

Budget Fails CDPA & Homecare

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The last day of the 2023 legislative session was Friday, June 9. How did CDPA and home care fare?

Because so much of our agenda is concentrated on improving eligibility and funding for community-based long-term care and Medicaid, much of our work each year is focused on the annual budget.

This year was no different. The budget dominated the news and the Legislative session, as it was more than a month late. While budget extenders, which make sure the state can pay its bills while we await the new budget, meant this did not matter much in the long-term, it did mean there was less time dedicated to passing other laws.

Overall, the Governor and Legislature failed home care and CDPA this year. Fair Pay for Home Care suffered a setback during the budget. After two years of tremendous progress that saw us win a \$3.00/hour increase for workers, an increase Gov. Hochul described as “just a start” during her gubernatorial campaign, we returned this January ready to see it to completion.

Overall, the Governor and Legislature failed home care and CDPA this year. After last year, when we won a \$3.00/hour increase for workers over two years, we were hopeful for bigger and better victories.

This hope was increased when Gov. Hochul described that increase as “just a start” during her gubernatorial campaign.

That hope was dashed when the Governor released her budget, and we found out that, despite her promises, she planned on returning home care to a minimum wage job. Worse, she wanted to get rid of a law that required extra wages and benefits of \$4.09 in New York City and \$3.22 in Long Island and Westchester – and only for workers in CDPA. While we beat the worst of these cuts, the final budget delayed the wage increase by three months.

Further, while increasing the wage by \$1.55, the budget paid for that increase by cutting the previously mentioned required wages and benefits by \$1.55, effectively making home care workers pay for their own wage increase.

Not even common sense legislation that would have held insurance companies accountable for passing the three-quarters of a billion dollars they got from the state through to agencies, so that they could pay workers the increased rate without cutting benefits, overtime or even facing bankruptcy, went through.

Despite having no cost, this idea was stopped in both the budget and the post-budget legislative seasons meaning that the state will continue to allow the companies to reap windfall profits on the backs of home-care workers and the older and disabled New Yorkers who rely on them.

Despite these setbacks, we did have a significant victory at the end of the year when both houses passed legislation that gives consumers information about how managed care plans behave, so that you can make informed choices when forced to choose a plan.

This legislation, which will be sent to the Governor for a signature, which will make it law, or a veto, will require the Department of Health to post information they already receive from the managed care companies about the average hours authorized by county, the number of their members who had to transition to institutions like nursing homes, and more. If signed, it will be a tremendous resource that helps make consumers more informed when choosing managed care companies – something that we all should desire.

We also would be remiss if we did not remind folks that the budget did increase eligibility for the Medicaid buy-in for working people with disabilities, which allows people with disabilities to earn money while keeping their Medicaid coverage. It was raised significantly from its previous ceiling of \$64,000 to almost \$500,000 per year, helping to end a forced impoverishment of people with disabilities.

Unfortunately, without Fair Pay for Home Care and other critical investments in the sector, the impact of this expansion will be limited at best, as increases in eligibility without addressing the workforce shortage that is preventing use of the benefit, is often counter-productive.

While the results of this budget and legislative year were mostly disappointing, we have a lot to be optimistic about. Our movement continues to grow and we are poised to return next year more motivated and stronger than ever. We will spend time over the summer and fall listening to you and building our plan for next year, coming back stronger than before and using an election year to demand change.