDA provide direct support wages at approximately 130% of minimum wage.*

HB 556/SB 418: DDA Low Intensity Support Services Funding. Lowered the funding cap for Low Intensity Support Services (LISS) from \$3,000 to \$2,000 per person, per fiscal year.

SB 606: DDA Deputy Secretary. Elevated the position of DDA director to a DHMH Deputy Secretary.

SB 654: Down Syndrome Required Information. Requires DHMH to provide information to health care facilities and providers for expectant parents who receive a positive Down Syndrome test result.

HB 908/SB 849: Nurses, Nursing Assistants, Medication Technicians and Electrologists Licensing. Requires Certified Medical Technicians (initial and renewal) to undergo a CJIS criminal background check beginning January 1, 2015. Requires the Board of Nursing establish a rap-back program wherein each applicant's fingerprints will be retained by CJIS and all new and additional criminal information will be reported to the Board of Nursing.

*Editor's Note: The statutory mandate for an annual 3.5% rate increase from FY 2016-2019 was cut immediately prior to the 2015 legislative session. The final outcome was still pending at the time this report was published.





Kelly Piacesi presented testimony to the Montgomery County Council related to increases in support staff wages.

t ocus on Montgomery County

For over 25 years, the Montgomery County Government has provided a match to state-funded services for county residents with I/DD. These critical funds are paid on behalf of county residents directly to local provider agencies licensed and funded by Maryland DDA. The match is specifically earmarked to supplement wages for direct support staff, and has kept people employed in Montgomery County, where the cost of living is higher than the state average. Since 2009, the match provided by Montgomery County has decreased by almost

2% (relative to total DDA funding). Over this same period, approximately 100 new county residents have entered the system annually, with no matching funds. The added responsibility of meeting new minimum wage guidelines for Montgomery County which are significantly higher than the state minimum wage emphasizes the need for matching county funds.

The Arc Montgomery County, as part of Montgomery County InterACC/DD (a coalition of 26 I/DD providers which support more than 3,000 county residents), proposed a four year plan to restore the county match to pre-recession levels, by implementing modest increases each year. Although the entire requested amount was not provided, both the Montgomery County Executive and County Council each included in their budgets an increase in funding for the supplemental match for FY 2015.

This match is an essential resource to provide competitive wages to direct support staff whose work impacts the lives of thousands of Montgomery County's most vulnerable residents and their families. Together with increases from DDA, an increase in the supplemental match will mean The Arc can pay staff a living wage.

Request to Increase Montgomery County Match of DDA Revenue

I have a daughter who receives both residential and employment services from The Arc Montgomery County. As parents, my husband, Joe, and I are concerned for her health, happiness and security. We believe the staff who support her should be professionals of the highest quality. These direct support professionals are our substitutes when we and sounding boards. They are her mentors, counselors, teachers, medicine dispensers, and help her reach her goals. They help her keep track of her correspondence and appointments so that she doesn't miss important meetings and dates. They make her other activities so she can have a full and meaningful life. Indeed, they are very special people in her life and the lives of all the people with whom they work.

We support the increase in the minimum wage recently passed by Montgomery County and the State of Maryland. However, the direct support professionals working in residential, employment, day and community programs to support residents of Montgomery County who have developmental differences should not be minimum wage workers. They should receive greater compensation than the minimum wage because they must undergo extensive training in healthcare and the regulations of the Maryland Developmental Disabilities Administration (DDA) and the State of Maryland AND because the lives of the people they support are literally in their hands.

The State of Maryland is increasing the minimum wage and is requiring an annual increase in payments made to DDA providers, but the much higher minimum wage requirements in Montgomery County will stretch DDA providers to near breaking points. They cannot simply charge more for their services—so they need our county's support to ensure people with developmental disabilities are supported by trained, caring professionals.

The staff who support our daughter and who directly impact her life in so many important ways should not earn minimum wage. These people are talented, trained professionals and called upon to make sophisticated judgments every day. We respectfully urge you to fully fund the original supplemental match request from the DDA providers, to help ensure that DDA providers can remain competitive employers and secure excellent staff to support our county's vulnerable residents.





Cecilia Pauley joined her parents at a Montgomery County Council meeting to advocate for an increased match to the Montgomery County DDA supplement.

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Family members, staff, and self-advocates distributed legislative calendars to Montgomery County senators and delegates on Calendar Delivery Day. Each month featured a story about people with disabilities, and May highlighted the Valcourt-Pearce family from Montgomery County (far left).

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Over 500 individuals, groups and organizations who donated more than 11,000 hours of service during FY 2014, including these with at least 200 hours each: Stephanie Courtney Patricia De Poel Wilberg Bryan Galdos Anthony Gardiner Liliana Gonzalez Montgomery College School of Nursing Susan Murray Laetitia Sangwa Dorothy Slavcoff Lucinda Thaxton Donald Wertz

This report reflects donations received from July 1, 2013 through June 30, 2014.

Every donation makes it possible for us to continue fulfilling our mission.

Thank you for your support!

Advocates from The Arc Montgomery County shared their concerns about the lack of DDA funding with Delegate Ana Sol Gutierrez on Lobby Night.





Fiscal Year 2014

FY 2014 Revenue

\$21,646,789

 76% State Funding
10% County Funding
11% Program Fees
2% Donations, Membership, & Special Events
1% Other



FY 2014 Expenses \$21,218,829

- 10% Children & Youth Services
- 41% Residential Services
- 22% Vocational & Day Services
- 17% Family & Community Services
- 10% Management/General



As of June 30, 2014. A full report of the FY 2014 financial audit is available upon request.



Our mission is to Wentify, create and sustain inclusive communities that embrace and engage individuals and families affected by intellectual and developmental disabilities.

Achieve with us.

The Arc Montgomery County 11600 Nebel Street, Rockville, MD 20852 301.984.5777 www.thearcmontgomerycounty.org

