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Disability Advocates from Across the State Protest Governor Cuomo; Charge He is “Turning the Clock Back” on Community Integration

(Albany, NY): Disability advocates from across the State are gathering at the Capitol today to express their anger that Governor Cuomo has broken his promises to them once again – threatening the ability for people with disabilities to live independently.

The advocates charged Governor Cuomo is “turning the clock back” by failing to take action on key budget and policy pledges he had already made to people with disabilities. The phrase echoes the Governor’s own language about President Trump.

The delays are particularly notable since it is now 18 years after the Supreme Court’s landmark *Olmstead* decision, which established the rights of people with disabilities to live in the most integrated setting with appropriate supports and services. It is four years after Governor Cuomo has issued his *Olmstead* Implementation Plan.

Most striking is the fact that it’s been six years since the Cuomo Administration committed to implementing the Community First Choice (CFC) option, a Federal incentive which would transform the delivery of community based services in New York. The State is drawing approximately \$265 million in funding for CFC but has failed to implement the services that CFC requires. Advocates estimate that full implementation of CFC would draw down as much as \$430 million in additional Federal funding which could be used, in turn, to provide wages for home health attendants, accessible housing, and other services which New Yorkers with disabilities require.

“The Governor is disregarding people with disabilities by refusing to support and adequately fund the programs they require to live independently in the community,” states Lindsay Miller, Executive Director for the New York Association on Independent Living. “What has been most frustrating for our community is that many of our “asks” are proposals for which the Administration committed support via the *Olmstead* Implementation Plan, the Employment First Commission’s Report, or otherwise – which we praised the Governor for – yet they have gone absolutely nowhere.”

The disability community has put forth a series of recommendations to support people with disabilities and community integration, which have all been ignored by Governor Cuomo.

They are calling for:

- Reinstatement of the Office for the Advocate for People with Disabilities to give them a voice in state government policies and plans. The original Executive Order by Governor Mario Cuomo creating the Advocate’s Office was issued in 1983, and continued by Governor Andrew Cuomo as one of his first official acts after his inauguration. Unfortunately, it was continued without any resources to implement it;
- Higher wages for Consumer Directed Personal Attendants (CDPA) and home care;

- Adequate funding for those who need the most services to remain in the community;
- Increased funding for Independent Living Centers – peer run organizations which help people to live independently and integrated in the community – as recommended by the Board of Regents;
- Disability access in transportation, including Uber;
- Funding for home modifications through a tax credit and Access to Home, which provides home modifications to low income individuals to prevent institutionalization; and
- Implementing Employment First, including the small business tax credit to incentivize the hiring of people with disabilities.

“Don’t just take our word for it: last week the New York Attorney General asked to withdraw from representing the State in the adult homes settlement case. This shows you how badly Governor Cuomo is disconnected from our community and our fundamental rights,” said Bruce Darling, an organizer with disability rights group ADAPT. “Look at the list. On housing, on employment, on transportation, on Medicaid services, on independent living – on all of these issues the Governor is actively undermining the civil and constitutional rights of disabled New Yorkers.”

People with disabilities can’t get the care they need to live at home because the State’s Medicaid rates for home care in New York are paying wages so low that people can make more flipping burgers at fast food restaurants than they can helping people with tasks like bathing, toileting, and dressing.

"As Governor Cuomo raises the wages for workers around the state, cuts have forced many wages in CDPA and home care to go down," said Bryan O'Malley, Executive Director of the Consumer Directed Personal Assistance Association of New York State. "We have reached a point of crisis, where those who work in Medicaid providing services to people with disabilities and seniors are paid so little they themselves are on Medicaid and those in need of services cannot find or keep workers. The Governor and his Department of Health refuse to acknowledge this. We cannot and will not go back to an era where having a disability meant imprisonment in a nursing home. We will fight for the right to live high quality lives in the community."

The State is also failing to address the shameful lack of affordable and accessible transportation and housing in this State – two of the biggest barriers to community integration for people with disabilities. Governor Cuomo is championing the effort to bring Uber to New York State, but his proposal completely ignores the access needs of wheelchair users. Advocates have been calling for minimum access standards to be included in the Governor’s proposal, but these requests have been ignored. Worse, Cuomo’s proposal prohibits localities from mandating access standards, effectively guaranteeing people with disabilities would not be able to benefit from this new transportation option anywhere in the State.

Although Governor Cuomo has said that “New York is, and will always be, a place of acceptance, inclusion and a bastion of hope for all people,” his policies and actions undercut the integration of New Yorkers with disabilities.

“Since the days of Governor Mario Cuomo, we have struggled for simple recognition that we have a right to live independently, just like our neighbors,” states Susan Dooha, Executive Director for Center for Independence of the Disabled, New York. “We urge Governor Andrew Cuomo to make the promise of equality a reality. With threats to the rights and independence of people with disabilities mounting at the federal level, we count on the State to stand up for us.”

The New York Association on Independent Living (NYAIL) is a statewide membership organization of Independent Living Centers (ILCs), community-based not-for-profit providers of advocacy, services and supports for New Yorkers with disabilities of all ages. ILCs are controlled by, and largely staffed by, people with disabilities.

CDPAANYS is the only statewide association solely representing fiscal intermediaries, consumers and personal assistants in Consumer Directed Personal Assistance.