

1 BEFORE THE NEW YORK STATE SENATE FINANCE
2 AND ASSEMBLY WAYS AND MEANS COMMITTEE

3 JOINT LEGISLATIVE HEARING

4 In the Matter of the
5 2022-2023 EXECUTIVE BUDGET ON
6 HUMAN SERVICES

7 Virtual Hearing
8 Conducted Online via Zoom

9 February 2, 2022
10 9:33 a.m.

11 PRESIDING:

12 Senator Liz Krueger
13 Chair, Senate Finance Committee

14 Assemblywoman Helene E. Weinstein
15 Chair, Assembly Ways & Means Committee

16 PRESENT:

17 Senator Thomas F. O'Mara
18 Senate Finance Committee (RM)

19 Assemblyman Edward P. Ra
20 Assembly Ways & Means Committee (RM)

21 Assemblyman Andrew Hevesi
22 Chair, Assembly Children and Families
23 Committee

24 Senator Jabari Brisport
Chair, Senate Committee on Children
and Families

Assemblywoman Linda Rosenthal
Chair, Assembly Committee on Social Services

Senator Roxanne Persaud
Chair, Senate Committee on Social Services

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3 PRESENT: (Continued)

4 Assemblyman Ron Kim
Chair, Assembly Committee on Aging

5 Senator Rachel May
6 Chair, Senate Committee on Aging

7 Assemblywoman Didi Barrett
8 Chair, Assembly Committee on Veterans' Affairs

9 Senator John E. Brooks
Chair, Senate Committee on Veterans,
Homeland Security and Military Affairs

10 Assemblyman Khaleel M. Anderson

11 Senator John C. Liu

12 Assemblyman Harry B. Bronson

13 Assemblywoman Marianne Buttenschon

14 Senator Pete Harckham

15 Assemblyman Eric M. Dilan

16 Assemblywoman Jennifer Lunsford

17 Senator Samra G. Brouk

18 Assemblyman Demond Meeks

19 Assemblywoman Yudelka Tapia

20 Senator Simcha Felder

21 Assemblyman Angelo Santabarbara

22 Assemblywoman Rebecca A. Seawright

23 Assemblyman Michael Cusick

24 Senator Andrew Gounardes

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3 PRESENT: (Continued)

4 Assemblyman Billy Jones

5 Assemblywoman Sarah Clark

6 Assemblywoman Marcela Mitaynes

7 Senator Daniel G. Stec

8 Assemblyman Jake Ashby

9 Assemblyman Chris Burdick

10 Senator Diane J. Savino

11 Assemblywoman Michaelle C. Solages

12 Senator Sue Serino

13 Assemblyman Mark Walczyk

14 Senator James Tedisco

15 Senator Gustavo Rivera

16 Assemblyman Matthew Simpson

17 Assemblyman Mike Lawler

18 Senator Leroy Comrie

19 Assemblyman Robert Smullen

20 Assemblyman Zohran Mamdani

21 Senator George M. Borrello

22 Assemblywoman Jessica González-Rojas

23 Assemblywoman Karines Reyes

24 Assemblyman Philip A. Palmesano

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3 PRESENT: (Continued)

4 Senator Alexis Weik

5 Assemblywoman Kimberly Jean-Pierre

6 Senator Mike Martucci

7 Assemblywoman Nathalia Fernandez

8 Assemblywoman Phara Souffrant Forrest

9 Assemblywoman Pamela J. Hunter

10 Assemblywoman Jenifer Rajkumar

11 Assemblywoman Marjorie Byrnes

12 Assemblyman Brian Manktelow

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5 Crystal Charles
 Policy Analyst
 6 Schuyler Center for
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 7 -and-
 Jessica Klos Shapiro
 8 Director of Policy and
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 9 Early Care & Learning Council
 -and-
 10 Pete Nabozny
 Director of Policy
 11 The Children's Agenda
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 12 Steve Morales
 NY Policy Director
 13 All Our Kin
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 14 Gladys Jones
 CEO and Founder
 15 ECE On The Move
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 16 Katie Albitz
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 17 Advocacy Coordinator
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 19 Gregory Brender
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 6 Deputy Director
 New York StateWide Senior
 7 Action Council
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 8 Kimberly George
 President and CEO
 9 Project Guardianship
 -and-
 10 Brianna Paden-Williams
 Communications & Policy Associate
 11 LiveOn NY
 -and-
 12 Laura Mascuch
 Executive Director
 13 Supportive Housing Network
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 Rebecca Preve
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5 Trudy Morgan
 Policy Director
 6 NYS Network for
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 7 -and-
 Bonnie Landi
 8 President
 NYS YouthBuild Coalition
 9 -and-
 William T. Gettman, Jr.
 10 CEO
 Northern Rivers Family
 11 of Services
 -and-

12 Timothy Hathaway
 Executive Director
 13 Prevent Child Abuse
 New York

14 -and-
 Ryan Johnson
 15 Associate Director
 NYS Kinship Navigator
 16 Chair
 NYS Kincare Coalition

17 -and-
 Kathleen Brady-Stepien
 18 President & CEO
 Council of Family and
 19 Child Caring Agencies
 -and-

20 Katherine Wurmfeld
 Director of Family Court
 21 Programs and Gender and
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5 Joel Berg
 CEO
 6 Hunger Free America
 -and-
 7 Jessica Chait
 Managing Director, Food
 8 Programs
 Met Council on Jewish Poverty
 9 -and-
 Beatriz Diaz Taveras
 10 Executive Director
 Catholic Charities Community
 11 Services
 -for-
 12 The Catholic Charities of
 the Archdiocese of New York
 13 -and-
 Emilia Sicilia
 14 Senior Attorney
 Empire Justice Center

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1 CHAIRWOMAN WEINSTEIN: Good morning.
2 I'm Helene Weinstein, chair of the New York
3 State Assembly Ways and Means Committee,
4 cochair of today's hearing.

5 Today we begin the sixth in a series
6 of hearings conducted by the joint fiscal
7 committees of the Legislature regarding the
8 Governor's proposed budget for fiscal year
9 2022-'23. And the hearings are conducted
10 pursuant to the New York State Constitution
11 and Legislative Law.

12 And today our committees will be
13 hearing testimony concerning the Governor's
14 budget proposal for Human Services.

15 Let me recognize the Assemblymembers
16 in my conference who are here. We have the
17 chair of our Children and Families Committee,
18 Assemblyman Hevesi; the chair of our Aging
19 Committee, Assemblyman Kim; Assemblyman
20 Bronson, Assemblywoman Buttenschon,
21 Assemblyman Jones, Assemblyman Santabarbara.
22 And I know people will be joining us shortly.

23 Let me introduce Senator Krueger,
24 chair of Senate Finance, to introduce the

1 members of her conference who are here, the
2 Senators who are here with us.

3 CHAIRWOMAN KRUEGER: Thank you so
4 much, Assemblywoman.

5 All right, we are joined by Senator
6 Diane Savino, Chair Roxanne Persaud, Senator
7 Pete Harckham, Senator Tom O'Mara and Senator
8 Jim Tedisco -- I just took your job away from
9 you, Tom. I thought you were the only one
10 here, and then I saw Jim pop on.

11 I'm sure we will be joined by more as
12 the day goes on. Thank you.

13 CHAIRWOMAN WEINSTEIN: So then let me
14 send it to -- I see Assemblywoman Clark has
15 joined us.

16 And Assemblyman Ra, can you introduce
17 the members of your conference who are here
18 with us?

19 ASSEMBLYMAN RA: Sure. We have a few
20 of our relevant rankers today. We have
21 Assemblywoman Byrnes, who's our ranker on
22 Children and Families; Assemblyman Ashby, our
23 ranker on Veterans' Affairs; and Assemblyman
24 Simpson, our ranker on Social Services.

1 CHAIRWOMAN WEINSTEIN: So just in
2 particular for the members who have not been
3 here before, and for those listening who will
4 be witnesses in the future, today the
5 witnesses -- the governmental witnesses will
6 have up to 10 minutes to present their
7 testimony. Nongovernmental witnesses will be
8 in panels and will have three minutes each.
9 (Microphone muted.)

10 CHAIRWOMAN KRUEGER: Lost you, Helene.

11 CHAIRWOMAN WEINSTEIN: I hit the bar
12 on the thing. Okay. The commissioners will
13 have -- governmental witnesses will have
14 10 minutes. The nongovernmental witnesses
15 who have asked to testify before us today
16 will be in panels and will have three minutes
17 each. When the panel finishes, members of
18 the Assembly and Senate will have three
19 minutes each to ask a question of the panel,
20 not each individual panel member.

21 And I just want to note that for all
22 the witnesses, we have your testimony in
23 advance, submitted via email to all of the
24 members of the relevant committees and the

1 Ways and Means staff -- Ways and Means
2 members.

3 And I would just remind people it may
4 be Groundhog Day today, but Senator Krueger
5 and I are not looking for another 14-hour
6 hearing like we had yesterday. So please,
7 when you ask a question, please -- like they
8 say in Jeopardy, make it in the form of a
9 question -- ask a question. It's not a time
10 to be making statements. The legislators
11 will have opportunities in our respective
12 conferences to advocate for our particular
13 positions.

14 And with that, I'm very happy to
15 welcome the commissioner of the Office of
16 Children and Family Services, Sheila Poole.

17 Commissioner, the floor is yours.

18 OCFS COMMISSIONER POOLE: Thank you so
19 much. And good morning, everyone. And good
20 morning, Chairs Krueger and Weinstein,
21 Children and Family Committee Chairs Brisport
22 and Hevesi, and distinguished members of the
23 Senate and Assembly. My name is Sheila
24 Poole, and I am the commissioner of the

1 Office of Children and Family Services. I'm
2 delighted to be with you today to present
3 Governor Hochul's fiscal year 2023 Executive
4 Budget as it relates to OCFS.

5 As a result of the state's currently
6 strong fiscal position -- certainly a
7 refreshing change from recent years -- this
8 year's Executive Budget includes a number of
9 new, fiscally prudent investments that
10 provide much needed support for OCFS's child
11 welfare, childcare and juvenile justice
12 programs.

13 Beyond what is proposed for OCFS,
14 we're very excited to see investments in
15 other budget proposals regarding gun violence
16 prevention, mental health, workforce,
17 substance use, and social equity. Taken
18 together as a whole, this ambitious agenda
19 holds great promise for improving the lives
20 of New York's children, youth, and families.

21 Last year New York received a historic
22 amount of federal stimulus funding for
23 childcare that has led us to expand access to
24 children, lower costs to families, and

1 provide stability for our struggling
2 providers. The enormously successful
3 stabilization grant program has awarded
4 \$900 million to almost 15,000 providers with
5 over \$767 million already fully paid out. In
6 addition, we have provided \$80 million in
7 childcare scholarships for 12 weeks of care
8 to over 41,000 children of New York's
9 essential workers, and \$35 million has been
10 allocated to enable an additional 1,000
11 providers to participate in QualityStarsNY.

12 I am pleased to report that Phase 1 of
13 the \$100 million Childcare Deserts Grant
14 opportunity was launched last Friday. As
15 many of you know, over 60 percent of the
16 state is considered a childcare desert,
17 meaning that there is not enough care for
18 families in that area. This unprecedented
19 investment is an opportunity to address
20 longstanding capacity challenges across every
21 region of the state.

22 OCFS, in collaboration with our
23 statewide network of Child Care Resource &
24 Referral Agencies -- our CCR&Rs -- the

1 Regional Economic Development Councils and
2 other stakeholders, has launched a
3 comprehensive outreach and media campaign to
4 promote this opportunity, as well as to
5 provide information and support to grant
6 recipients.

7 Funds made available in last year's
8 federal stimulus package also enabled the
9 state to begin implementing a number of
10 critical, long-sought policy changes in
11 childcare. We capped parent co-pays at
12 10 percent; we established a 12-month
13 eligibility period for families receiving a
14 childcare subsidy; we're providing payments
15 to providers for a minimum of 24 absences per
16 year; and we've guaranteed subsidy
17 eligibility for families up to 200 percent of
18 the federal poverty level.

19 The Executive Financial Plan assumes
20 the cost of these initiatives in future
21 years, after the federal stimulus funds have
22 been depleted.

23 We've made great progress over the
24 course of the past nine months but as you and

1 I know, there's always more work to be done.
2 The challenges facing our entire nation
3 concerning childcare led to sweeping proposed
4 childcare investments in the Build Back
5 Better legislation. Needless to say, I am
6 sure you share my extreme disappointment in
7 Congress's failure to pass this bill. And,
8 in the absence of true federal partnership,
9 Governor Hochul's Executive Budget takes
10 responsible steps to build on the progress of
11 the past year in several meaningful ways.

12 In addition to supporting childcare
13 subsidies for approximately 132,000 children
14 by maintaining our state's Child Care Block
15 Grant at \$832 million, the proposed budget
16 would expand access to subsidies for
17 thousands more children by increasing the
18 eligibility level to 300 percent of the
19 federal poverty level over the next three
20 years. Additionally, the budget includes
21 \$62.5 million this year and \$125 million in
22 future years, to ensure that the state can
23 continue serving the same number of families
24 when the new market rates take effect in

1 October of this year.

2 And in recognition of the vital work
3 our childcare workers have done, whose work
4 is often undervalued, the budget also invests
5 \$75 million for wage supports for this
6 essential workforce.

7 The Executive Budget also includes
8 legislation that will modernize and
9 significantly boost foster care maintenance
10 rates, and remedy years of inequity by
11 requiring that local departments of social
12 services pay the full foster-care rate that
13 is established by the state. Because
14 adoption subsidy payments are based on
15 foster-care maintenance rates, nearly 25,000
16 families with adopted children will also
17 benefit from these actions.

18 These changes represent tremendous
19 progress for child welfare and will assist in
20 the recruitment of foster families.

21 The 5.4 percent human services COLA
22 that's included in this year's budget will
23 also benefit the families and voluntary
24 agencies who care for New York's children in

1 foster care, and for adoptive parents.

2 The budget also proposes to extend the
3 current child welfare financing structure for
4 an additional five years. Child Welfare
5 Financing Reform established a financing
6 system that has helped improve outcomes for
7 families and has greatly contributed to a
8 reduction in the state's foster care
9 caseload, from over 50,000 children in the
10 1990s to a little over 14,000 children today.

11 New York's highly regarded home
12 visiting program, our Healthy Families NY,
13 currently serves 6,000 families. Despite its
14 proven success in helping families achieve
15 positive outcomes, only 37 of New York's
16 58 local departments of social services
17 currently operate home visiting programs due
18 to flat funding. To expand the reach of this
19 evidence-based, primary prevention strategy,
20 this year's budget invests an additional
21 \$11 million in the home visiting program, and
22 that will allow us to provide additional
23 support to an additional 1600 families across
24 the state.

1 This year's budget will also have a
2 meaningful impact on the lives of New York's
3 runaway and homeless youth. To better enable
4 us to meet the needs of this vulnerable
5 population, the budget increases funding for
6 runaway and homeless youth programs by
7 \$2 million, representing a nearly 45 percent
8 increase from current funding levels.

9 The budget also advances legislation
10 to empower homeless youth to consent to their
11 own medical, dental, health, and hospital
12 services. Without a parent or guardian to
13 provide consent, accessing healthcare can be
14 nearly impossible for these youth. This
15 proposal will, for the first time, provide
16 these youth with a clear pathway to meet
17 their most essential healthcare needs.

18 This is truly a new day, and it's
19 imperative that we seize upon this
20 once-in-a-generation moment to make New York
21 better, more fair, and more inclusive for the
22 people that we serve. And I know that I can
23 count on your support.

24 Thank you again for the opportunity to

1 address you today, and I look forward to your
2 comments and questions.

3 CHAIRWOMAN WEINSTEIN: Thank you,
4 Commissioner.

5 So we will now go to the chair of our
6 Children and Families Committee,
7 Assemblyman Hevesi, for 10 minutes.

8 ASSEMBLYMAN HEVESI: Thank you,
9 Chair Weinstein and Chair Krueger and all of
10 my colleagues.

11 Commissioner Poole, it is great to see
12 you. How are you today?

13 OCFS COMMISSIONER POOLE: I'm doing
14 well, thank you.

15 ASSEMBLYMAN HEVESI: Good. Good. So
16 I'm going to start -- I'm going to burn about
17 30 seconds of my own time to express my
18 gratitude, my heartfelt gratitude, and it's
19 not for -- to you and Governor Hochul, but
20 it's not for the investments and the things
21 you put into the budget. But this is the
22 first time since I can remember watching a
23 children and families portion of the budget
24 where you haven't put the Legislature on

1 defense. We're not -- I'm not angrily
2 struggling that you're going to -- or that,
3 not you, that the administration was going to
4 do something that would hurt kids. And not
5 having that is such a relief and puts us in a
6 position where we can actually start really
7 working together.

8 That is the most important thing, I
9 believe, that has happened. You've set the
10 tone by not trying to do something we have to
11 defend against, that we can work together.
12 So thank you, and to Governor Hochul. It's a
13 game-changer, and that is the basis on which
14 we're going to build. So thank you.

15 Let me go right to -- you started by
16 saying that the state is currently in a
17 strong financial position. It is my belief
18 that preventative service providers
19 throughout the state have been keeping our
20 families afloat, they've been providing food,
21 diapers, behavioral health, anything you can
22 think of.

23 So considering that we're in a strong
24 financial position, how does the Executive

1 Budget -- or how can we not, at this point,
2 invest in children, invest in families, and
3 invest in our counties by returning to the
4 statutorily required 65/35 reimbursement rate
5 to counties for preventative services? That
6 is my number one -- that's the most important
7 thing for me and I hope for many of my
8 colleagues. We've got to reimburse.

9 So is there a reason why we weren't
10 able to do that in the Executive Budget?

11 OCFS COMMISSIONER POOLE: Thank you so
12 much, Assemblyman, and I do appreciate your
13 opening comments.

14 You know, it has been a number of
15 years since we have been at 65 percent
16 reimbursement. You know, I will always
17 welcome additional money for sure. You know,
18 we have done very, very well as a state with
19 the current 62/38 reimbursement. You know,
20 we have been able to consistently serve over
21 50,000 children through our preventive
22 service program.

23 And I couldn't agree more,
24 Assemblyman, about our not-for-profits'

1 long-overdue cost of living adjustment for
2 them. There are many more workforce, right,
3 discussions to be had to better support them
4 in the workforce crisis that we face.

5 And the other thing again,
6 Assemblyman, that I would also say is in
7 addition to our more traditional 62/38
8 prevention, which is typically offered to
9 families who have already come to the
10 attention of our child welfare system -- you
11 know, you and I have spent a lot of time
12 talking about the power, the potential of the
13 Families First Prevention Services Act. And
14 I do just want to remind everyone that we
15 still have our \$20 million federal Family
16 First transition fund that we have in
17 collaboration with our statewide
18 implementation team --

19 ASSEMBLYMAN HEVESI: Commissioner, I'm
20 with you and I'm really appreciative, I'm
21 just cognizant of the time. Is that okay?
22 So I appreciate it --

23 OCFS COMMISSIONER POOLE: Yes, of
24 course.

1 ASSEMBLYMAN HEVESI: Maybe if I can
2 jump in. And we're focused on FFPSA too.

3 Let me take you to, if I can, would
4 the Executive be open to removing KinGAP from
5 the Foster Care Block Grant? We believe that
6 that is, you know, if we're going down the
7 list, the second most important. The Foster
8 Care Block Grant, now counties are going to
9 be, based off of a court decision, required
10 to increase their MSARs, and the state has
11 not put up the state share in this budget.
12 So the counties are going to have to pay more
13 to pick up that MSAR rate that the courts
14 have required. That the state hasn't put up
15 the money, that's another unfunded mandate.

16 So can we take -- it's a separate
17 issue -- KinGAP out of the Foster Care Block
18 Grant? Which does two things. First, you
19 free up more money in the Foster Care Block
20 Grant for all of your counties. Now you have
21 money for the MSARs. On the other side, you
22 expand KinGAP, so you can get kids not going
23 into congregate or home foster care, you get
24 them going into kinship families.

1 Is the state open to doing that?

2 OCFS COMMISSIONER POOLE: So I
3 actually have some very good news for you,
4 Assemblyman, on that very point.

5 So as you heard me say in my
6 testimony, we are long overdue to raise our
7 MSARs that will cost the state, in total,
8 about \$80 million to raise the long overdue
9 threshold for that.

10 I want to just talk a minute about the
11 ability of the state to offset the
12 \$80 million cost by about \$72 million, and I
13 will tell you why. So the Foster Care Block
14 Grant, as you know, Assemblyman, has always
15 been intended to cover 50 percent, right,
16 state/local share, net of federal. And as
17 you heard me say, the foster care population
18 in New York has plummeted since the '90s.
19 But in many recent years the state has not --

20 ASSEMBLYMAN HEVESI: Commissioner, can
21 I -- can I jump in just for a second? It's
22 relevant.

23 I would argue that the reason why it's
24 dropped goes back to our first point, the

1 65/35. The reason why you're so low is the
2 65/35, which is why we can't leave it at 62.

3 It was too good for me to not jump in.
4 But go ahead.

5 OCFS COMMISSIONER POOLE: I appreciate
6 that, Assemblyman.

7 But I want to just get back to this
8 conversation about the MSARs. So, you know,
9 the Foster Care Block Grant has not been
10 reduced even though the number of kids in
11 foster care has been dramatically reduced.
12 And so the state share for a number of the
13 past recent years has been significantly
14 above 50 percent. And so there is an excess,
15 if you will, of available Foster Care Block
16 Grant money to the total of \$72 million,
17 which will leave an approximate \$7.8 million
18 statewide local share to be spread among all
19 the local social services districts.

20 ASSEMBLYMAN HEVESI: I gotcha. I get
21 it.

22 OCFS COMMISSIONER POOLE: That's the
23 math.

24 ASSEMBLYMAN HEVESI: And I -- so I

1 appreciate it. I still want to make sure
2 that the counties don't have to spread out
3 that little bit of money. The counties have
4 been an enemy of the past administration, and
5 helping kids, having enemies in any corner,
6 is just not smart. So we hear you.

7 The last question I think I have time
8 for. I believe for our childcare -- first of
9 all this is all about workforce for me, okay?
10 If I can. So I believe the Legislature is
11 going to be coming forth with a proposal
12 to -- and it's going to sound like a grand
13 proposal, but it's not. It's what New York
14 State requires to start following the
15 science. The science is telling us that we
16 are having generations of kids that are
17 traumatized, we're not preventing it, and
18 then we have generations of kids who we're
19 not giving help to after.

20 So we need to set up a trauma
21 prevention and mitigation system. That's
22 what we're doing. So it sounds like a lot of
23 money. No. This is what we're doing to get
24 back to a normal baseline. And we need to do

1 that -- this is worth the time to opine. You
2 need to do that to help the children because
3 if you do not get them the help that they
4 need, you're losing kids, they're being
5 doomed or defined by their trauma every day.
6 And if people know what that means, look at
7 the newspapers. Look at all the crime and
8 the terrible things that happen in the
9 newspapers. Those are kids who were
10 traumatized who we never got help to. So
11 that's what we're going to be pushing for.

12 But for me, the general theme is
13 workforce, workforce, workforce. That's
14 prevention workforce, that's foster care
15 workforce, that's childcare workforce. And
16 I'll tell you why. The science tells us that
17 one of the ways to help the kids, the
18 protective factors, is to get them access to
19 a caring adult. That adult can help them
20 build resilience by giving them emotional
21 support and help them problem-solve. That's
22 how you make resilient kids.

23 So we're going to be looking to do
24 that, but you can't do that unless you care

1 for the workforces. So let me ask the
2 question, the last question.

3 For the childcare workforce -- and
4 I'll get back to the other workforces because
5 we're coming to help all of them. For the
6 childcare workforce, would you be open to
7 raising at least -- I'm sorry, would you
8 raise to the 90th percentile the market rate
9 for childcare providers? I think if we do
10 that -- and I know we're at 69, and your
11 budget holds us to 69. If you get to 90,
12 then you're doing and getting us much, much
13 closer to our vision and Senator Brisport's
14 vision of universal childcare, and
15 Senator Ramos and Assemblywoman Clark and all
16 of our friends.

17 Are you open to doing that to the
18 90th percentile?

19 OCFS COMMISSIONER POOLE: You know,
20 the way I would answer that is, Assemblyman,
21 you know, I think the estimated cost to get
22 to 90 percent, just to socialize the cost, is
23 about \$370 million additional. So again,
24 significant investment. Although, you know,

1 you're never going to hear me, as the
2 commissioner of OCFS, you know, say that we
3 don't need to continue to support workforce
4 in every corner of our human services sector.

5 ASSEMBLYMAN HEVESI: So, Commissioner,
6 I'm going to burn the rest of your time. You
7 did great. Thank you. But let me just end
8 with this.

9 That is a fraction of the money to
10 support this workforce that has been --
11 they've been heroic during this pandemic.
12 And we've visited childcare providers now,
13 and I know my colleagues are going to talk
14 about this, doing the most difficult jobs
15 with kids crawling all over them. They have
16 not been respected historically. The last
17 administration attacked them every year,
18 consistently, cutting funds, cutting funds,
19 cutting funds.

20 It's enough. This is the get-right
21 year. If it's a \$370 million cost, that's an
22 investment that's going to save billions.
23 Because the kids that we help now are not
24 going to wind up costing us money -- I'm

1 watching the clock -- for homelessness,
2 alcohol and substance abuse. They're not
3 going to drop out of school. They're not
4 going to be recidivists. You get the idea.

5 This is our year. Commissioner, this
6 is a great budget and a great starting point.
7 Thank you for your time.

8 OCFs COMMISSIONER POOLE: My pleasure.

9 CHAIRWOMAN WEINSTEIN: And hopefully
10 all members will follow our chair's example
11 of keeping an eye on the clock.

12 I just want to -- many members have
13 joined us in the Assembly since we began.
14 Let me just go through them and mention their
15 names before we move to the Senate:

16 Assemblywoman Barrett, chair of Veterans'
17 Affairs; Assemblywoman Rosenthal, chair of
18 Social Services; Assemblymembers Anderson,
19 Fernandez, Lunsford, Mitaynes, Seawright,
20 Tapia, Mamdani, Smullen, Burdick, Lawler,
21 Solages, Palmesano.

22 And now to the Senate.

23 CHAIRWOMAN KRUEGER: Thank you very
24 much, Assemblywoman.

1 And before we get to Chair Brisport,
2 I'd just like to read off the many Senators
3 who have also joined us since we started:
4 Senator Simcha Felder, Senator Alexis Weik,
5 Senator Dan Stec, Senator Gustavo Rivera,
6 Senator John Brooks, Senator John Liu,
7 Senator Samra Brouk, Senator -- I think
8 that's all the Senators, I mentioned them
9 earlier.

10 And now I'd like to hand it over for
11 10 minutes to our chair of Children and
12 Families, Jabari Brisport. Good morning.

13 SENATOR BRISPORT: Good morning,
14 Madam Chair. Thank you.

15 And good morning, Commissioner. Good
16 to see you.

17 So let's get started. I would like to
18 just start by talking about the All Funds
19 appropriation. So it is about 2.4 billion
20 lower this year than it was last year, about
21 36 percent. Do you feel like the needs of
22 New York's children and families are lower
23 than they were last year?

24 OCFS COMMISSIONER POOLE: Absolutely

1 not, Senator. And just to clarify that, so
2 we have reappropriated. That represents the
3 childcare pandemic dollars that were in last
4 year's budget. So they're in a reappropriation, we
5 don't need a new appropriation. And that
6 accounts for what looks like a \$2.4 billion
7 reduction in the budget.

8 SENATOR BRISPORT: Thank you. Thank
9 you so much, Commissioner.

10 And, you know, I'm aware it was
11 federal money, but my question wasn't whether
12 it was, you know, reappropriated or not or
13 whether or not the federal government failed
14 us this year. My question was, you know,
15 have the needs of New York's children and
16 families decreased? Because the needs of
17 what people need for childcare and
18 preventative services are independent of what
19 the federal government gives us. And I heard
20 you say no, the needs have not decreased.

21 OCFS COMMISSIONER POOLE: Absolutely
22 not. I would agree with that.

23 SENATOR BRISPORT: Do you see this
24 discontinuance as a problem?

1 OCFS COMMISSIONER POOLE: Again,
2 Senator, there's not a discontinuance. That
3 money that appears as a reduction in the
4 budget is a reduction because it reflects
5 money that is already reappropriated. And
6 it's particular to the childcare pandemic
7 funds that we received last year.

8 SENATOR BRISPORT: Okay. Well, since
9 I'm hearing you say it's not a problem, let's
10 talk about the status of the childcare
11 sector.

12 Do you have a sense of how many
13 providers in New York State have closed since
14 the beginning of the COVID-19 pandemic?

15 OCFS COMMISSIONER POOLE: Yeah, we
16 have tracked that a bit. You know, somewhere
17 in the ballpark -- and again, I want to
18 qualify it by saying, you know, we do require
19 folks who are going out of business or ending
20 their business to notify us. So these are
21 based upon the notifications that we've
22 received. It's over 2,000 providers, again,
23 very deeply impacted by the pandemic.

24 I will also say that in addition to

1 that, we have processed an additional
2 1,600 applications for new childcare
3 providers as well. But at the end of the
4 day, Senator, there certainly has been a loss
5 of childcare capacity across the state.

6 SENATOR BRISPORT: Would you say this
7 is tied at all to the fact that the federal
8 money is starting to dry up?

9 OCFS COMMISSIONER POOLE: I think I
10 would say that the pressures and the
11 dramatic, significant impact of the pandemic
12 is really what has led as a primary reason.
13 I think the workforce challenges that our
14 childcare industry -- which Assemblyman
15 Hevesi has indicated -- have also deeply
16 impacted our childcare sector as well.

17 I think, you know, the expansion of
18 pre-K and universal pre-K, we've heard this
19 consistently from providers, you know, has
20 made it challenging particularly for those
21 providers, you know, left operating primarily
22 infant and childcare programs.

23 So there are a variety of reasons.
24 But, you know, that is why, Senator, we have

1 just announced, you know, part one of a
2 \$100 million investment to sort of restore
3 where we have all of those childcare provider
4 deserts throughout the state. So we're very
5 hopeful that between that desert, an infusion
6 of \$100 million across the state, and using
7 very precise census tracking and GIS mapping,
8 will help us do that.

9 And just, again, also back to the sort
10 of drumbeat of workforce, want to reference
11 in the proposed budget there's \$75 million
12 for a workforce stabilization grant that we
13 will be getting out the door very soon.

14 SENATOR BRISPORT: Thank you. And I
15 just want to circle back to some numbers that
16 I heard you say earlier. You said 2,000 --
17 you've processed around 2,000 that closed and
18 then processed around 1,600 applying.

19 OCFS COMMISSIONER POOLE: Yeah.

20 SENATOR BRISPORT: So that's a net
21 loss, right?

22 OCFS COMMISSIONER POOLE: That is a
23 net loss, yes.

24 SENATOR BRISPORT: And you're

1 confident that the \$100 million will get us
2 back to where we were pre-pandemic?

3 OCFS COMMISSIONER POOLE: I hope so.
4 I hope more than that. I hope more than
5 that, Senator.

6 SENATOR BRISPORT: That's my question
7 as well. I mean, do you feel like we had
8 enough pre-pandemic? Or we had maybe
9 childcare deserts across the state?

10 OCFS COMMISSIONER POOLE: You know,
11 it's really tough -- I mean, I wish I had my
12 crystal ball to give you a really complete
13 answer. You know, there's so many things
14 that are changing in our world. Teleworking,
15 right? I don't know that we're sure yet, you
16 know, what will be the new demand capacity.

17 One of the things that we're really
18 hearing and going to address in the desert is
19 families who would want to access subsidy and
20 childcare programs were there more
21 nontraditional hours offered. So many of our
22 essential workers working weekends, overnight
23 shifts, holidays. We clearly do not have
24 enough of that capacity.

1 So again, I think as we roll out
2 this -- you know, this hopefully very
3 impactful childcare desert opportunity, we
4 will begin to really fill in the picture and
5 know more.

6 SENATOR BRISPORT: Okay. Well, I
7 would just -- I would say two things before I
8 move on. One, people who telework still need
9 childcare. They're not people like, you
10 know, working from home and also making sure
11 their kids are okay. And also, you know, I
12 am not confident that there's enough money in
13 the budget right now to really just turn the
14 ship around on the closure of these centers.
15 A lot of centers that I spoke to throughout
16 the fall basically said they don't know what
17 they're going to do when their stabilization
18 grant -- I mean, do you feel like -- I mean,
19 they were called stabilization grants. Do
20 you feel like the sector is stabilized right
21 now?

22 OCFS COMMISSIONER POOLE: No. It's
23 clearly -- you know, right, it's not.

24 And so we're going to, you know, to do

1 everything we can with our federal pandemic
2 dollars, as we have. As you heard me say and
3 you know, that we were very aggressive in
4 getting our billion-dollar stabilization
5 grant out, and very successful last year.
6 And we're going to have to do everything we
7 can to continue to watch and hope that
8 enrollment also increases. But for sure as
9 we sit here today, the industry is still very
10 unstable.

11 SENATOR BRISPORT: I would agree. And
12 I would just, you know, say that even if the
13 federal money doesn't come, the state has the
14 ability to generate new revenue. That is my
15 -- you know, I don't think the Governor
16 agrees that she wants to do that this year.
17 I'm going to continue to push, you know, if
18 we need to do it, to keep an industry that's
19 in free fall from continuing to go there.

20 But I want to shift onto childcare
21 subsidies. What I read was that, you know,
22 the estimate is that moving it up from
23 200 percent of federal poverty level to
24 225 percent should make about 100,000 new

1 children become eligible. How was that
2 number determined?

3 OCFs COMMISSIONER POOLE: My goodness.
4 Well, this is where I wish I had my fiscal
5 people with me.

6 So, you know, the annual income for
7 the percentage of poverty level at 225 is
8 \$59,625. And at the estimates based upon how
9 we serve families now, the 100,000 target was
10 arrived at. So it's derived based upon
11 current subsidy, adding the additional
12 percentage to it.

13 And then of course as we get up to the
14 300 percent, the estimate is that that will
15 go to about 400,000 additional families
16 served -- children, rather.

17 SENATOR BRISPORT: That is helpful. I
18 would like to get a clear answer, just
19 because -- you know, there may be 100,000
20 additional children in that whose families
21 are in that income bracket, but that does not
22 mean that 100,000 children will be taken up.
23 There are also work requirements on top of it
24 as well. Counties may opt out of the

1 program. Right?

2 So I would just love, you know --

3 OCFS COMMISSIONER POOLE: You bet.

4 SENATOR BRISPORT: -- if you could get
5 me -- later, if you could fiscally reach out,
6 like how exactly did they make the estimate
7 100,000 would become eligible and then, you
8 know, the additional 400,000 later.

9 So if -- let's say 100,000 become
10 eligible and all become newly covered, do you
11 have estimates of how much that would cost?

12 OCFS COMMISSIONER POOLE: What I do
13 know, Senator, is that, you know, we feel
14 very, very confident that there is more than
15 enough money in the system because we have
16 quite a bit of rollover of our base CCDF
17 childcare subsidy dollars in the state.

18 So today as we sit here, statewide we
19 have \$300 million of unused childcare subsidy
20 dollars. So we know that that will go a long
21 way for a considerable amount of time to be
22 able to afford to pay for this.

23 You may also recall last year we
24 issued \$20 million of supplemental subsidy

1 dollars. That's still available to the local
2 districts as well. So there is a high degree
3 of confidence that we will be able to afford
4 that.

5 And finally, I would say that the
6 Division of Budget has indicated that in the
7 state's outyear plan there will be ongoing
8 support to make sure that as we raise these
9 subsidy and access levels, that these
10 families do not hit a cliff in the future.

11 SENATOR BRISPORT: Gotcha.

12 I'm sorry, can I get a -- I heard you
13 say the 300 million rollover, you said, could
14 probably last for some amount of time. Do
15 you have a more specific estimate of how long
16 you think --

17 OCFS COMMISSIONER POOLE: We'll have
18 to watch that very carefully as our proposal,
19 right, is to raise the eligibility and
20 subsidy levels. So we will have to watch
21 that. It just depends on how many families
22 and children, right, we get uptaked into the
23 system.

24 SENATOR BRISPORT: Okay, gotcha. And

1 just rounding out, just because I heard you
2 mention income cliffs. And I do want to
3 stress in the Governor's proposal there are
4 still income -- I mean, I believe in no
5 income cliffs. But whether the income cliff
6 is at, you know, 200 or 225 or 300, there are
7 income cliffs.

8 But I have about 10 seconds left, so I
9 just want to thank you for answering my
10 questions. I'll have more later, but I
11 really appreciate you taking the time to talk
12 to all of us today, Commissioner.

13 OCFS COMMISSIONER POOLE: You're
14 welcome, Senator.

15 CHAIRWOMAN KRUEGER: Thank you.

16 Back to the Assembly.

17 CHAIRWOMAN WEINSTEIN: We go to
18 Assemblywoman Byrnes, the ranker on Children
19 and Families, for five minutes. (Pause.)

20 I saw her a moment ago. I guess she
21 is not -- her hand is raised. She is not
22 there. So why don't we -- we're going to
23 skip the Assemblywoman, and we will go to
24 Assemblywoman Barrett for three minutes.

1 Change the time clock to three
2 minutes.

3 ASSEMBLYWOMAN BARRETT: Thank you,
4 Chair.

5 And thank you, Commissioner. Thank
6 you for being here. Nice to see you. Happy
7 New Year.

8 I just want to focus -- because I know
9 you'll have a lot of other questions on the
10 substance of what your comments were, but I
11 would like to talk about a district like
12 mine, a rural district that has a shortage of
13 programs for childcare, a shortage of mental
14 health facilities, no mental health beds for
15 children and families. We're losing
16 pediatric and maternity services in our local
17 hospitals. We don't have transportation.

18 What does the budget have for
19 communities like mine, Commissioner?

20 OCFS COMMISSIONER POOLE: I can
21 certainly say that, again, our childcare
22 desert investment, the \$100 million for sure
23 will be of assistance to your community. You
24 will see -- I don't know if you had a chance

1 to see the press release last week, but
2 there's very detailed maps so you could go to
3 the communities in your district and be able
4 to see, and they're shaded in colors.

5 And we want to incentivize, for
6 providers -- potential providers, right?
7 Part of this strategy is to get new providers
8 to come to the table with a lot of support,
9 with start-up dollars, with funding, you
10 know, to recruit and retain staff in those
11 communities. So that, first and foremost, I
12 think --

13 ASSEMBLYWOMAN BARRETT: You mean that
14 they should come to you with start-up dollars
15 or somebody with an idea should come -- or
16 the county could come to you, or one of our
17 towns or something like that?

18 OCFS COMMISSIONER POOLE: So it will
19 be providers, right? So we're working very
20 closely with the CCR&Rs. You have them in
21 your community. And they're going to be part
22 of our technical assistance support so that
23 as there are potential -- they're going to be
24 doing a lot of public relations campaigns.

1 We have got to get the word out that
2 we are looking for people who are interested
3 in getting into the business of being a
4 childcare provider. Whether it's opening up
5 a new center, whether it's becoming a family
6 daycare or a family group daycare provider.
7 So there's a huge public awareness campaign,
8 a lot of technical support about helping
9 people understand what it takes to become
10 licensed. You know, what are the staffing
11 ratios.

12 So that's the whole idea of this
13 \$100 million investment that, you know,
14 Part 1 was just released last Friday.

15 With respect to, you know, rural
16 mental health and services, you know, I do
17 know that, you know, Commissioner Sullivan in
18 the Office of Mental Health has some very
19 exciting new models, you know, to again
20 expand healthcare services, particularly in
21 underserved areas -- I'm sure she will speak
22 to that -- in the budget.

23 And then, you know, finally, one of
24 the things that we've been trying to be

1 really creative with here at OCFS on our
2 child welfare side is to understand that
3 transportation for other reasons -- you know,
4 that you said -- is an issue for families.
5 They can't drive 45 minutes, you know, to get
6 to help.

7 So we at OCFS a couple of years ago we
8 retrofitted six Winnebagoes and we deployed
9 them with teams of child protective workers,
10 with multidisciplinary staff, and in some
11 rural communities -- Sullivan County,
12 Delaware County. We are taking that model
13 now and using some existing federal child
14 welfare money we have to bring these mobile
15 vans so that we can bring service delivery to
16 families where we know there are service
17 gaps.

18 So whether it's bringing them diapers,
19 you know, gift cards for food, we're really
20 trying to get much more upstream in our
21 prevention. And we're working with the
22 Office of Mental Health and other sister
23 state agencies to sort of try and be part of
24 that mobile effort with us.

1 CHAIRWOMAN WEINSTEIN: Thank you.
2 Thank you, Commissioner. We go now to the
3 Senate.

4 ASSEMBLYWOMAN BARRETT: Thank you.

5 CHAIRWOMAN KRUEGER: Thank you very
6 much.

7 And our next Senator is Diane Savino.

8 SENATOR SAVINO: Thank you, Senator
9 Krueger.

10 Good morning, Commissioner. Always
11 good to see you. I only have three minutes,
12 so I'm going to focus on a very important
13 issue. As we know, in 2018 the state through
14 the budget process enacted Raise the Age.
15 It's an issue that I worked on for several
16 years. I was not happy with the final
17 product, as it was hijacked by the Governor
18 and stuck in the budget.

19 One of the areas of contention was the
20 financing model that was put in place. And
21 the financing model for Raise the Age says
22 that every April 1st local governments must
23 submit a plan to the OCFS to talk about how
24 they're going to run their program in order

1 to be eligible for reimbursement. And one of
2 the requirements is that they must remain
3 under, operate within the 2 percent property
4 tax cap.

5 So I scoured the Governor's budget and
6 I had our finance team check it just to make
7 sure, because I'm not as smart as they are,
8 and in fact Governor Hochul continues that.
9 And so what that means is the City of
10 New York, which has the largest number of
11 kids who would be affected by Raise the Age,
12 does not qualify again.

13 So can you share with us the wisdom
14 behind stiffing the City of New York on the
15 Raise the Age program, and why does that make
16 any sense?

17 OCFs COMMISSIONER POOLE: So you are
18 absolutely correct, Senator, that the Raise
19 the Age statute as it was enacted and passed
20 by the Legislature, stands as it was
21 originally enacted.

22 I will say I believe that there was a
23 provision in the Raise the Age statute that
24 any municipality could also apply to the

1 Director of the State Budget to make a case
2 for hardship caused as a result of having to
3 implement Raise the Age. I think that is
4 certainly something, absent a statutory
5 change, that the city could potentially
6 consider as well.

7 I will say, Senator, that since we are
8 now fully implemented on Raise the Age, that
9 the majority, right, because they're
10 adolescent offenders, when they are sentenced
11 they come to OCFS secure facilities. So when
12 those young people come to OCFS, those are
13 paid for 100 percent by the state. There's
14 no charge-back for the Raise the Age kids
15 that come to state secure facilities.

16 SENATOR SAVINO: But that doesn't help
17 the City of New York. So I would suggest
18 that as we go further into the budget
19 negotiations, that might be an area that we
20 might want to amend. Because as we're
21 seeing, particularly with the City of
22 New York -- they will speak for themselves
23 next week, I'm sure, during the Local
24 Government Hearing -- they are having an

1 extraordinarily difficult time recruiting and
2 retaining people to work in the Horizon and
3 Crossroads facilities. The staff are as
4 likely to clock in on Monday and clock out on
5 Friday and never come back.

6 The program is difficult to run to
7 begin with, and we have a lot of problems
8 with it. And so you'll be hearing more from
9 some of us about Raise the Age. But the
10 financing model is certainly insufficient. I
11 know our colleagues on Long Island are also
12 seeing problems. Their young people are
13 being forced to be shipped upstate because
14 they can't finance facilities in Nassau and
15 Suffolk counties.

16 So my time is up, but I just wanted to
17 bring that to your attention. Thank you.

18 CHAIRWOMAN WEINSTEIN: Thank you.

19 We've been joined by Assemblywoman
20 Forrest.

21 And I see that Assemblywoman Byrnes is
22 back from her committee meeting, so we will
23 go to her for five minutes, the ranker on
24 Children and Families.

1 ASSEMBLYWOMAN BYRNES: Thank you.

2 Thank you very much. And I appreciate the
3 opportunity to ask questions of the
4 commissioner.

5 Commissioner, I also want to speak
6 about the Raise the Age issue and about the
7 fact that very, very violent basically young
8 adults are being put in the certified
9 detention centers by OCFS.

10 In Monroe County we have the Monroe
11 County Secure Detention Center. And just in
12 2021 alone, the staff were repeatedly being
13 assaulted and sent to the hospital. Twice
14 Monroe County sheriff deputies received
15 urgent calls to go there. At one point they
16 stayed at the youth facility for a week,
17 Monroe County jail deputies, in order to
18 bring order to that location.

19 My question to you is how prudent is
20 it -- because I'm sure this facility is not
21 unique to the entire state. What is being
22 done as these young violent adults -- and at
23 one point this facility had 11 accused
24 murderers. What is being done to protect the

1 staff and to protect sheriff deputies when
2 they go to even respond to 911 calls there?

3 You know, one female sheriff deputy
4 was literally picked up by a guy much bigger
5 than her, who was a youth, body slammed, and
6 to this day has not been back to work.

7 What's being done to protect the staff
8 and to protect anybody else in that facility?

9 OCFs COMMISSIONER POOLE: Yes, thank
10 you very much for asking very important
11 questions.

12 So I want to say that like so many
13 sectors of our human services industry, you
14 know, our secure detention, were also
15 deeply -- and they are locally administered
16 detention facilities -- you know, were really
17 deeply impacted by COVID. So Monroe County
18 is a great example of a local detention
19 facility that had plans to make significant
20 capital investments in its facility to create
21 better hardening, to create better
22 programming for the new Raise the Age
23 population.

24 They were also hit, right, as is

1 everyone -- my own facilities here at the
2 state level were no different -- hit by the
3 workforce crisis. COVID, right, impacts
4 staff on and off, et cetera. All these, you
5 know, issues combined with increasing gun
6 violence, right -- we could spend a whole
7 session on guns alone -- really led to a
8 perfect storm in Monroe County.

9 ASSEMBLYWOMAN BYRNES: Commissioner,
10 not to interrupt you, but time is somewhat of
11 the essence.

12 OCFS COMMISSIONER POOLE: Sure.

13 ASSEMBLYWOMAN BYRNES: I met with the
14 union that represents the people that work at
15 the detention center, and they were not
16 quitting at that point this summer because of
17 COVID. People were quitting because they
18 were getting hurt. They were getting beat
19 up. They were not allowed to carry any form
20 of protection -- no mace, nothing, not even
21 very basic type of apparatuses and tools to
22 protect themselves in that facility.

23 And even when the sheriff deputies
24 tried to go there to restore order, your

1 office tried very hard to ban them from even
2 bringing in mace, billy clubs, the things
3 that they normally would even use in any
4 other facility should they be attacked, to
5 defend themselves. And I'm not even talking
6 about guns. They don't carry guns, the jail
7 deputies. They have other tools to protect
8 themselves.

9 And you tried very hard to deny them
10 the ability to even protect themselves as law
11 enforcement officers when they were within
12 that facility.

13 Don't you think that when we start
14 putting 20- and 21-year-old gang members who
15 are accused of murder in with legitimate
16 children that are 16, 17, 18 years old,
17 accused of far lesser crimes, that this is a
18 recipe for disaster?

19 OCFs COMMISSIONER POOLE: I have to
20 respectfully disagree with you on that point.
21 I think that the research and the brain
22 science behind Raise the Age, and the failure
23 of young people having been in such settings
24 to rehabilitate themselves, points us in an

1 entirely different direction in terms of
2 creating the right kind of programming for
3 young people.

4 And I can appreciate why folks would
5 feel like pepper spraying and battering rams
6 and those kinds of things, you know, might
7 restore order. I will tell you from my many
8 years of experience running the state's
9 juvenile system, where we have these same
10 kids in our programs, it's about adequate
11 staffing, it's about adequate programming
12 that is of interest to young people, it's
13 about clinical services to address their
14 historic trauma and the violence they have
15 been exposed to, it's about hope, jobs,
16 certification, training. Those are the kinds
17 of things that were our investments.

18 And I will say to you that we worked
19 hand in glove with the county executive and
20 his team in Monroe County --

21 CHAIRWOMAN WEINSTEIN: Thank you.
22 Thank you, Commissioner. We're going to turn
23 it back over to the Senate.

24 CHAIRWOMAN KRUEGER: Thank you very

1 much.

2 Next up is Senator Pete Harckham.

3 SENATOR HARCKHAM: Good morning.

4 Thank you, Madam Chair.

5 And good morning, Commissioner. Great
6 to see you, and thank you for your testimony.

7 I want to follow up on
8 Chairman Brisport's line of questioning
9 regarding childcare thresholds and also
10 reimbursement. So three quick questions.

11 In Westchester County a family with
12 two parents, both making minimum wage, did
13 not qualify for either Title XX or
14 low-income. So question one, will they be
15 eligible under the new income threshold?

16 Question two relates to reimbursement
17 rates. What the providers have told me is
18 when the state went from 75 percent to
19 69 percent, it wasn't nearly adequate and
20 they were losing a lot of money on each
21 student. Is there any improvement in the
22 budget in the reimbursement formula?

23 And finally, only being reimbursed on
24 a daily basis. So if a child calls in sick,

1 they still have the same overhead of staff,
2 utilities, et cetera.

3 So if you could address those three
4 questions, please. Thank you.

5 OCFS COMMISSIONER POOLE: You're quite
6 welcome.

7 So the first one is a little hard
8 because every family's situation is a little
9 bit different. But again -- so for example,
10 if the family's income -- and this is sort of
11 based upon a family of four. If their annual
12 income is under \$60,000, then they should be
13 eligible for a subsidy.

14 So again, I think -- and again, it
15 depends on if they're working or seeking a
16 job. There's other variables that we would
17 have to take into account before I could
18 answer definitively yes to your first
19 question.

20 To your second question, the
21 69th percentile is still what is included in
22 our proposed budget when the new market rates
23 take effect in October. So that is the
24 current standing proposal at 69 percent.

1 And then finally, maybe some good news
2 on the answer to number three, which is
3 around payment for absences. So one of the
4 provisions that we passed last year will
5 allow up to 24 absences to be paid to
6 families per year. So that should help
7 mitigate -- actually, it's a minimum of 24
8 absences -- to help mitigate that issue.

9 SENATOR HARCKHAM: All right. Good
10 news on number three, possible good news on
11 number one.

12 OCFS COMMISSIONER POOLE: We'll keep
13 at it.

14 SENATOR HARCKHAM: On number two, I
15 would just share with you that the 69 percent
16 is really inadequate. What I'm hearing from
17 all the providers in my district, they're
18 just losing too much money. And, you know,
19 some are fortunate enough to have donors to
20 help defray the costs, but a lot of them
21 don't. So I hope we reconsider that number.

22 Thank you very much.

23 OCFS COMMISSIONER POOLE: You're quite
24 welcome.

1 CHAIRWOMAN KRUEGER: Thank you. Thank
2 you. Assembly?

3 CHAIRWOMAN WEINSTEIN: We go to
4 Assemblyman Kim, three minutes.

5 ASSEMBLYMAN KIM: Thank you, Chair.

6 I'd like to continue the line of
7 questions from Senator Brisport and
8 Assemblymember Hevesi.

9 The first question is, do we have a
10 rough breakdown of the pandemic federal
11 dollars versus the sustainable federal
12 dollars versus the state revenues that's
13 funding the programs?

14 The second question is of the money
15 tied to state money, revenues, how flexible,
16 fungible and transferable are these dollars
17 in terms of meeting the need of different
18 programs?

19 And third, in terms of the contracting
20 to third parties, what percentage of the
21 money that goes to programming goes to
22 secondary or third-party nonprofit providers
23 versus local government agencies that's
24 actually administering the services

1 themselves?

2 OCFS COMMISSIONER POOLE: Okay, so
3 I'll take it from the top there. So the
4 Executive Budget -- so this is federal
5 subsidy that comes to the state, we refer to
6 as CCDF dollars. This year is proposed at
7 \$894.6 million. So that's, if you will, our
8 base funding for childcare subsidy.

9 And in New York those dollars flow
10 through all of our local departments of
11 social services, who administer the childcare
12 subsidy program. So there's that base
13 funding. And it's increased \$62.5 million to
14 pay for the market rate that will go into
15 effect in October.

16 Then you asked specifically about the
17 federal pandemic pots of money that we
18 received. So for CARES, we received -- and
19 again, this is just exclusive to childcare --
20 \$163 million of childcare funding. The vast
21 majority of that has already been obligated
22 and liquidated. We received the CRRSAA
23 funding, in the amount of \$468 million. And
24 then finally, ARPA, \$704 million -- again,

1 all for childcare.

2 ASSEMBLYMAN KIM: Thank you,
3 Commissioner. Sorry to cut you off; I only
4 have 30 seconds left.

5 But I guess through the line is that
6 most of this money is tied to federal dollars
7 and it's regulated, it's inflexible. And one
8 area that we should be looking at is the
9 flexible money that we give to corporate
10 subsidies, in the amount of 7 to 8 billion
11 dollars a year. That's something that a
12 number of economists have seen that, you
13 know, we should be transferring towards
14 childcare and child development. And I hope
15 that the administration and the Second Floor
16 would take that seriously into consideration.

17 Thank you.

18 CHAIRWOMAN WEINSTEIN: Thank you.
19 We've joined by Assemblywoman Rajkumar.

20 We move to the Senate.

21 CHAIRWOMAN KRUEGER: Thank you very
22 much.

23 Before I introduce Senator Persaud, I
24 believe we have been joined by Senator Leroy

1 Comrie. Not sure I caught Senator Rachel May
2 earlier. I think that's everybody so far.

3 And I will turn to over to
4 Senator Persaud.

5 SENATOR PERSAUD: Thank you,
6 Madam Chairman.

7 Commissioner, it's great to see you.
8 You know, we've had great conversations. I
9 appreciate everything that you're doing. I
10 just have a few quick questions pertaining to
11 homeless youth healthcare consent.

12 I was speaking with some students a
13 couple of days ago, and could you give us
14 some information on how they'll be identified
15 and the determination of who can give consent
16 for non-emergencies? And do providers --
17 will providers be held liable for consent
18 under the proposal that's in place?

19 And then also, coming -- the city is
20 looking to have the 18.5 percent
21 reimbursement rate restoration for the
22 Committee on Special Education.

23 And also, would we be able to have
24 additional conversations about Raise the Age

1 and the funding that goes with that? There
2 are things that still -- you know, as
3 Senator Savino has spoken about, there's lots
4 of conversations that we should have.
5 There's funding needs that have not been
6 addressed. What is OCFS willing to do to
7 move that conversation?

8 And the last thing I want to ask, the
9 gun violence funding. We have a spike in gun
10 violence. You know, every day we turn on the
11 television or whatever and we're hearing
12 about gun violence. However, the funding
13 that's been allocated is not moving as
14 quickly as possible to communities. What
15 will you do to ensure that this funding is
16 getting to communities as fast as possible so
17 that we can tackle the upswing of gun
18 violence in our communities?

19 Thank you.

20 OCFS COMMISSIONER POOLE: That's a lot
21 right there, Senator.

22 So first off, with respect to our
23 proposed Article VII allowing
24 runaway/homeless youth to consent, this

1 became so illuminated during COVID when we
2 had young people in runaway/homeless youth
3 shelters, you know, who wanted to consent to
4 their own -- or get, right, the COVID
5 vaccine, and because they're disconnected
6 from their families, were not able to.

7 And this has been talked about for
8 many years, that these young people, who are
9 in effect functioning as very independent
10 adults, you know, do not have access to take
11 care of themselves. So that's really our
12 goal here.

13 And we will need to find a way -- I
14 think that's a great question about how do
15 these youth identify, right? When they go to
16 a provider and can't consent, how do we
17 figure out a way with, again, protecting
18 their confidentiality as much as we can. We
19 need to find a way so that that doesn't
20 create a barrier.

21 The model is also predicated upon that
22 they are under the care of a professional
23 medical, right, personnel, who is, you know,
24 presumably recommending care and treatment.

1 So that's the other part, is that we trust
2 that these young people are getting good
3 medical care and that their medical providers
4 will want to support the youth in obtaining
5 it.

6 But happy to work through some of the
7 operational implementation issues with you so
8 that we achieve the goal.

9 With respect to the Committee on
10 Special Education issue that you mentioned,
11 Senator, I do want to say for New York City
12 that that state reimbursement went away
13 permanently back in the 2017-2018 budget and
14 that the current Article VII proposal
15 proposes to make that statewide. And, you
16 know, quite simply this sort of state
17 reimbursement for what are wholly Committee
18 on Special Education decisions seems to be an
19 artifact of a decision many, many years ago
20 about some part of rate setting so it should
21 be in OCFS's budget. But these are -- these
22 are all decisions for residential placement
23 that are made by local committees on special
24 education --

1 CHAIRWOMAN WEINSTEIN: Thank you.
2 Thank you, Commissioner. We're going to move
3 on to the Assembly.

4 Assemblywoman Rosenthal. And before
5 she -- well, I think, yes, she can just go.
6 We don't have any new members yet.

7 Three minutes.

8 ASSEMBLYWOMAN ROSENTHAL: Okay. All
9 right. Can you hear me, Commissioner?

10 OCFS COMMISSIONER POOLE: I sure can.
11 Hi.

12 ASSEMBLYWOMAN ROSENTHAL: Great.
13 Great. Thank you. Commissioner, it was
14 lovely speaking with you earlier in the week,
15 or maybe it was last week -- the days all
16 melt together.

17 So, you know, I've long been concerned
18 with runaway and homeless youth. And it was
19 back in 2015-'16, I believe, that -- you
20 know, I fought hard, the Assembly gave
21 \$2 million for that category, and so we had
22 about 4.5 million. Which hasn't been
23 increased till now in the Governor's budget,
24 \$2 million, another -- so it's 6.5, which is

1 fabulous.

2 But I've talked to advocates who say
3 really the need is more like 15 million. So
4 my first question is, when do you think we
5 can get there? Because as we know, it's a
6 huge problem. And there's so many people
7 that we need to pay attention to. And I
8 appreciate the increase a lot, but we need
9 more.

10 The next question also is do you know
11 about the breakdown of population of runaway
12 and homeless youth throughout the state, and
13 how many counties actually have programs to
14 address their needs throughout the state?

15 OCFS COMMISSIONER POOLE: Sure. So I
16 am glad that you are encouraged by the
17 \$2 million. We're heading in the right
18 direction of more investment, as opposed to
19 having less. And I do appreciate that. You
20 know, it has been a population of young
21 people for whom we have not made enough
22 investments in the past.

23 And just to put a bit of a fine point
24 on the \$2 million, you know, we are looking

1 to help restore some of the loss of
2 runaway/homeless youth shelter beds,
3 particularly upstate. New York City, to
4 their credit, has actually added, at their
5 own local cost, hundreds of runaway/homeless
6 youth beds in the past couple of years. But
7 it's become a real pain point upstate, so
8 we're looking to sort of fill in some of the
9 beds that have been lost there.

10 And I don't want to misspeak about the
11 number of programs that are operating. I
12 will absolutely follow up and get you very
13 specific information about where the beds and
14 the services are remaining.

15 ASSEMBLYWOMAN ROSENTHAL: Okay, thank
16 you. Because I know, as you said, the city
17 is increasing, but I don't know that that's
18 true. And I believe like fewer than half the
19 counties in the state have programs. And we
20 know the runaway and homeless youth are
21 everywhere in the state.

22 So thank you, and I look forward to
23 working with you on that and other issues.

24 OCFS COMMISSIONER POOLE: I do as

1 well. Thank you.

2 ASSEMBLYWOMAN ROSENTHAL: Thank you.

3 CHAIRWOMAN KRUEGER: Thank you. Back
4 to the Senate.

5 We have Senator Stec, the ranker on
6 Children and Families, for five. Are you
7 there, Senator Stec?

8 THE MODERATOR: Trying to get him to
9 start video and audio.

10 SENATOR STEC: I'm here. I'm here.

11 CHAIRWOMAN KRUEGER: Okay.

12 SENATOR STEC: I'm so sorry. Good
13 morning, everyone.

14 CHAIRWOMAN KRUEGER: Good morning.

15 SENATOR STEC: Well, the good news is
16 I'll spare you all using my whole five
17 minutes.

18 But, Commissioner, I appreciate your
19 testimony today and I want to echo a lot of
20 the sentiments of many of my colleagues in
21 both houses, both sides of the aisle. I want
22 to thank you for your positive efforts for
23 working for our kids and families, and
24 certainly working with the Legislature to

1 make the state a little better in that
2 regard.

3 The state received \$2.4 billion in
4 pandemic stimulus funds in fiscal year '22
5 from the Coronavirus Response and Relief
6 Supplemental Appropriations Act and the
7 American Rescue Plan Act of '21. The fiscal
8 year '23 budget does not contain an
9 appropriation for COVID relief funds. Can
10 you tell us how much COVID relief funding
11 remains, and how you will target use of the
12 remaining funds, please?

13 OCFS COMMISSIONER POOLE: Yeah. So
14 just to be clear, I think you're the second
15 person to ask that question. I want to be --

16 SENATOR STEC: I missed it.

17 OCFS COMMISSIONER POOLE: Yeah, no,
18 that's good. It's good news that we've not
19 lost the 2.5 billion, that it's actually
20 already -- it's just simply been rolled over
21 and reappropriated. So it doesn't look like
22 a new appropriation. That's I think the
23 first answer to your question.

24 And the second is that 2021 was an

1 extraordinarily busy year for us at OCFS. We
2 are very, very anxious, as I know are all of
3 you, to get -- make sure that we are spending
4 every dollar of our federal childcare
5 pandemic funding. So there are lots of
6 things that were released in 2021 that are
7 now out there for spending in local social
8 service districts.

9 So it's the 10 percent cap on copays,
10 and that means that counties -- that's a cap.
11 They can -- you know, they can, many of them,
12 afford less than a 10 percent copay for
13 families. We launched an essential workers
14 scholarship, where we originally allocated
15 25 million. It was so popular, we had left
16 over CARES dollars, we spent \$80 million
17 supporting essential workers. We expanded
18 QUALITYstars by 35 million.

19 And then we have 12 months
20 eligibility, we're paying for a minimum of
21 24 absences. And then we just announced last
22 Friday 70 million of a 100 million desert.
23 And then we've got a couple of things that
24 we'll be rolling out soon.

1 So we are on an all-out effort here to
2 get that money out the door to districts and
3 to make sure that districts -- this is where
4 we need our county executives, who are I know
5 busy with all kinds of pandemic funds. But
6 we have a lot of money in our childcare
7 space, we have rollover funds that are on the
8 table, and we need an all-out effort to make
9 sure that it's getting spent before these
10 funds expire in a couple of years.

11 SENATOR STEC: But I wasn't sure I
12 heard you. They rolled over, but how much
13 rolled -- like how much of that 2.4 remains?
14 All 2.4 or --

15 OCFS COMMISSIONER POOLE: Oh,
16 there's -- I'd have to calculate that. I
17 know that we spent -- well over a billion has
18 been spent, between the stabilization grants,
19 we've obligated 900 million. And then, you
20 know, we've paid out the QUALITYstars and
21 other initiatives.

22 So there remains a lot, to be clear.
23 We've pushed out a lot, but there remains a
24 lot still to be liquidated. It's been made

1 available to spend.

2 SENATOR STEC: How long do you think
3 what remains will last? And is there a clock
4 on how long you have to spend it?

5 OCFS COMMISSIONER POOLE: Yes, there
6 is. And we have multiple clocks going here,
7 right? So there's the base subsidy, our
8 federal dollars that we have rollover. We've
9 got to make sure that they do not lapse and
10 expire, so we watch those.

11 And then as I said, the CARES money,
12 we're good there, almost all of that has been
13 liquidated. It's the CRRSAA and ARPA that
14 are left to be spent. The ARPA is the
15 largest pot that we have left to be spent,
16 and that has to be liquidated by
17 September 30th of 2023. So we've got some
18 time. But the clock ticks fast, so we've got
19 to get people spending.

20 SENATOR STEC: {Inaudible.}

21 OCFS COMMISSIONER POOLE: Yes, it
22 does.

23 SENATOR STEC: It sure does. All
24 right, thank you very much.

1 Chairwoman, I'll yield my last
2 15 seconds back.

3 CHAIRWOMAN KRUEGER: Thank you very
4 much.

5 Assembly.

6 CHAIRWOMAN WEINSTEIN: We go to
7 Assemblywoman Clark, three minutes.

8 ASSEMBLYWOMAN CLARK: Hello,
9 Commissioner, and thank you so much for
10 joining us today.

11 I wanted to dive into childcare a bit.
12 And I have another question I hope I can get
13 in as well. But the first one is -- I call
14 childcare in its current form in our state a
15 math equation that does not work. So as much
16 as we continue to say that we're going to
17 expand eligibility for subsidies for more
18 families to be included, what we continue to
19 hear from both families and providers is that
20 the rate is just not enough.

21 So if we are not paying providers true
22 cost of care, they're going to not take
23 subsidy families. So we are creating a
24 problem by not actually addressing the root

cause, which is that we are not covering the true costs of childcare even in its current state, let alone if we started to increase wages for the childcare workforce, which is the main driver of why people are leaving.

So I know it's set at 69 percent, but I just don't see how we get past -- how the state can ever get past fixing childcare if we don't start to put our own dollars that are sustainable and renewable every year to address the real issue, which is that we're not covering the true cost of care.

So my question is, how do we get there? Why is there such a hesitancy to increase the actual rate we pay providers so that they can keep their doors open?

OCFS COMMISSIONER POOLE: I think it's a very fair question, Assemblywoman. And we do have cost estimates for what it would take to get to the 75th, you know, as well as the 90th. I don't know if you were on, I think Assemblyman Hevesi asked me the same question.

You know, how I would answer that for

1 now is I think we have to try and watch how
2 we are spending some of the dollars now. If
3 there is some room, right, in our base
4 federal subsidy dollars -- because the
5 pandemic dollars, we're not going to have
6 them forever. And that's our challenge as a
7 state, is not going to 90 percentile now
8 where that would cost us almost 400, you
9 know, million more a year and then hit a
10 cliff down the road. As much as we're all
11 anxious to get there now.

12 And again, the more all of us can
13 advocate for Build Back Better -- right? We
14 need more federal dollars to help us get to
15 some more sustainable market rates for our
16 providers. But I think there might be some
17 opportunity as we watch spending.

18 ASSEMBLYWOMAN CLARK: Excellent.
19 Well, it sounds like, I think, the state
20 needs to come up with a commitment as well to
21 really fix it.

22 My second quick question is
23 after-school programming. With such emphasis
24 on childcare, the proposed Governor's budget

1 also slashes some funding for after-school.
2 So -- and also it's not getting to the true
3 cost of after-school. So what are we doing
4 to address that? And why are we cutting
5 money for after-school?

6 OCFS COMMISSIONER POOLE: So the
7 Executive Budget for after-school is whole.
8 We have the \$28 million in TANF for the
9 Advantage After School Program. And we have
10 the 55 million in the Executive Budget for
11 the Empire, the legislative initiatives,
12 which is, as you all know --

13 CHAIRWOMAN WEINSTEIN: Commissioner,
14 thank you. Why don't you give us the -- send
15 an email with the answer to this question.

16 OCFS COMMISSIONER POOLE: Certainly.

17 CHAIRWOMAN WEINSTEIN: And I'm sure
18 there will be some others that we can
19 circulate to all the members, because we do
20 want to keep an eye on the clock.

21 So we're going to turn it back to the
22 Senate.

23 CHAIRWOMAN KRUEGER: Thank you very
24 much. And we have Senator Sue Serino.

1 SENATOR SERINO: Thank you,
2 Madam Chair.

3 And Commissioner, it's so nice to see
4 you. And I just want to say thank you for
5 always being so responsive to the needs that
6 I bring to your attention.

7 Right now I'm going to talk about the
8 Governor's Executive Budget with the Child
9 Advocacy Centers, which as you know provide
10 critical support to abused children. They're
11 funded at 5.2 million, which has been the
12 same amount proposed in the Executive Budget
13 since 2010. These centers were funded at
14 nearly 7.8 million in 2007, and in recent
15 years funding stagnated at 7.2 million.

16 So given that the number of children
17 served has really nearly doubled compared to
18 2007, would you agree that these centers need
19 a commensurate increase in funding?

20 OCFS COMMISSIONER POOLE: Senator,
21 it's good to be with you. And thank you for
22 participating in the Adult Protective
23 Services Roundtable earlier this week.

24 The CACs are absolutely invaluable to

1 the work they do in communities. And as you
2 say, the Executive Budget proposal is what it
3 is. What I will commit to you, Senator, as
4 we here at OCFS continue to look under every
5 corner that we have within our existing, you
6 know, federal funding streams in child
7 welfare, any opportunity we have here to try
8 and bring some more resources to the Child
9 Advocacy Centers, you have my commitment to
10 do so.

11 SENATOR SERINO: Thank you,
12 Commissioner.

13 You know, there was a time in my life
14 when I was a single mom, so to be able to
15 access childcare I actually opened up my own
16 childcare small business. So I really
17 understand the challenges that both the
18 parents and the providers are facing with
19 this today.

20 And as you know, the Governor proposes
21 to utilize 75 million from Childcare
22 Stabilization funds to support childcare
23 wages. Do you have an estimate of how many
24 childcare workers this is going to impact and

1 how the funding would be distributed? And
2 kind of how much of an increase can childcare
3 workers expect to receive?

4 OCFS COMMISSIONER POOLE: Yeah. So
5 the \$75 million allocated for the Childcare
6 Stabilization Grants, I want to be clear and
7 honest, they are pandemic funds. So they are
8 not going to last forever.

9 So our proposal, Senator, is to go
10 about the distribution of that 75 million
11 like we did the billion dollars in the
12 stabilization grants. So we will have a
13 portal where childcare providers can go in,
14 and they can attest to the number of
15 employees that they have. And we will have a
16 methodology in the background that based upon
17 the number of staff that they have,
18 et cetera, other things that we will ask
19 them, that they will receive a grant that
20 they will distribute to their staff.

21 And the intention -- we obviously
22 can't raise wages, right, because you can't
23 sustain that. So these grant funds are
24 really intended for bonuses, to help offset

1 employee retirement costs, payments there to
2 help childcare employees, many of whom want
3 to advance their educational degrees, do
4 things like we can to support the child
5 welfare workforce without creating, right, an
6 artificial raising of wages that can't be
7 sustained, at least at this point
8 post-pandemic funding.

9 SENATOR SERINO: Thank you so much,
10 Commissioner. I know our time is up.

11 Thank you.

12 OCFS COMMISSIONER POOLE: Of course.

13 CHAIRWOMAN KRUEGER: Assembly.

14 CHAIRWOMAN WEINSTEIN: We go to
15 Assemblyman Anderson for three minutes.

16 I just want to remind all the
17 colleagues -- please stop the clock -- all
18 the colleagues that, you know, please leave
19 time for the commissioner to be able to
20 answer your questions. I don't really like
21 having to cut people off, either you or the
22 commissioner. Thank you.

23 Assemblyman Anderson. There you are.
24 You have three minutes. Assemblyman

1 Anderson, can you hear me to unmute yourself?

2 ASSEMBLYMAN ANDERSON: Can you hear
3 me?

4 CHAIRWOMAN WEINSTEIN: Yes, now we
5 can. Three minutes.

6 ASSEMBLYMAN ANDERSON: Okay. I
7 started talking and I didn't know if folks
8 were hearing me.

9 All right. Thank you so much,
10 Commissioner, for being here. And thank you,
11 Chairwoman Weinstein, as well as Chairman
12 Hevesi.

13 So I have a couple of questions for
14 you, Commissioner. In terms of your
15 strategies around personal protective
16 equipment and supplies for OCFS sites, what
17 does that process look like? And what if any
18 additional funding do you guys need in the
19 budget to ensure that our children and our
20 families who are at OCFS daycare centers,
21 sites throughout my district and throughout
22 the state, have those very important supplies
23 and resources? That's the first question.

24 The second question I have -- and it's

1 specifically around funding streams. I want
2 to read it correctly. So last year you guys
3 expanded or we expanded in the budget
4 subsidy, and we went down to 200 percent of
5 federal poverty level. But it took a while
6 to implement, you know, that poverty level.
7 It took over eight months to implement it.
8 Actually, the regulations just came out a
9 month or two ago, which is wholly
10 unacceptable.

11 But the budget this year proposes an
12 expansion to 225 for those families in that
13 bracket, but it won't go into effect, again,
14 for another eight months. Why is there such
15 a delay for the implementation of these
16 subsidies? And couldn't you guys just
17 advance some of the stimulus dollars that you
18 have to help assist with getting these funds
19 out?

20 So I'll allow you to answer, and then
21 I have one more question if I have time.
22 Thank you, commissioner.

23 OCFS COMMISSIONER POOLE: Sure. Of
24 course, happy to.

1 So I appreciate your question on the
2 PPE. So we have been very fortunate between
3 the ability to use federal pandemic money as
4 well as support from our own state
5 government, from DHSES, that we have an ample
6 supply, both for my state-operated juvenile
7 justice facilities -- you know, we have KN95
8 masks, we've got all the right PPE and we've
9 had a good supply.

10 We've also, throughout the, right,
11 much too long, protracted course of the
12 pandemic, we have been able to provide
13 childcare, foster care, domestic violence,
14 runaway/homeless youth programs with masks.
15 Recently we've been able to do testing
16 supplies as well. So just in recent weeks
17 we've pushed out, I think, close to 300,000
18 testing kits to childcare centers and many,
19 many more across the state.

20 So I think we've fared pretty well in
21 that area, but I absolutely appreciate the
22 question.

23 You know, with respect to the subsidy
24 expansion, you know, last year about why did

1 it take so long, you know, I just want to go
2 back. You know, we had to develop
3 regulations for these new subsidy provisions.
4 You know, they take a little bit of time to
5 develop once the budget was enacted. So we
6 put those out for public comment in July,
7 you've got to give time for public comment,
8 they get back.

9 But I also want to say we also put the
10 local districts on notice, we sent them an
11 INF, we call it, that said, Hey, these things
12 are coming soon. Take the time now before
13 these regulations become final to get your,
14 right, systems changes, administrative
15 changes, retraining your childcare staff as
16 necessary. Like these things -- it's not
17 just fairy dust, right? They require --
18 local districts have to have time to make
19 things happen. And the system changes, you
20 know, can be considerable.

21 So that is --

22 CHAIRWOMAN WEINSTEIN: Thank you.
23 Thank you, Commissioner. We'll go to the
24 Senate.

1 ASSEMBLYMAN ANDERSON: Thank you,
2 Commissioner. Thank you, Chairwoman.

3 CHAIRWOMAN KRUEGER: Thank you,
4 Assembly. We have shockingly run out of
5 Senators with their hands up. Once they hear
6 this, no doubt they will raise their hands.
7 But I'm going to pass it back to you --

8 CHAIRWOMAN WEINSTEIN: Not to worry.
9 We have many.

10 CHAIRWOMAN KRUEGER: -- until I see
11 more Senators. You do have many
12 Assemblymembers.

13 CHAIRWOMAN WEINSTEIN: Just shout out
14 when you have a Senator.

15 We'll go to Assemblywoman Lunsford,
16 three minutes.

17 ASSEMBLYWOMAN LUNSFORD: Thank you.

18 And Commissioner, I'm going to give
19 you an opportunity to finish your answer to
20 Assemblymember Clark about the cut to
21 after-school funding. And I'd also like to
22 ask some additional questions about whether
23 there's anything to do about the terrible
24 cost of summer care for our families with

1 school-age kids.

2 OCFs COMMISSIONER POOLE: Yes, so I
3 think we actually have, on the whole, really
4 good news on our after care. So like I said,
5 we have the 28 million in the TANF, the
6 Advantage After School, that serves 17,000
7 kids across our state. We then have the
8 Empire 55 million of General Fund dollars
9 that serves 34,000 children across 300 sites.
10 So we have that base funding continuing to be
11 available.

12 I also just want to say that we did a
13 lot of work -- there were some pain points
14 along the way, I will be candid, with our
15 after-school providers, who were asking us
16 for more flexibility in how, right, as part
17 of the pandemic that they could provide
18 after-school programming. So we worked with
19 our partners at the Division of the Budget
20 and we were able to create a more flexible
21 hybrid model so that these programs could say
22 I'm going to do only in-school, maybe, you
23 know, a hybrid of in-school or remote,
24 et cetera.

1 We had to redo all those contracts.
2 My team here, I do have to give them a lot of
3 credit. We have made tremendous progress.
4 We are pushing out all kinds of money to the
5 after-school providers, who have been
6 incredibly patient with us.

7 So I think overall we're in very good
8 shape with --

9 ASSEMBLYWOMAN LUNSFORD: Thank you.
10 I'm just going to pivot just because I only
11 get three minutes.

12 OCFS COMMISSIONER POOLE: Sure.

13 ASSEMBLYWOMAN LUNSFORD: Can you talk
14 just a little bit about the Monroe County
15 Children's Detention Center from the
16 perspective of the kids who are being housed
17 there?

18 That facility -- like, the building
19 itself really shouldn't have been certified.
20 It is itself inadequate, and it's causing
21 issues not just for the employees there but
22 for the detainees. I've had children who got
23 transferred to the Monroe County Jail for a
24 period of time say they don't want to return

1 to the children's detention center. And I'd
2 like to know what we can do to help address
3 the just fundamental inadequacy of that
4 facility.

5 OCFs COMMISSIONER POOLE: Yes,
6 absolutely. So I have very good news in that
7 Monroe County has submitted to us their
8 request for a capital plan proposal, which we
9 are -- we are expediting this at record
10 speed. We're delighted the county, you know,
11 needed to make the right decision for them.
12 They had a number of options they were
13 considering.

14 So we are working very closely with
15 the Division of the Budget, we will work with
16 DASNY, we're going to work with engineers,
17 Assemblywoman, to get this done just as
18 quickly as possible so that the physical
19 plant is really modernized, right, to be able
20 to do the kind of programming.

21 I will also say I want to give a shout
22 out to Monroe County. In spite of all the
23 challenges that they faced in July of last
24 year, which were very considerable, they've

1 done a tremendous job bringing on new staff,
2 raising salaries, bringing on additional
3 managers and supervisors. You know, there's
4 been a lot of good partnership work with them
5 with our partners at State Commission on
6 Corrections. And things are much better in
7 the Monroe County Children's Center today.
8 So kudos to them.

9 CHAIRWOMAN WEINSTEIN: Thank you.
10 Thank you. To continue with Monroe County, I
11 call on Assemblyman Bronson, three minutes.

12 ASSEMBLYMAN BRONSON: Thank you,
13 Chair. Sorry for the delay, but the
14 technology wasn't working for us.

15 Commissioner, good to see you.

16 OCFS COMMISSIONER POOLE: Good to see
17 you.

18 ASSEMBLYMAN BRONSON: I have one line
19 of questioning, and it is extremely
20 important.

21 As you know, over the last two decades
22 mental health practitioners licensed under
23 Article 163 of the Education Law have been
24 under an exemption that would allow them to

1 diagnose and create assessment-treatment
2 plans. They've been doing this for 20 years.
3 That sunsets in June 2022.

4 I carry a bill that would modernize
5 their scope of practice and lift up their
6 educational and clinical requirements to a
7 level that would allow them to continue this
8 ability to diagnose. If we don't deal with
9 this issue, there is going to be an extreme
10 crisis in our community-based organizations
11 that serve many of our families and children,
12 including Hillside in my district. It will
13 also impact your agencies that you oversee
14 across the state.

15 My question to you is, number one, how
16 do we address the shortfall in the
17 community-based organizations, and can we
18 move forward with this bill, A6008? And what
19 are your plans for the state agencies that --
20 or state facilities that you oversee that are
21 utilizing these professions as well?

22 OCFS COMMISSIONER POOLE: Thank you,
23 Assemblymember. So certainly I will go back
24 and take a more careful look at your Article

1 VII bill. I know that that has been
2 extended, right, many times to extend those
3 provisions.

4 I would imagine, given the workforce
5 crisis and in particular, right, the role
6 that mental health practitioners and
7 clinicians have played throughout the
8 pandemic would perhaps bring some renewed
9 conversation to your proposed bill.

10 And I will say I know that the State
11 Office of Mental Health -- and I don't want
12 to speak for Commissioner Sullivan, but I
13 know that they have many strategies underway
14 to try and, you know, do a better job
15 supporting the mental health workforce,
16 providing bonuses and other kinds of things
17 to thank that workforce.

18 So I'm happy to continue
19 conversations. We need those mental health
20 practitioners more than ever. And that is
21 also true for me, right, in running our
22 state's juvenile justice programs. They're
23 foundational, given the trauma and the mental
24 health issues that so many of our young

1 people and families, frankly, are dealing
2 with these days.

3 ASSEMBLYMAN BRONSON: Well, thank you,
4 Commissioner. I agree with you a hundred
5 percent, we have to address this. The need
6 has grown exponentially because of COVID.
7 And this bill would standardize these
8 master's-level educational clinical and
9 training and requirements. So we've got to
10 get this done. Thank you so much.

11 CHAIRWOMAN WEINSTEIN: Thank you.

12 We go to Assemblyman Burdick.

13 ASSEMBLYMAN BURDICK: Thank you. And
14 thank you, Commissioner, for your work.

15 I have two questions. I'll ask them
16 both at once, in the interests of time.

17 I think it's clear that the
18 Legislature would like to provide more
19 resources, more funding, to the programs and
20 services under your agency. But you
21 mentioned that the pandemic funds will not
22 last forever, we should advocate for Build
23 Back Better. Do you see that in order to
24 maintain even the present funding levels

1 there would need to be long-term reliance on
2 federal funding?

3 And a related question is whether your
4 agency has identified any other dedicated
5 funding source.

6 The second question is that the budget
7 includes 500 million in COLA for human
8 services providers, which is very welcome.
9 It's great. However, the statute that
10 governs the COLA is outdated and it's
11 important that the COLA goes to all current
12 human services contracts. So two questions.
13 Is your agency doing anything to try to
14 update the statute? Because apparently in
15 order to be eligible, you've got to be listed
16 in the statute.

17 And in the interim, what is your
18 agency doing to ensure that the COLA is
19 applied to all current contractors,
20 regardless of whether they're listed in the
21 statute?

22 OCFS COMMISSIONER POOLE: Thank you
23 very much. So great questions, you know, on
24 childcare and how much of what we are doing

1 in the pandemic, you know, can be supported.

2 You know, again, I think the subsidy
3 pieces in particular -- raising the
4 eligibility to 300 percent, keeping copays as
5 minimal as possible for working families, you
6 know, trying to support providers with
7 sufficient market rates -- are really I think
8 the three core pieces that we need to watch
9 carefully. Right? So that absent not
10 knowing what's going to happen perhaps with
11 Build Back Better or additional base funding,
12 we believe -- and this is why I think I've
13 been asked this question, like why are you
14 taking seemingly such a cautious approach.
15 You know, the 225 in October, the 260 next
16 year is because I think we are very -- we
17 want to be really aggressive, but we also
18 have to be cautious until we see what the
19 spending starts to look like.

20 So I don't have an exact answer,
21 because as always there are unknowns. We
22 could get --

23 ASSEMBLYMAN BURDICK: Thank you. But
24 the second question, if you could provide an

1 answer about the COLA and those contractors
2 not in the statute. What about them?

3 OCFS COMMISSIONER POOLE: Well, I will
4 say to you very candidly that that is
5 troubling for me, and has been, that that --

6 ASSEMBLYMAN BURDICK: Maybe we can
7 consider that offline, then. Thank you so
8 much for your work.

9 OCFS COMMISSIONER POOLE: Yes, happy
10 to. Thank you.

11 ASSEMBLYMAN BURDICK: Thank you.

12 CHAIRWOMAN WEINSTEIN: Continuing with
13 the Assembly --

14 CHAIRWOMAN KRUEGER: No, sorry, a
15 Senator popped up.

16 CHAIRWOMAN WEINSTEIN: Okay, to the
17 Senate.

18 CHAIRWOMAN KRUEGER: Another Senator
19 popped up. Sorry.

20 Senator Tom O'Mara, thank you.

21 SENATOR O'MARA: Thank you,
22 Chairwoman. I think you're going to start
23 referring to me as Senator Pop Up, I think.

24 (Laughter.)

You know, what I will say to you is I think we have to just not conflate the Raise the Age law that was passed several years ago with what's happening now in our world. You know, between the number of guns on the street, between just the impact of COVID and court processing, we're seeing kids stay in detention for much longer periods of time than they were ever intended for. That's creating an issue, on occasion, where there's not access to specialized secure detention beds.

Those are all real issues for sure that we are working our way through. And as you heard me say, we're now starting to see a number of capital proposals for detention programs now that the pandemic seems to be lifting a bit. So we absolutely need to move forward in building capital capacity.

But I think we have to be very careful

1 in not conflating what's happening around gun
2 violence with sort of throwing the baby out
3 with the bathwater on Raise the Age.

4 SENATOR O'MARA: Well, right, but we
5 have to be very careful that 16- and
6 17-year-olds and those underage are not being
7 either exploited or utilized because they're
8 going to avoid this criminal responsibility.

9 And I think we're seeing longer stays
10 in these facilities because there's more
11 individuals, 16- and 17-year-olds now, going
12 into those facilities that are committing
13 much more serious crimes.

14 And I would just encourage you and
15 your department -- because I have been in
16 contact talking to Assemblywoman Byrnes, who
17 was talking before about the issues in one of
18 the facilities in her area where they're
19 hearing this, that the 16- and 17-year-olds
20 are being used to avoid the more serious
21 criminal responsibility for the 18, 19 and
22 older with that. And so I'll just leave it
23 at that.

24 And with regards to the capital

1 facilities, I hope we're looking at
2 regionalized facilities for multiple counties
3 and a localized region can send their youth
4 to a more close facility anyways. Because I
5 do think those that certainly have --

6 OCFs COMMISSIONER POOLE: Yeah. Yeah.
7 I would agree.

8 SENATOR O'MARA: -- family contacts
9 and interested family, their ability to be
10 able to interact with them while they're
11 undergoing that.

12 CHAIRWOMAN KRUEGER: Thank you.

13 SENATOR O'MARA: So I'd just encourage
14 that.

15 OCFs COMMISSIONER POOLE: Thank you so
16 much.

17 CHAIRWOMAN KRUEGER: Thank you,
18 Senator.

19 SENATOR O'MARA: Thank you.

20 CHAIRWOMAN KRUEGER: Assembly.

21 CHAIRWOMAN WEINSTEIN: We've been
22 joined by Assemblywoman Forrest,
23 Assemblywoman Gonzalez-Rojas, Assemblyman
24 Meeks, Assemblywoman Hunter, and

1 Assemblywoman Reyes.

2 And we go to Assemblyman Walczyk,
3 three minutes.

4 ASSEMBLYMAN WALCZYK: Thanks,
5 Madam Chair. Hey, Commissioner. How are you
6 doing today?

7 OCFS COMMISSIONER POOLE: I'm well,
8 thank you.

9 ASSEMBLYMAN WALCZYK: So I was looking
10 at Casey and the way that New York State, in
11 comparison with other states, invests some of
12 its Title IV-E and Title IV-B in our foster
13 program. And by way of comparison, they've
14 got some interesting looks.

15 So in prevention services, we spend
16 7 percent of our total in prevention and 93
17 percent of our budget to foster care.
18 Compare us to somebody like Alabama, who's
19 considered to have a really successful
20 program when you compare them to others,
21 they've got 76 percent in foster and
22 24 percent in prevention. So a significant
23 amount more of their Title IV-B is pushed
24 into those prevention programs.

1 Do you have any thoughts on that?

2 OCFS COMMISSIONER POOLE: I actually
3 don't. I'd be very interested, though, in
4 seeing the report that you are referencing.

5 ASSEMBLYMAN WALCZYK: Yeah, if you go
6 to Casey, it's pretty easy to find.

7 OCFS COMMISSIONER POOLE: Actually we
8 work very closely with Casey Family Programs.

9 So we do -- I mean, we invest, because
10 of our high state reimbursement, the 62/38
11 model, I find it impossible that -- you said
12 Arkansas?

13 ASSEMBLYMAN WALCZYK: Alabama.

14 OCFS COMMISSIONER POOLE: Or Alabama.
15 Yeah, I would -- I would be very happy to try
16 and put that into better context for you.

17 ASSEMBLYMAN WALCZYK: Yeah, great.
18 And -- yeah, I'll follow up with your office
19 on that.

20 OCFS COMMISSIONER POOLE: Please.
21 Happy to.

22 ASSEMBLYMAN WALCZYK: The same study
23 shows 9 percent of our foster kids in
24 New York enter the system for abuse, which is

1 one of the lowest in the nation.

2 OCFS COMMISSIONER POOLE: Yeah.

3 ASSEMBLYMAN WALCZYK: But that also
4 means that we have the highest entering for
5 reasons that aren't abuse. What do you think
6 accounts for that?

7 OCFS COMMISSIONER POOLE: That is a
8 fantastic question, and I can tell you we're
9 doing lots of work on that.

10 So, you know, we know, right, from the
11 data that you just described that many, many
12 families are swept into the child welfare
13 system for neglect. And we know that much of
14 neglect is derived from poverty. So we're
15 working very hard here at OCFS to really try
16 and create much more upstream prevention so
17 that families, who many live in fear of
18 coming into contact with the formal child
19 welfare system, can feel safer in this
20 accessing help from their community.

21 So we are working on a number of fronts.
22 One of them is we are going to pilot a basic
23 income project, which I know many of you are
24 aware is becoming very popular, right, this

1 notion that many families just need some
2 additional cash income to help them do better and
3 take better care of their children. So we're
4 working with the University of Pennsylvania, with
5 Redlich Horwitz here, we're going to have a
6 randomized control study with a small subset of
7 our child welfare families here, to really better
8 understand the impact of that model.

9 We are creating a "warmline," so instead
10 of a hotline where families get called sort of
11 into the formal child welfare system, we want to
12 create places where families or folks who know
13 families are in need can call and ask for help
14 and get that help --

15 ASSEMBLYMAN WALCZYK: Commissioner, I
16 see that I've asked a complicated question.
17 I'll follow up with your office --

18 OCFS COMMISSIONER POOLE: It's a great
19 question, though.

20 ASSEMBLYMAN WALCZYK: We've exceeded
21 our time here. Thanks.

22 OCFS COMMISSIONER POOLE: I'd love to
23 tell you more.

24 CHAIRWOMAN WEINSTEIN: Thank you.

1 Senator, I think you have a Senator.

2 CHAIRWOMAN KRUEGER: I do, thank you.

3 I have a Senator, the Senator Alexis Weik.

4 SENATOR WEIK: Thank you.

5 Commissioner, thank you so much for
6 being here today. And I'm concerned about
7 the lack of secure facilities for teenage
8 offenders charged with felonies.

9 So recently I met with my Suffolk
10 County sheriff, Sheriff Toulon, regarding
11 this issue. And these teenagers are
12 transported hundreds of miles from their
13 communities and families, they're driven from
14 Nassau and Suffolk to Albany, Syracuse and
15 even Buffalo. Housing these teenagers so far
16 away of course is costing our taxpayers a
17 thousand dollars per day -- per person,
18 excuse me. And we have to reassign deputies
19 from their regular duties to make these long
20 trips. And it seems like a wasteful
21 diversion of local resources.

22 These teenagers are far from their
23 families, their attorneys, and from their
24 local support programs.

1 So as you know, Nassau and Suffolk are
2 working on a joint facility to house
3 adolescents. What is it you're doing to help
4 speed this process? Because my local
5 officials are telling me they're not getting
6 much guidance or assistance from your office
7 to help obtain the OCFS approval for their
8 proposal, and we'd like to see that happen.

9 OCFS COMMISSIONER POOLE: So would we.

10 Yes, we are very excited to have
11 received fairly recently the county's
12 proposal, which as you're probably aware,
13 right, is to purpose a new facility for close
14 to 40 young people. So we are ready. The
15 money is available, there is money in the
16 State Budget for capital, there is DASNY
17 bonding authority.

18 And I will say -- and please feel free
19 to reach out to my office offline -- I am
20 surprised to hear you say that there appears
21 to be a lack of cooperation on my agency's
22 part. We've been trying to work very closely
23 with the county. So if there's some
24 disconnect, I want to know about it so we can

1 get after it very, very quickly, because we
2 need all due speed.

3 And especially in Long Island, where
4 there has not been an adequate secure
5 detention facility before Raise the Age. And
6 of course we know that COVID sort of put a
7 stop on all kinds of capital projects. But
8 we are ready and we want to move forward very
9 quickly with Long Island and with the other
10 many capital projects that are before the
11 state today.

12 SENATOR WEIK: Okay, so is there
13 someone they should be reaching out to?
14 Because again, when they're reaching out to
15 me telling me they're not getting guidance or
16 assistance, that tells me that perhaps
17 they're not reaching out to the right
18 individual or department, so --

19 OCFS COMMISSIONER POOLE: Yeah. Yes.
20 I know that my deputy, Nina Aledort, is the
21 lead. She's been in frequent contact with I
22 believe the county executive's office in
23 Suffolk County. So we should talk so we get
24 all of this back on track.

SENATOR WEIK: Okay. Thank you very much.

OCFS COMMISSIONER POOLE: You're welcome.

CHAIRWOMAN WEINSTEIN: Thank you. We go back to the Assembly, and Assemblyman Mamdani.

ASSEMBLYMAN MAMDANI: Thank you so much, Chair Weinstein.

Thank you, Commissioner Poole. I'm going to jump straight into it in the interests of time.

There's a growing concern around public and community safety, yet Governor Hochul is proposing \$51 million in cuts to various children and families initiatives that provide just that. Some examples include 2.5 million from settlement houses, 2 million from Safe Harbor, 1.9 from the Kinship Program. Most of these are normally restored through the Legislature, but why cut in a year when these services are sorely needed to help quell violence in communities?

OCFS COMMISSIONER POOLE: Yes. That's

1 a challenging question to answer. All of
2 those programs that you mentioned do do
3 valuable work. They have been supported, as
4 you point out, by legislative proposals for a
5 number of years.

6 So perhaps as we continue, right --
7 this Executive Budget is just a beginning
8 conversation -- that we can find ways. But I
9 do, I appreciate your lifting up -- those are
10 important programs.

11 ASSEMBLYMAN MAMDANI: Absolutely. And
12 I appreciate your answer. I think for me
13 it's just hard to understand why we would
14 begin the conversation with cuts to such
15 vital programs.

16 But I'll move on to my second
17 question. Last year, Commissioner, you
18 testified that childcare is a, quote, really
19 aspirational goal for us as a state. If we
20 were to implement universal childcare, what
21 would the benefit be to our children, our
22 families, especially our working ones, job
23 creation, and our state economy?

24 OCFS COMMISSIONER POOLE: Yeah, it's

1 another great question. You know, right, I
2 still believe that. That is still our
3 North Star goal.

4 And I also just want to point out, you
5 know, that all the investments that we've
6 been able to make -- and again, granted, some
7 of it is pandemic funding, but there's also a
8 lot in subsidy that we are committed to
9 continuing -- are foundational steps toward
10 universal childcare. Is it good to take more
11 money to sort of get us, you know, to
12 universal childcare, which I would also say
13 requires a lot of discussion about how do you
14 define that in the first instance. There's
15 many ways to define universal childcare.

16 But without question, right, we've all
17 seen the economists' reports. This is why
18 it's been such an issue on a national level
19 about universal childcare should in some way,
20 I think, be our goal as a country.

21 ASSEMBLYMAN MAMDANI: I'm sorry,
22 Commissioner Poole, just because I only have
23 35 seconds left.

24 Can you speak a little bit to what it

1 would mean if we had universal childcare in
2 terms of what you would see in the difference
3 in childcare provisions as well as the
4 economy and for families in general?

5 OCFs COMMISSIONER POOLE: You know, I
6 think it would remove, right, these sort of
7 thresholds for eligibility. You know, it's a
8 policy shift that potentially looks at access
9 to childcare as one does have a right to
10 childcare in the same way that children, all
11 children, have a right to a free public
12 education. Right? That's sort of the
13 broadest perspective of universal childcare.
14 That also happens to be the most expensive
15 one. But again, there's all kinds of flavors
16 and varieties, and a lot of that just depends
17 on how much we have to support that.

18 ASSEMBLYMAN MAMDANI: Thank you so
19 much, Commissioner. I think that nothing
20 should be out of reach when it comes to our
21 children, and we should fund that through
22 additional revenue.

23 I'll give the time back to the chair.

24 CHAIRWOMAN WEINSTEIN: Thank you.

1 We go to Assemblywoman Buttenschon.

2 ASSEMBLYWOMAN BUTTENSCHON: Thank you,
3 Chairs.

4 Good morning, Commissioner. And thank
5 you to your staff for responding to me so
6 quickly. I appreciate the efforts in
7 prioritizing childcare, and I want to just
8 reconfirm what many of my colleagues have
9 stated today about after-school programs,
10 mental health, and the overall concern for
11 our children.

12 My question is directed towards what
13 has been placed in your hands after the Raise
14 the Age legislation that others have brought
15 up. As you are aware, in the district I live
16 in, the word "crisis" is identified by the
17 stakeholders that have been meeting over the
18 last few months. And to ensure that we can
19 provide safe beds that are healthy and can
20 provide those services for the children that
21 are in the Family Court system, how do we
22 ensure that they get those services? And
23 clearly I can't change what the county's done
24 in the past, so my question is looking at

1 what the state can do for the future.

2 And the second question I ask is:
3 You've looked at the budget, what do you see
4 missing that I can help, as well as my
5 colleagues, advocate for you to ensure that
6 the support is there? Because these are
7 children in need, and they are desperately in
8 need of those services. Thank you.

9 OCFS COMMISSIONER POOLE: Thank you.
10 And Assemblyperson, I want to call out your
11 leadership and, you know, your persistence in
12 keeping us at the table and having
13 conversations about really important issues
14 in your community.

15 And one of the things -- you know, I
16 know you've been speaking with Deputy
17 Commissioner Aledort, right? One of the
18 things we want to offer your community is to
19 bring in a national consultant to help work
20 with a broad group of stakeholders, you know,
21 in the counties and to really try and get all
22 the stakeholders together in a new way to try
23 and see where there are opportunities for
24 better cross-system solutions.

1 With some of the young people, as I
2 referenced earlier, the State Office of
3 Mental Health is bringing many more services
4 to bear. They're rolling out youth assertive
5 treatment teams. I want to see where we can
6 build some real partnerships with other state
7 agencies to -- again, we're never probably
8 going to completely eliminate the need for
9 beds, you know, or for detention, but I do
10 feel like there's some real opportunities for
11 not just OCFS but perhaps other state
12 agencies to help your community out. And I
13 commit that we will do that with you for
14 sure.

15 I'm sorry, what was your second
16 question?

17 ASSEMBLYWOMAN BUTTENSCHON: You looked
18 at the budget. What did we forget? What do
19 you need?

20 OCFS COMMISSIONER POOLE: Oh, the
21 budget. The magical question. Oh, my
22 goodness.

23 I am concerned about workforce.
24 Workforce is -- I mean, the COLAs are great,

1 they're a good start. But, you know, we --
2 and it's not just OCFS, you're hearing it
3 from every commissioner, right? You heard it
4 from the Civil Service, you know,
5 commissioner the other day. And I know we've
6 got some exciting initiatives in the
7 Governor's State of the State and in the
8 proposed budget, but we have really --
9 especially in human services, right, we have
10 got to put all of our heads together and make
11 long overdue investments. Because, you know,
12 we know, just for example in childcare, our
13 workforce, 60 percent of our childcare
14 workers, you know, receive at least one form
15 of a public benefit. Like we have got some
16 work to do.

17 ASSEMBLYWOMAN BUTTENSCHON: Well,
18 thank you, Commissioner, and I look forward
19 to hosting in Utica.

20 OCFS COMMISSIONER POOLE: You bet.
21 Thank you.

22 CHAIRWOMAN WEINSTEIN: Thank you.

23 We go to Assemblywoman González-Rojas.

24 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Thank

1 you so much, Commissioner, for being here.

2 I'm personally someone who's benefited
3 from childcare. As a mom, it's allowed me to
4 engage in the workforce and have my son cared
5 for. So a really simple question. Do you
6 believe that the Governor's administration --
7 the Governor is the first woman and the first
8 mom -- is it the belief that all children
9 should be safe, nurtured, and that women and
10 families should be able to join or return to
11 the workforce?

12 OCFS COMMISSIONER POOLE: I don't
13 think I know. Right? We have heard -- you
14 know, we have heard the Governor, you know,
15 say that repeatedly as Lieutenant Governor.
16 As you probably know, Assemblywoman, you
17 know, she was very instrumental in our
18 Childcare Availability Task Force, which I am
19 really looking forward to that resuming.
20 There are so many just critical conversations
21 and things for us to be weaving together, now
22 more than ever.

23 But yes, you know, there's no mistake
24 that our Governor talks about this all the

1 time. About how essential our childcare
2 workforce is and about how essential
3 childcare is to our economic recovery.

4 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: And do
5 you believe this budget, if enacted as is --
6 like how many families will still be left
7 behind without childcare? Because, as you
8 said, it doesn't adequately address all the
9 concerns.

10 And to the comment about workforce,
11 you know, grants, bonuses, you know, good
12 start -- but certainly not a sustainable
13 means of getting our childcare workers off
14 public assistance in order to care for our
15 children.

16 OCFS COMMISSIONER POOLE: Right.
17 Yeah. So as I said in, you know, my opening
18 remarks, I -- you know, I think we've been
19 clear that without -- and I know there are
20 other proposals, legislative proposals out
21 there. Those aside, you know, for a moment.
22 I mean, we are using all of our available
23 subsidy dollars, there are General Fund
24 dollars, we used some TANF toward, you know,

1 childcare expenditures. We're raising
2 subsidy access.

3 We do know, though, that the number of
4 families and children benefiting from subsidy
5 has continued to drop in our state, you know,
6 in recent years. We saw a 20 percent
7 reduction in uptake in subsidy last year.
8 And money is not the only issue. There's
9 UPK, there's all kinds of other -- you know,
10 other issues here.

11 But again, I think, you know, the
12 Governor's proposal in raising subsidy, you
13 know, over time is the prudent one just given
14 our overall current fiscal situation and not
15 having any sign from Washington that the
16 Build Back Better legislation is going to
17 bring more money to New York. That is our
18 current reality.

19 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Thank
20 you.

21 CHAIRWOMAN WEINSTEIN: Thank you,
22 Commissioner.

23 We've been joined by Assemblyman
24 Cusick, and we go to Assemblywoman Solages.

1 ASSEMBLYWOMAN SOLAGES: Thank you,
2 Commissioner.

3 You know, as we saw during the COVID
4 pandemic, universal forms of cash assistance
5 was a promising way to help families. It
6 enabled families, especially those in the
7 foster care system, to have financial
8 security to fulfill their potential dreams
9 and have access to opportunity.

10 We want to ensure that these children
11 in the foster care system do not have deeper
12 involvement in the system. And so it's
13 interesting to see that, you know, OCFS was
14 proposing a universal basic income pilot.

15 So first, can you elaborate on the
16 project? Second, can you tell us if this
17 project is similar to what's happening in
18 California? And third, would you support,
19 you know, making this program permanent for
20 foster care youth?

21 OCFS COMMISSIONER POOLE: Thank you.

22 So we are -- I'm very excited in
23 trying this out, this model, because we
24 believe that so many families who are drawn

1 to the child welfare system -- you know, not
2 as far down as getting into foster care,
3 which is an entirely different situation --
4 can benefit from this. So it is modeled
5 after California and other states who are
6 doing this, not just for families in --
7 actually, I think we're going to be the first
8 state who is focusing our basic income or our
9 guaranteed income on families in the child
10 welfare system. Others have done it in more
11 broader economic -- excuse me, the TANF
12 population.

13 So we are working on -- I don't know
14 if you're aware, we have a dual-track system
15 in New York State, so there's Child
16 Protective Services investigations and then
17 there's Family Assessment Response. So it is
18 sort of a more family-engagement approach
19 where the allegations are not serious,
20 they're not abuse.

21 We have 15 counties that are
22 participating in Family Assessment Response
23 right now, and so we are going to pilot this
24 basic income with a small subset of those

1 counties. The idea is to give \$500 a month
2 for a year, without a lot of questions asked,
3 to those families who are currently sort
4 of -- they touch the child welfare system,
5 they're not involved in a traditional
6 investigation, and then track and evaluate
7 over time, right, how has that family fared,
8 how has it helped that mom or that mom and
9 dad stabilize? Have they been called into
10 the hotline again? Is their family better?
11 All the kinds of things that we really want
12 to learn about in child welfare.

13 So as I said, we have the benefit of a
14 foundation partner that is actually going to
15 pay for the evaluation. We're working with
16 the University of Pennsylvania, who has done
17 all the research and evaluation for the other
18 universal basic income pilots. And I am
19 proud that we are going to be I think the
20 first state to try this out in child welfare.

21 As for sort of a permanent status, you
22 know, I think there's a lot of conversation.
23 We have a new OTDA commissioner, right,
24 coming on board. And I had the opportunity

1 of a very brief conversation, you know, with
2 Commissioner Tietz last week, and I am
3 excited about us, right -- the sort of child
4 welfare agency and then the temporary
5 assistance agency, right, antipoverty,
6 right -- to work together. I am excited.

7 CHAIRWOMAN WEINSTEIN: Thank you.
8 Thank you, Assemblymember, Commissioner.

9 The final -- Senator Krueger, I see
10 that you have a Senator who has raised her
11 hand.

12 CHAIRWOMAN KRUEGER: Thank you very
13 much. I apologize for not looking in the
14 boxes carefully enough.

15 I see Senator Samra Brouk.

16 SENATOR BROUK: Right under the wire.
17 Thank you so much, Chairman. And thank you,
18 Commissioner, for all of the thoughtful
19 answers you've given today.

20 I just have one question that
21 hopefully you will have enough ample time to
22 answer in three minutes. You mentioned to
23 one of the Assemblymembers recently that one
24 of your greatest concerns for children and

1 families in this state is the workforce
2 shortage. So digging deeper into that,
3 obviously in the Executive Budget the COLA
4 increase, which a lot of us fought for, is a
5 step forward, and various other programs and
6 incentives. But I think at the end of the
7 day we simply do not have enough licensed
8 professionals, especially when it comes to
9 mental health providers, especially at
10 facilities like Hillside here in Rochester,
11 where I represent, which services, as you
12 know, children both through OCFS and OMH.

13 Given that you do recognize this is a
14 workforce crisis, do you agree that our bill
15 in the Senate, it's 5301A, that would
16 equalize licensure requirements among our key
17 mental health practitioners, including LMHCs,
18 LMFTs and LPs, and ensure that people who
19 have been doing this work for decades and
20 filling these much-needed gaps in service for
21 decades can continue to do that, should be
22 passed in this year's budget?

23 OCFS COMMISSIONER POOLE: So I'll
24 answer that -- I think this question was

1 answered before, and I'll -- I'm happy to
2 answer it again, Senator.

3 I obviously have not studied the bill.
4 I certainly will as we get closer, you know,
5 to those deliberations. And I would agree
6 that the mental health licensure and
7 workforce -- certainly during the pandemic,
8 right -- requires sort of renewed focus and
9 attention. And I think one way or the other
10 we need to find out new strategies to make
11 sure that we have an adequate pipeline of
12 qualified individuals, knowing that the
13 mental health and behavioral health needs are
14 at an all-time high in our state.

15 So I'm happy to continue discussions
16 with you and others on this issue.

17 SENATOR BROUK: I appreciate that,
18 Commissioner. And I'll just add, to put a
19 fine point on it as well, you know, one of
20 the things we see a lot of is the fact that
21 we are so restrictive here in this state,
22 that a lot of really talented folks who are
23 graduating from our universities are leaving
24 the state. And so that is really compounding

1 our crisis here as well. No matter how many
2 incentives we give, if they simply don't have
3 the ability to diagnose, as you know, it
4 really kind of cuts their knees off where
5 they're able to actually practice.

6 So I look forward to continuing that
7 conversation and look forward to gaining your
8 support. Thank you.

9 CHAIRWOMAN WEINSTEIN: We go to
10 Assemblywoman Forrest, three minutes.

11 We heard you for a second. Please
12 unmute yourself. There you go.

13 ASSEMBLYWOMAN FORREST: Thank you.
14 Thank you, Chair.

15 And thank you, Commissioner, for being
16 here today.

17 The Governor's -- I have a small
18 question. The Governor's proposed budget
19 proposes to use \$75 million to support
20 increasing childcare workers' wages from
21 underutilized stabilization grant funds,
22 right? How much will the average childcare
23 wage in New York State be impacted by a
24 \$75 million investment? Which we all know is

1 like a drop, it's like a penny. But you tell
2 me.

3 OCFS COMMISSIONER POOLE: Okay. Thank
4 you, Assemblywoman. So I just want to
5 clarify that the \$75 million that's in the
6 proposed budget is drawing upon federal
7 pandemic dollars. So this is not -- not our
8 long-term answer to our childcare workforce
9 challenges. I just -- I want to be clear and
10 honest about that. So what we're proposing
11 to do is -- I think you're probably familiar
12 with how we rolled out our childcare
13 stabilization grants. Our billion-dollar
14 offering last year made it very easy for
15 providers to apply on a portal. We're going
16 to use that model again.

17 And so the \$75 million is not -- is
18 not really so much for permanent wage
19 increases, because it's not a permanent
20 funding stream. We want to support, you
21 know, bonuses or, you know, if there is a
22 wage increase, knowing that this funding will
23 lapse at the end of September 2023, you know,
24 providers can help their childcare employees

1 by offsetting costs for their health
2 insurance, they can give them stipends to
3 help on educational or professional
4 development activities. And so they're meant
5 to be sort of more one-time grants that
6 employers, right, the childcare employers can
7 use flexibly with their employee workforce,
8 depending upon the needs and the things that
9 will work best for them.

10 I hope I answered that.

11 ASSEMBLYWOMAN FORREST: No, thank you
12 for the clarification. So really it's the
13 employers that are getting this money to then
14 decide what they want to do as far as
15 staffing needs.

16 OCFS COMMISSIONER POOLE: Yes, it will
17 go to -- but they are required to spell out,
18 in a plan to us, right, verify the number of
19 employees and how they will plan to use the
20 grant fund for their workforce.

21 ASSEMBLYWOMAN FORREST: No problem.
22 We're not spelling it out for them, they're
23 going to figure it out and then report back
24 to us.

1 OCFS COMMISSIONER POOLE: That's
2 right, yeah.

3 ASSEMBLYWOMAN FORREST: Thank you,
4 Commissioner.

5 OCFS COMMISSIONER POOLE: My pleasure.

6 CHAIRWOMAN WEINSTEIN: Thank you.

7 And to end questioning for the
8 commissioner, the ranker on Ways and Means,
9 Assemblyman Ra, for five minutes.

10 ASSEMBLYMAN RA: Thank you, Chair. So
11 I just wanted to get back into Raise the Age.
12 I'm just wondering if -- and if you don't
13 have it here, certainly if you can provide it
14 afterwards. But if you have any data
15 regarding, you know, now that we're a few
16 years into this, how many adolescent
17 offenders have been redirected from DOCCS
18 facilities to OCFS facilities at this point.

19 And then also, you know, whether as
20 this has gone on, you know, some of those
21 first individuals who would have been
22 assigned have either been released subsequent
23 or been transferred to DOCCS facilities, you
24 know, once they reach the appropriate age.

1 OCFS COMMISSIONER POOLE: So I can
2 answer the first question. I'll get you the
3 data on the second, the number of kids who
4 have aged out of our secure facilities and
5 have gone on to finish their sentences with
6 DOCCS.

7 But I will say -- I want to say -- the
8 years are sort of blending. I want to say,
9 Assemblyman, it was in 2020 that -- it was
10 either 2019 or 2020, I'm pretty sure it was
11 '20, that we worked collaboratively over a
12 couple of months with our partners at DOCCS
13 to transfer back to OCFS secure facilities --
14 I want to say it was about -- it was between
15 15 and 17 young people under the age of 21.

16 That was a provision allowed for in
17 the Raise the Age legislation. So we worked
18 very closely and carefully with DOCCS to
19 effectuate a safe transfer. And as I said,
20 that took place in 2020, which seems frankly
21 like a lifetime ago. But that did take
22 place. And happy to follow up with your
23 office on the data going the other way, when
24 youth age out of our secure facilities and go

1 to DOCCS.

2 ASSEMBLYMAN RA: Okay. And then I
3 know there's this provision regarding the
4 Juvenile Justice Delinquency Prevention Act
5 in the Executive Budget. If you could just
6 shed some light on that relative -- you know,
7 individuals up to the age of 21 can remain in
8 OCFS secure detention facilities. So what
9 are we trying to accomplish there?

10 OCFS COMMISSIONER POOLE: Yup. So
11 it's an Article VII bill that we have. It's
12 in response to a federal Juvenile Justice
13 Delinquency Prevention Act that actually took
14 effect in New York on December 21st.

15 And so our Article VII -- and we get
16 about \$2 million, or DCJS does, rather,
17 \$2 million to support community-based
18 initiatives. But in order for DCJS to draw
19 down the funds, the entire state needs to be
20 in compliance with the federal bill.

21 So what our Article VII does is it
22 actually goes beyond what is required to meet
23 the federal statute, and it creates very
24 specific guardrails. So that if there is a

1 young person under the age of 18 for whom an
2 alternative jail sentence is being sought --
3 or a jail placement is being sought, that it
4 can no longer happen by administrative means.
5 So I can't make a decision that a kid can go
6 into a local jail.

7 That now this says, right, that young
8 people really don't belong in jails, that by
9 default they belong in secure facilities.
10 And that we're proposing that we set very
11 clear parameters around that, and that there
12 is a newly created interest of justice
13 hearing that requires that a judge must hear
14 a request for a young person under the age of
15 18 to be held in a local jail placement.

16 It also requires OCFS, if we are
17 looking to move a young person out of an OCFS
18 facility under the age of I believe it's
19 21 -- or under 18, rather, to DOCCS. That we
20 can't do that administratively, as we have
21 done for decades, but that too requires an
22 interest-of-justice hearing.

23 So it's really to make sure that youth
24 have great representation, that there is a

1 360-degree view of why a young person might
2 need a temporary jail placement. And the
3 goal of our bill is to really create much
4 stronger guardrails so that we are -- you
5 know, we're making the right decisions for
6 these young people.

7 ASSEMBLYMAN RA: Thank you,
8 Commissioner.

9 OCFS COMMISSIONER POOLE: Of course.

10 CHAIRWOMAN WEINSTEIN: We send it back
11 to the Senate.

12 CHAIRWOMAN KRUEGER: Yes, thank you.
13 We have a final second round for Chair Jabari
14 Brisport.

15 SENATOR BRISPORT: Thank you,
16 Madam Chair.

17 And Commissioner, thank you for all
18 your work. I know you've been here for over
19 two hours, and it's definitely not easy to
20 field these questions.

21 I have childcare questions again, but
22 I do want to clarify just a few things before
23 I get into that. One, I would like to reup
24 what Assemblymember Hevesi said about the

1 65 percent reimbursement level.

2 And also following up on
3 Assemblymember Solages' questioning about the
4 UBI, I just want to clarify that I believe
5 the Governor's proposal is different than
6 California's. The Governor's is for the
7 families, and what happened in California was
8 specifically for youth that are aging out.
9 And I say that because I have a bill for --
10 relative to the youth that are aging out of
11 foster care for a UBI that I'd love to
12 collaborate on.

13 And going back to childcare, I want to
14 circle back to the \$75 million that was --
15 we've heard it many times, and just talk
16 about what is our sustainable solution.
17 Because it is a one-time bonus, and I know in
18 a year and a half we don't want to be back at
19 the drawing board where childcare workers are
20 leaving because they don't want to get paid
21 \$14 an hour for childcare when they can make
22 \$17 an hour at Burger King.

23 So can we get to a scenario where
24 they're paid at parity with public school

1 teachers, for example?

2 OCFs COMMISSIONER POOLE: Yeah. Yes.
3 That -- that is our North Star. You know,
4 our North Star, Senator.

5 I would say two things. One -- three
6 things. One, Childcare Availability Task
7 Force. This is one of those things, right,
8 that's spelled out in the proposed chapter
9 amendment which we hopefully get signed and
10 we can get busy back around the table really,
11 you know, trying to get after some of these
12 very, very challenging issues.

13 Secondly, you know, I think there may
14 be additional opportunities, again, if we
15 wind up having some additional unspent
16 federal dollars, right, the pandemic dollars.
17 Again, we put all this money out there, we've
18 got to really watch what the uptake is and
19 how much of it is going to be spent. And if
20 there is some unspent, then potentially there
21 could be another conversation, right, about a
22 different version of a stabilization grant.

23 You know, and then thirdly I always
24 hope, I am an eternal optimist, even after

1 all these years, you know, that the federal
2 government -- and I know you feel
3 differently, but the federal government will
4 recognize that we do need additional stable
5 federal support to be able to support this
6 workforce once and for all.

7 SENATOR BRISPORT: Thank you. You
8 know, I have hopes that Build Back Better
9 will come through, but my hopes are slim.

10 So with the time I have left, I know
11 earlier when replying to Assemblymember
12 Mamdani, you know, there's many competing
13 visions and, you know, there is the issue of
14 funding for a universal childcare program,
15 but one in which there is no means testing,
16 it's free, available for all parents. You
17 know, there are proposals in the Legislature
18 to invest \$5 billion into the sector. Is
19 that something that you would support?

20 OCFS COMMISSIONER POOLE: You know, I
21 would love -- and I know we all would,
22 right -- I would love for us, you know, to be
23 able to get there. But I absolutely respect,
24 right, the many -- the many demands that the

1 Governor and her administration are facing.

2 So I look forward, this is -- right,
3 this is just the beginning, Senator, and I
4 know we're going to have lots of
5 conversations in the coming weeks ahead.

6 CHAIRWOMAN WEINSTEIN: Thank you.

7 Before we say thank you for your
8 presence here, Commissioner, I just wanted to
9 mention that Assemblyman Dilan has joined us.

10 And we thank you, Commissioner Poole,
11 for all of your -- for being here with us.
12 And to the extent that there will be some
13 written responses to members' questions,
14 please make sure to share them with
15 Senator Krueger and myself so we can share
16 with the rest of the members on the panel.

17 OCFS COMMISSIONER POOLE: Happy to.

18 CHAIRWOMAN WEINSTEIN: Thank you for
19 being here, and we're going to call the next
20 witness --

21 CHAIRWOMAN KRUEGER: Thank you.

22 OCFS COMMISSIONER POOLE: Thank you
23 all.

24 CHAIRWOMAN WEINSTEIN: -- who is

1 Acting Commissioner Daniel Tietz, acting
2 commissioner for the New York State Office of
3 Temporary and Disability Assistance, commonly
4 known as OTDA.

5 And Commissioner, the floor is yours
6 to begin. You have 10 minutes. There you
7 go.

8 ACTING COMMISSIONER TIETZ: There you
9 go. Thank you.

10 Good morning, Chairpersons Krueger and
11 Weinstein and distinguished members of the
12 Senate and Assembly. I'm Daniel W. Tietz,
13 acting commissioner of the Office of
14 Temporary and Disability Assistance. I'm
15 pleased to join you today to discuss the
16 impact of Governor Hochul's 2023 Executive
17 Budget on the important work of our agency on
18 behalf of the residents of New York State.

19 OTDA is responsible for supervising
20 programs that provide economic and other
21 assistance and support to eligible families
22 and individuals. This vital government
23 function includes helping New Yorkers meet
24 their essential needs and ensuring their

1 economic security by providing opportunities
2 for stable employment, housing, and
3 nutrition. Importantly, our mission is
4 accomplished in cooperation with the local
5 social services districts and community-based
6 service providers.

7 We are pleased to report that Governor
8 Hochul's Executive Budget makes long-overdue
9 adjustments to public assistance that will
10 help low-income New Yorkers achieve economic
11 security. These program improvements -- the
12 first in many years -- are sure to have a
13 dramatic impact on struggling households.

14 The Governor's budget also continues
15 steady funding of our agency's core programs,
16 which serve the critical needs of millions of
17 New Yorkers daily. These programs include
18 ongoing public assistance, emergency
19 assistance, housing supports, and a range of
20 services, including programs that help
21 refugees start a new life in our state.

22 While OTDA's work has always been
23 important, our programs have become
24 increasingly critical amid the far-reaching

1 economic fallout of the COVID-19 pandemic.
2 Simply put, our assistance programs are
3 helping millions of New Yorkers avoid food
4 insecurity and housing instability during
5 this public health crisis.

6 Last year alone, OTDA distributed
7 nearly \$5 billion in additional food benefits
8 to schoolchildren and struggling families
9 throughout the state, infusing our
10 communities with critical federal dollars.
11 Under Governor Hochul's leadership, our
12 agency has fully committed all \$2.4 billion
13 in federal rental assistance through the
14 Emergency Rental Assistance Program, or ERAP,
15 which has brought critical eviction
16 protections to hundreds of thousands of
17 tenants and much-needed relief to struggling
18 landlords.

19 While our state is well-positioned to
20 emerge from the economic toll brought about
21 by the pandemic, there remain many challenges
22 ahead. Governor Hochul has continued to call
23 on the U.S. Treasury to provide high-need
24 states like New York with additional funding

1 for ERAP to ensure all eligible tenants who
2 apply have access to this assistance.
3 Recently the state formally requested
4 \$1.6 billion in reallocated funds from the
5 Treasury Department, and we await a response.

6 We must also continue the vital work
7 OTDA was doing prior to the onset of the
8 pandemic to address homelessness.
9 Specifically, this includes supporting the
10 Governor's new five-year, \$25 billion
11 comprehensive housing plan to create and
12 preserve 100,000 affordable homes, including
13 10,000 units of supportive housing for
14 vulnerable populations. OTDA's Homeless
15 Housing and Assistance Program, with
16 \$128 million in this year's budget, is a
17 central component of this effort by funding
18 capital projects statewide that provide
19 supportive housing to families and
20 individuals experiencing homelessness.

21 Supportive housing brings together
22 permanent housing and tailored services
23 necessary for individuals to achieve and
24 maintain stable lives in the community.

1 These services play a critical role in
2 helping families and individuals to overcome
3 the obstacles that may have contributed to
4 their homelessness. New funding is included
5 in OTDA's budget to support these critical
6 services and ongoing operation of this
7 permanent housing through the Empire State
8 Supportive Housing Initiative, or ESSHI.

9 As I alluded to earlier, a core OTDA
10 function is helping New Yorkers relying on
11 our assistance programs to achieve economic
12 security. This year's budget proposes
13 changes to the public assistance program to
14 encourage increased earnings and allow more
15 savings among recipients without forcing them
16 off the so-called "benefits cliff" -- the
17 loss of benefits resulting from a quite
18 modest increase in income that then places a
19 household slightly over the eligibility
20 threshold, thereby ending all assistance.

21 Rather than incentivizing work, this
22 benefits cliff often results in recipients
23 who work becoming ineligible for any public
24 assistance even though the household remains

1 below the poverty level. With the Governor's
2 proposed improvements, a single adult in
3 receipt of public assistance in New York City
4 will now be able to earn up to \$1,094 per
5 month before losing eligibility, more than
6 double the \$487 per month threshold that
7 exists today.

8 Similarly, the improved benefits will
9 permit a New York City family of three to
10 earn up to \$1,876 per month before losing
11 public assistance eligibility, an increase of
12 \$417 over the previous formula. And the
13 fixed earned-income disregard for all public
14 assistance cases will increase monthly
15 benefits for an estimated 25,000 households
16 with and without children. Taken together,
17 these improvements will make a significant
18 impact on the economic security of
19 individuals and families.

20 Governor Hochul's budget will also
21 permit applicants and recipients of public
22 assistance to save more before that savings
23 renders them ineligible for assistance. In
24 addition, the budget proposes to eliminate

1 the 45-day waiting period for Safety Net
2 Assistance applicants, helping households
3 obtain critical benefits more quickly.

4 The budget also continues to invest in
5 the Summer Youth Employment Program,
6 providing a funding increase to reflect a
7 recent boost to the minimum wage so the
8 program can continue providing invaluable
9 employment experience for thousands of young
10 New Yorkers.

11 And while it is not directly connected
12 to the budget, I look forward to building on
13 these improvements through my work as cochair
14 of the newly established Child Poverty
15 Reduction Advisory Council, which will
16 provide an important framework to work with
17 you and a broad range of stakeholders to
18 develop a comprehensive set of recommended
19 strategies and benchmarks to reduce child
20 poverty by 50 percent over the next decade.
21 We are also aiming to expand the council's
22 focus to more broadly address poverty and
23 improve the financial well-being of
24 low-income households throughout the state.

1 In closing, Governor Hochul's budget
2 outlines a bold vision and a tremendous
3 opportunity for our agency and New York
4 State. This includes building on OTDA's past
5 successes and sensibly targeting resources to
6 better ensure the economic security of every
7 New Yorker in need.

8 We look forward to working with you,
9 our partners in the Legislature, in the
10 coming months. Thank you again for the
11 opportunity to testify.

12 CHAIRWOMAN WEINSTEIN: Thank you,
13 Commissioner.

14 We're going to go to our chair of
15 Social Services, Assemblywoman Rosenthal, for
16 10 minutes on the clock, please.

17 ASSEMBLYWOMAN ROSENTHAL: Yeah, not
18 three.

19 ACTING COMMISSIONER TIETZ: Hi, how
20 are you?

21 ASSEMBLYWOMAN ROSENTHAL: I'm good.
22 I'm waiting till the clock gets reset.

23 CHAIRWOMAN WEINSTEIN: Yes, the
24 timekeeper, we need to reset the clock for

1 10 minutes. There we go.

2 ASSEMBLYWOMAN ROSENTHAL: Thank you.

3 Thank you, commissioner. I see it
4 says "acting" under your name, but I know you
5 will be commissioner one day.

6 ACTING COMMISSIONER TIETZ: Thank you.

7 ASSEMBLYWOMAN ROSENTHAL: But it's
8 wonderful to have you as commissioner.

9 ACTING COMMISSIONER TIETZ: Thank you.

10 ASSEMBLYWOMAN ROSENTHAL: And it's
11 great, you know, conversing with you and
12 having access to you and your team, and I
13 really do appreciate that.

14 So I have more than 10 minutes of
15 questions, but let me start with ERAP. You
16 know, ERAP ran out of money, leaving hundreds
17 of thousands of New Yorkers without access to
18 desperately needed rent and utility relief.
19 Now the eviction moratorium has ended, and my
20 office is already getting eviction cases,
21 including an older man with cancer who has an
22 eviction notice.

23 So tenants in arrears are being asked
24 to apply for one-shots, HEAP and similar

1 programs. One-shots need to be repaid, and
2 HEAP does not cover everyone. So that's one
3 thing.

4 And I appreciate that the Governor is
5 urging Congress to supplement the funding,
6 and that's wonderful. I know that there are
7 tenants who applied in June and have still
8 not received any updates or information about
9 the status of their application. And, you
10 know, in light of the fact that Guidehouse is
11 crowing that they're making so much money off
12 this program, can you help me understand what
13 applicants from June, what is their -- how
14 can they find out their status, why is it
15 taking so long, and what is OTDA doing to
16 investigate the Guidehouse statements?

17 ACTING COMMISSIONER TIETZ: Thank you,
18 Assemblymember. You know, there's a lot of
19 questions in there.

20 ASSEMBLYWOMAN ROSENTHAL: There is.

21 ACTING COMMISSIONER TIETZ: I'm going
22 to try and remember them all, but if I forget
23 some, you'll remind me.

24 ASSEMBLYWOMAN ROSENTHAL: Okay.

1 ACTING COMMISSIONER TIETZ: I think we
2 should start maybe just with the background.
3 So we have more than 300,000 applications in
4 ERAP. We've paid to date about 113,000 out
5 the door to landlords on behalf of tenants,
6 equals about \$1.4 billion.

7 We have -- working through the June to
8 September period, we believe that with the
9 resources that we have that, you know,
10 looking at the average payment of about
11 \$12,500, that we can roughly handle another
12 54,000 applications with the resources on
13 hand. And we're carefully working through
14 those. So a lot is out there.

15 I'll note that for someone who's
16 applied, they have the eviction protections.
17 So certainly we've given over to the Office
18 of Court Administration -- they have access,
19 we data share, they know who's applied. So
20 they have the eviction protections.

21 So I'm going to maybe stop there and
22 you'll remind me of what you want to ask
23 next.

24 ASSEMBLYWOMAN ROSENTHAL: Okay, I did

1 wonder about the investigation of the
2 statements made by the Guidehouse CEO about
3 how they're joyously making money off this
4 program that is underfunded.

5 ACTING COMMISSIONER TIETZ: Yeah, so,
6 you know, starting at the place of we're very
7 pleased to have this program. It is as --
8 the startup may have been a bit troubled.
9 For sure, the impact has been enormous. The
10 Governor has been very invested in making
11 sure that this money got out the door as
12 quickly as possible. And the team at OTDA
13 has worked very, very hard with our vendors
14 to make sure that that happened.

15 We, like you, were disturbed by that
16 reporting. Nothing about that pleased us.
17 And we have had some, I think it's fair to
18 say, difficult conversations with our vendor
19 in the days since. I would note that while
20 Guidehouse -- well, the CEO made that
21 statement, we've pressed them to explain what
22 that was about, and we've gotten a fair bit
23 of documentation from them. They assert that
24 their profit, their actual profit is

1 substantially less than that, it's akin to
2 what they told the Washington Post. I'm
3 happy to say that what they report is
4 13.6 percent as their profit, not 38 percent.
5 And we are working through what they have
6 supplied to us and asking further questions.

7 ASSEMBLYWOMAN ROSENTHAL: Okay, I
8 appreciate that. Thirteen percent is a huge
9 profit nevertheless. And it was a no-bid
10 contract, before your time. So I think some
11 things are kind of fishy in there.

12 I want to go to public assistance.
13 The budget increases public assistance
14 amounts for people in residential care
15 facilities but doesn't increase the level for
16 others. Now, the rent portion of the welfare
17 grant hasn't increased since 2002. The
18 portion of the grant for households with
19 children hasn't increased since '88. And the
20 energy portion of the grant has not been
21 increased since the program was created in
22 1981, when people were listening to
23 Whitney Houston on their Walkmen and watching
24 Beetlejuice on their brand-new VCRs.

1 I'd say it's more than past time to
2 increase these levels and at least reflect
3 the cost of living. It hasn't kept up with
4 any kind of metric that allows people to
5 survive in this state, and I have a lot of
6 legislation to do just that. I wondered your
7 thoughts about this.

8 ACTING COMMISSIONER TIETZ: So as I
9 described in my opening, the Governor's
10 proposed several important changes in the
11 budget which substantially add to the
12 benefit. And I want to make clear that those
13 are a start. Those are not the end of this
14 process. The Governor is committed to making
15 real change here and to improve our public
16 assistance programs and the benefits.

17 You know, as you know, the Governor at
18 the beginning of December signed the Child
19 Poverty Reduction Act. That council is
20 coming together, including with appointments
21 from the Legislature. And as I noted, we are
22 going to take up this whole question of what
23 are the best approaches to addressing the
24 needs.

1 So again, I don't want to foreclose on
2 any of this conversation, and I think we're
3 going to have it as part of that council in
4 coming up with what all are the strategies
5 that we need to do to improve the lives of
6 low-income New Yorkers. And I'm quite
7 confident that the shelter allowance and the
8 other benefits will be a part of that
9 conversation.

10 ASSEMBLYWOMAN ROSENTHAL: Yeah, I
11 appreciate --

12 ACTING COMMISSIONER TIETZ: And maybe
13 I should just note as well that, you know,
14 districts can have a supplement to that. So
15 there are opportunities here for districts to
16 propose higher shelter allowance, for
17 example.

18 I think it's also worth noting that,
19 you know, in this budget the Governor has
20 again put in \$100 million for a rent
21 supplement program for struggling households
22 that we are waiting on several of the
23 districts to provide us plans about how to
24 use those resources.

1 So there are other resources out there
2 to assist families to pay the rent and to
3 stay in their homes that they have.

4 ASSEMBLYWOMAN ROSENTHAL: All right.
5 But, I mean, it doesn't raise the shelter
6 utility basic grant levels. And as you well
7 know, there's an explosion of people who are
8 homeless. And so we can't really afford to
9 wait, because we're going to be paying for
10 people who are experiencing homelessness one
11 way or the other. And it would be better if
12 it's direct grants to them, and we have to
13 hurry that up. It's been a neglected sector
14 for too long.

15 And speaking of grants, the FHEPS
16 grant -- as you know, Senator Kavanagh and I
17 passed a bill which the Governor signed
18 increasing the state FHEPS level to
19 100 percent of FMR. But I understand that
20 there's been delays with the rollout, even
21 though it was signed in December. I know
22 that later in February it will be fully
23 implemented.

24 But I'm concerned that the language in

1 the Executive Budget shifts the cost of the
2 FHEPS increase to municipalities, and the
3 state does not pay its proper share. Can you
4 explain that?

5 ACTING COMMISSIONER TIETZ: So thank
6 you for the question. I think here too the
7 Governor has really demonstrated her
8 commitment to taking real action to address
9 homelessness.

10 And this -- we were very pleased when
11 she signed the FHEPS legislation, which
12 raises the value of the vouchers to FMR.

13 ASSEMBLYWOMAN ROSENTHAL: Yes. Yes.

14 ACTING COMMISSIONER TIETZ: We think
15 that makes a big difference here. Landlords
16 who were previously reluctant to take the
17 voucher will now actually take that voucher.
18 They'll begin --

19 ASSEMBLYWOMAN ROSENTHAL: But the
20 state is not contributing -- I only have
21 30 seconds, so I want to cut to the chase.
22 The state is not helping the City of New York
23 meet these costs, and that is our obligation.

24 ACTING COMMISSIONER TIETZ: I

1 understand your concerns about the financing
2 arrangement. And I think, you know, we're
3 open to a discussion about how best to
4 finance this going forward.

5 ASSEMBLYWOMAN ROSENTHAL: Okay.
6 Because the 100 million that was allocated to
7 the city for various other populations is now
8 being forced to be spent on this, which is
9 the state's obligation.

10 And I'll see you next round. Thank
11 you so much.

12 ACTING COMMISSIONER TIETZ: Thank you.

13 CHAIRWOMAN WEINSTEIN: Thank you.

14 To the Senate.

15 CHAIRWOMAN KRUEGER: Thank you.

16 Our first questioner is Senator
17 Roxanne Persaud, the chair of the Social
18 Services Committee. Ten minutes, please.

19 SENATOR PERSAUD: Thank you.

20 Good morning, Commissioner. It's
21 great to see you.

22 I am going to follow up with what my
23 colleague just asked. But, you know, I
24 understand what you said about Guidehouse,

1 et cetera, so we're going to go past that.

2 Can you give me an update on the LRAP
3 program? We've talked about ERAP, but the
4 LRAP program seems still to be struggling.
5 Can you give us an update about that? We
6 know it's 125 million for the landlord
7 portion, and then there's the additional 125
8 that's dedicated to the homeowner -- the
9 households above 80 percent AMI. Can you
10 give us some update on that?

11 ACTING COMMISSIONER TIETZ: Sure.
12 Give me one moment.

13 SENATOR PERSAUD: While you're trying
14 to get your information there, I just want to
15 go on to the cost of living adjustment.

16 ACTING COMMISSIONER TIETZ: Well,
17 Senator, I'm happy to answer the LRAP
18 question.

19 So where we are at with that. It's
20 125 million. So, you know, it has a
21 companion 125 million for households of 80 to
22 120 of area median income. So in the
23 landlord program, we've had -- paid out
24 10,000 payments equaling \$104 million. And

1 so we've now spent about 90 percent of the
2 resources in that program.

3 SENATOR PERSAUD: Okay. But there are
4 many landlords who have not been getting
5 responses. We want to continue to follow up
6 with your agency about that.

7 Also in terms of NYCHA and the ERAP,
8 can you tell us what's the status of that,
9 the NYCHA residents receiving any kind of
10 ERAP funding?

11 ACTING COMMISSIONER TIETZ: So in the
12 legislation that was passed last year there
13 were priorities set for certain populations.
14 And public housing tenants were set in the
15 statute as Priority 5, so the last to be
16 addressed with those resources. So this is
17 not a policy choice of OTDA.

18 So to date, none of the -- essentially
19 none of the public housing tenants have
20 received ERAP payments. Given the status of
21 the program, where we've got much more demand
22 and many more applicants than we can fund
23 with the current \$2 billion -- and as we
24 await additional federal funds, something we

1 hope to hear about by the end of the month --
2 I think we have serious concerns about
3 whether we would ever get to the Public
4 Housing Authority tenants.

5 SENATOR PERSAUD: Has your agency been
6 notifying the NYCHA tenants who've applied of
7 the position that they're in, that there's a
8 possibility of them not getting it? Because
9 we have NYCHA tenants who are contacting us
10 stating that they have been told that, you
11 know, they are missing paperwork and, you
12 know, they'll be getting funding.

13 Could you tell us if you're sending
14 information to NYCHA tenants?

15 ACTING COMMISSIONER TIETZ: So like
16 all others, to the degree that their
17 application is reviewed, what they'll see
18 is -- if they go in and look, they'll see
19 "Under Review" or "Pending Review."

20 You know, I think, again, this is
21 first in, first out. And I think the notices
22 that have been sent to most of the Public
23 Housing Authority tenants have actually said
24 that their applications are on hold, or

1 language similar to that, in part because
2 we're not confident that we can actually pay
3 given that they're the last priority in the
4 statute.

5 SENATOR PERSAUD: Okay, thank you for
6 that. We still have issues on that.

7 Can you comment on Summer Youth? I
8 know -- you know, I appreciate the Governor's
9 commitment to funding Summer Youth. But as
10 you know, every year we have this
11 conversation when we have budget hearings,
12 and that despite the commitments there were
13 not enough slots being funded.

14 What can you do to ensure that, you
15 know, we continue to push to get additional
16 funds for Summer Youth?

17 ACTING COMMISSIONER TIETZ: Well, let
18 me start by noting, you know -- thanking you
19 all for your support for the program. So
20 we're pleased that the Legislature provides
21 significant support for the program.

22 And this year the appropriation in the
23 Governor's budget is 46.1 million, which is a
24 \$1.1 million funding increase. And as a

1 result --

2 SENATOR PERSAUD: But not enough.

3 ACTING COMMISSIONER TIETZ: I'm sorry?

4 SENATOR PERSAUD: But not enough. But
5 okay.

6 ACTING COMMISSIONER TIETZ: Yeah, so
7 it's a bit more. And we expect about
8 18,000 youth to be served in the summer of
9 2022, which is about the same number as
10 pre-COVID. So there is an increase this
11 year.

12 SENATOR PERSAUD: Right. It seems to
13 be, but it's really not. There's still many
14 youth who are unable to access Summer Youth
15 because of the limitations on funding. So,
16 you know, I hope we can continue to push to
17 add some more money for Summer Youth.

18 And, you know, I represent a district
19 with the greatest disparities in income and
20 economic opportunities. How does the
21 proposed budget for OTDA address years of
22 reductions to TANF reimbursements to the City
23 of New York? The city is only being
24 reimbursed at 85 percent of TANF claims.

1 Could you address that? How can we get back
2 to reimbursing the city 100 percent of TANF?

3 ACTING COMMISSIONER TIETZ: I want to
4 note I think -- thank you for your question.

5 I want to note that the Governor's
6 budget provides literally hundreds of
7 millions of dollars to the City of New York
8 in a variety of ways for a whole host of
9 needs related to housing and homelessness, to
10 public assistance. We know that this cap is
11 there and are happy to discuss with the
12 Legislature other approaches, but I think
13 it's important to note that the Governor has
14 committed a good deal of resources to the
15 City of New York to meet these needs, and not
16 just with TANF.

17 SENATOR PERSAUD: Okay. We will hear
18 about that again.

19 In terms of DAP, the Disability
20 Advocacy Program, do you think the funding is
21 adequate to meet the needs of the services
22 that are needed?

23 ACTING COMMISSIONER TIETZ: We
24 proposed an increase in DAP. It's increased

1 by \$1.1 million to two-point -- which is now
2 bringing it up to two-point -- I'm sorry,
3 \$5.3 million, which is a doubling of what has
4 historically been, you know, included in the
5 Executive Budget.

6 We think this program is terribly
7 important. New York, because of this
8 program, has a win rate on appeals of about
9 70 percent or thereabouts, which is
10 substantially ahead of the national average
11 by some 30 percentage points. And so we
12 are -- we very much thought it was important
13 to add additional resources to assist folks
14 in need.

15 SENATOR PERSAUD: Okay. But the
16 funding that's proposed, do you think that's
17 adequate funding? You know, I know we have
18 this win rate and all of that. But I'm just
19 asking about the funding that's been
20 proposed, because -- is it adequate enough?

21 ACTING COMMISSIONER TIETZ: Yes.

22 SENATOR PERSAUD: Okay. We'll stick
23 with that. Thank you.

24 In terms of earned income disregard,

1 you know, do you have an estimate of how many
2 New Yorkers would benefit from the income
3 disregard that's included in the Executive
4 Budget? And how does the 50 percent of the
5 monthly earned income proposal differ from
6 the annual disregard, the current 55 percent
7 that it implements annually? And will the
8 assessments of monthly earned income
9 potentially burden the clients, in your
10 opinion?

11 ACTING COMMISSIONER TIETZ: So, I
12 mean, this isn't so terribly different than
13 the existing budget. The budgeting process
14 isn't changing for clients. The amount that
15 would be ignored from their budget, be
16 disregarded, is changing. But the process
17 for determining that for current recipients
18 isn't changing. So I don't know that it's
19 any more or less burdensome.

20 And as you know, we've given waivers
21 so that some of this doesn't have to happen
22 in person any longer. So I don't think -- I
23 don't think it's actually burdensome. And as
24 I said earlier, I think it's important to

1 note here that these changes are the
2 Governor's proposed start of this
3 conversation. I don't think it's the end of
4 the conversation. And for sure, as part of
5 the council, we're going to look at what else
6 might need to be done. But I would view this
7 as not burdensome at all. I think this is a
8 big help to clients. I think our estimate
9 was that 25,000 households will benefit from
10 this change.

11 SENATOR PERSAUD: Oh, okay. Thank
12 you. And in terms of COLAs, how does the
13 proposed COLA benefit OTDA's funded
14 supportive housing employees that aren't
15 under New York/New York III contracts?

16 ACTING COMMISSIONER TIETZ: So the
17 cost of living adjustment is in the
18 healthcare providers. So at OTDA there's
19 only a quite limited program area that is
20 affected by that adjustment. And the name of
21 it -- oh, it's the Nutrition Outreach and
22 Education Program. It will see a modest
23 increase as a result of that COLA. But the
24 remainder of OTDA doesn't come within the

1 means of a -- or the bounds of a healthcare
2 worker.

3 SENATOR PERSAUD: Okay, thank you. I
4 just have a couple of questions. I'll come
5 back. Thank you. Thank you, Commissioner.

6 CHAIRWOMAN KRUEGER: Thank you.
7 Assembly.

8 CHAIRWOMAN WEINSTEIN: Yes, we go to
9 the ranker on Social Services, Assemblyman
10 Simpson, for five minutes.

11 ASSEMBLYMAN SIMPSON: Thank you, Chair
12 Weinstein. And thank you, Commissioner, for
13 being here.

14 I want to go back to ERAP just for
15 clarification. So we solicited and we
16 reopened, we brought more people in, more
17 applications. Do we know, are we going to be
18 able to meet that financial obligation to
19 those applicants that have applied?

20 ACTING COMMISSIONER TIETZ: So thank
21 you for your question. It is difficult to
22 say at this point. As you know, the
23 Governor, together with three other big-state
24 governors, have asked the Treasury for a good

1 deal more money and have appealed to them,
2 recognizing the enormous need here.

3 As you heard me say, we have more than
4 300,000 applications. We expect somewhere
5 around half or so, at this point, that there
6 would be resources for. So it is certainly
7 challenging. I mean, we don't yet know what
8 we will get from the Treasury. As I said
9 earlier, I think we expect to learn more by
10 the end of this month. But I think in the
11 coming weeks we're going to have a better
12 sense about where we land.

13 ASSEMBLYMAN SIMPSON: So do we have a
14 plan for those landlords, property owners
15 also, in those applicants that we may not be
16 able to financially fulfill our obligation?

17 ACTING COMMISSIONER TIETZ: So
18 certainly I think, you know, the Governor has
19 provided a good deal in this budget. And as
20 you know, there is \$2 billion for
21 COVID-related costs. I leave it to the
22 Legislature, in its negotiations with the
23 Executive, about how best to use those
24 resources, and this may be one of those

1 areas.

2 ASSEMBLYMAN SIMPSON: Okay, thank you.

3 And then I want to move over to HEAP.

4 In last year's budget we saw a \$450 million
5 increase in federal funding that isn't in
6 this year's budget. With the increased cost
7 of energy -- we've seen massive inflation
8 affecting everyone -- will there be enough
9 HEAP money to meet the energy needs for those
10 who need assistance?

11 ACTING COMMISSIONER TIETZ: Yeah, I
12 think actually there's a reappropriation
13 here. But by our estimates, yes, we believe
14 there's actually enough money in the budget
15 for it.

16 I'll note that we've increased the
17 benefit significantly, somewhere between, you
18 know, 32 percent and 43 percent. I'll also
19 note that there is now a new program, the
20 HEAP regular arrears supplement, which opened
21 in September. That pays up to \$10,000 for
22 gas and/or electric utility arrears. To
23 date, we've issued 102,000 payments, equal to
24 \$160 million. The average benefit there has

1 been 1500-some-dollars per recipient. We
2 expect to issue as many as 160,000 of those
3 arrears payments.

4 So we think that there's enough in the
5 HEAP program.

6 ASSEMBLYMAN SIMPSON: Okay. And I
7 wanted also -- another member had mentioned
8 the 50 percent of earned income of a public
9 assistance recipient. Will that accomplish
10 the -- alleviate the benefit cliff proposed?
11 Will that program help us alleviate that
12 benefit cliff?

13 ACTING COMMISSIONER TIETZ:
14 Absolutely. I think this makes a big
15 difference for households. If you -- this
16 gets every household in receipt of public
17 assistance up over the federal poverty level
18 before they lose eligibility. And that's a
19 big shift here. So for sure this is a big
20 shift.

21 And again, I think, you know, this is
22 where we're starting today. And I don't want
23 to prejudge where we land as part of the
24 Poverty Reduction Council efforts in terms of

1 recommendations and strategies, but I think
2 this is an important start down a road to
3 fixing that benefits cliff.

4 ASSEMBLYMAN SIMPSON: Okay. And I
5 want to ask a question about the State
6 Supportive Housing Initiative. How many
7 units are being planned for development this
8 year?

9 ACTING COMMISSIONER TIETZ: Give me
10 one moment. If you have another question,
11 I'll take that first.

12 ASSEMBLYMAN SIMPSON: And I just want
13 to get a sense of how many units have been
14 built, how many are being planned, how big of
15 a program this is.

16 ACTING COMMISSIONER TIETZ: Yeah. So
17 right now it's running about 800 to 900 units
18 per year. I'd have to get you the rest of
19 it. Hang on. Yeah, I might have to follow
20 up with you. And I apologize.

21 ASSEMBLYMAN SIMPSON: All right.
22 Well, I'll yield back my time. I've only got
23 10 seconds left. Thank you very much.

24 ACTING COMMISSIONER TIETZ: Thanks.

1 CHAIRWOMAN WEINSTEIN: We go to the
2 Senate.

3 CHAIRWOMAN KRUEGER: Thank you very
4 much. And our next questioner is Senator
5 Diane Savino.

6 SENATOR SAVINO: Thank you, Senator
7 Krueger. Good to see you, Commissioner
8 Tietz. It's nice to call you that.

9 ACTING COMMISSIONER TIETZ: Thank you
10 very much, Senator. It's nice to see you as
11 well.

12 SENATOR SAVINO: I only have three
13 minutes; I'll be brief. I want to talk a bit
14 about expanding -- I see the Governor's
15 expanding access to public assistance in the
16 budget. You spoke a bit about it. But I'm
17 more curious about what can we do to increase
18 eligibility for more people? Because while
19 this is a good step for those who are current
20 recipients to explain what they're eligible
21 for, there's still way too many people who
22 aren't eligible. So they're not falling off
23 the cliff, they never get up to the cliff.

24 So for instance, we have a lot of, you

1 know, seniors who just make too much money
2 but whose lives could be dramatically
3 improved if they were able to qualify for
4 SNAP benefits. So is there a possibility
5 that somewhere in this budget or in future
6 budgets we could do something about expanding
7 eligibility for, say, single seniors so that
8 they could be eligible for SNAP benefits?
9 Because right now the eligibility for a
10 family of one is only -- the maximum income
11 is \$25,000 a year. And many people exceed
12 that, and so therefore they're cut out of any
13 supplemental assistance. So what can we do
14 about closing that?

15 And then the second thing is since
16 homelessness is such an incredibly big
17 problem in the City of New York -- and your
18 agency will play a role with respect to
19 helping the City of New York address it --
20 what are we doing to help, with our new
21 administration, kind of tackle the problems
22 of chronic homelessness?

23 ACTING COMMISSIONER TIETZ: Thank you
24 for your question.

1 So to answer your first question, I
2 think the short answer is yes. And again, I
3 don't want to push off everything on to, Oh,
4 we're going to work on this in the Poverty
5 Reduction Council.

6 However, I do think, look, that all of
7 these programs and ideas and innovations come
8 with a cost. And I think we have to think
9 sensibly about which have the largest impact,
10 which are the most meaningful. And partly I
11 think that needs to then be an organized
12 effort, and that's some of our organized
13 effort, which is to use that Child Poverty
14 Reduction Council as the vehicle for doing
15 that planning.

16 I think, again, in the budget
17 negotiations this can certainly be on the
18 agenda. The Governor has started with how we
19 help current recipients not go over that
20 benefits cliff. But I certainly appreciate
21 your point on this.

22 SENATOR SAVINO: Thank you.

23 ACTING COMMISSIONER TIETZ: With
24 regard to homelessness, so we've taken a lot

1 of steps here. And you in particular
2 referenced I think, in part, the new outreach
3 efforts. So the Governor and the Mayor
4 together, Mayor Adams together, have
5 announced additional outreach teams more
6 clinically focused that can help folks in the
7 subways and on the streets, particularly
8 those with mental health and substance use
9 challenges.

10 OTDA's role in this is oversight of
11 the local districts and their shelter systems
12 and their homelessness prevention efforts.
13 We distribute literally hundreds of millions,
14 a couple of billion dollars annually to the
15 local districts to address homelessness in a
16 variety of ways. This will be an expansion
17 on that effort. It is mostly driven by OMH,
18 and our role is a coordinating role, given
19 that the local social services districts are
20 the ones, and in particular in New York City
21 are the ones with the outreach teams on the
22 ground. So it's a coordinating role with
23 OMH.

24 SENATOR SAVINO: Thank you, Dan. My

1 time is up. Good to see you.

2 ACTING COMMISSIONER TIETZ: You as
3 well.

4 CHAIRWOMAN KRUEGER: Thank you.
5 Assembly.

6 CHAIRWOMAN WEINSTEIN: We go now to
7 Assemblyman Mamdani for three minutes.

8 ASSEMBLYMAN MAMDANI: Thank you so
9 much, Chair. Thank you, Commissioner.

10 I'm just going to jump right in.
11 Earlier you testified that, quote, the
12 Governor's budget continues steady funding of
13 our agency's core programs, which serve the
14 critical needs of millions of New Yorkers
15 daily, including programs that help refugees
16 start a new life in our state.

17 How does that statement fit with the
18 Governor's proposal to cut \$1 million from
19 the Refugee Resettlement Program?

20 ACTING COMMISSIONER TIETZ: Thank you,
21 Assemblymember.

22 The program is actually terribly
23 important to the Governor. She added
24 additional funds recently to the program.

1 The addition was \$2 million, particularly
2 targeted toward Afghan arrivals. We have
3 continued enhanced funding in the program at
4 \$2 million. I know that there's a
5 significant legislative component, add, to
6 this program. But on the Executive side,
7 we've actually added to the Executive Budget
8 from previous.

9 ASSEMBLYMAN MAMDANI: So I understand
10 that there's an improvement on previous
11 Executives. However, I do not think that the
12 previous Executive is a good standard by
13 which we should operate in this state.

14 And frankly, the funding for the
15 resettlement program was \$3 million in total.
16 So by the Governor proposing \$2 million, it
17 still leaves the program a million dollars
18 short.

19 But thank you for your answer. I'm
20 just going to move on to the next question in
21 the interests of time.

22 So we've recently received notice from
23 OTDA that you've received 26,779 NYCHA ERAP
24 applications, totaling \$102.2 million. Given

1 NYCHA tenants have suffered some of the worst
2 health and income losses from the pandemic,
3 and given that, as you said earlier, they are
4 currently placed last after private housing
5 tenants in priority for access to the funds,
6 do you believe that they should be elevated
7 in priority or that a dedicated fund needs to
8 created for NYCHA tenants?

9 ACTING COMMISSIONER TIETZ: Thank you
10 for the question.

11 I think, importantly here, this isn't
12 a policy choice for OTDA. It was written
13 into the statute that public housing tenants
14 were to be the last priority --

15 ASSEMBLYMAN MAMDANI: If I can ask you
16 to opine on whether there should be a
17 legislative change in the future regarding
18 this.

19 ACTING COMMISSIONER TIETZ: I think
20 I'm going to leave that to each of you in
21 your negotiations with the Governor about
22 where to land in this budget on COVID-related
23 assistance.

24 ASSEMBLYMAN MAMDANI: Thank you.

1 I yield back the rest of my time.

2 CHAIRWOMAN WEINSTEIN: Thank you.

3 To the Senate.

4 CHAIRWOMAN KRUEGER: Thank you very
5 much.

6 Senator Rachel May.

7 SENATOR MAY: Yes, thank you.

8 And hello, Commissioner.

9 So a little while ago we were talking
10 about the benefits cliff and the problem for
11 people who are close to the poverty level. I
12 am very concerned about the Governor's
13 proposal for bonuses instead of raises for
14 home health aides and other low-paid
15 healthcare workers, that it could backfire by
16 pushing them off the cliff.

17 Do you share that concern?

18 ACTING COMMISSIONER TIETZ: Thank you
19 for your question, Senator.

20 I don't think that that's actually
21 within our purview here at OTDA. I mean, if
22 you're asking me generally around pay and
23 who's at some risk here -- but I don't --

24 SENATOR MAY: Bonuses in general as a

1 way of remunerating people. Doesn't it cause
2 problems in social services?

3 ACTING COMMISSIONER TIETZ: So those
4 home healthcare workers aren't within our
5 purview. We -- those -- I mean, I guess if
6 you're asking me generally around rates of
7 pay and --

8 SENATOR MAY: That's what I'm asking.

9 ACTING COMMISSIONER TIETZ: -- who's
10 at risk here, yes, as I said earlier, I think
11 what's important to understand is that this
12 was an opening here to address something with
13 regard to earned income for current
14 recipients. I don't think it's the end of
15 the discussion, I think it's the beginning of
16 the discussion.

17 And we're certainly open to doing
18 whatever the Governor and the Legislature
19 decide to do on the size of this benefit and
20 the point at which it kicks in.

21 SENATOR MAY: Right. It's just the
22 use of bonuses for people who are right at
23 the margins seems like a dangerous policy to
24 me.

1 I have another question that's kind of
2 specific, but I think it applies to people
3 all over the state. I represent Onondaga
4 County, which opted out of the ERAP program,
5 has closed its applications because they
6 exceed the amount of money they've got. But
7 they have not declared that they are -- have
8 disbursed all the funds. So people in
9 Onondaga County cannot apply for ERAP now and
10 either get on the waiting list, in case there
11 is more money, or avail themselves of the
12 protections of applying for ERAP.

13 And I'm wondering what are you doing
14 to make sure that everyone in this state has
15 access to those protections.

16 ACTING COMMISSIONER TIETZ: Yes, it's
17 a concern for us too. We're happy to discuss
18 with Onondaga County's leadership on what
19 they'd like to do here. I think it does have
20 to be a request from them to us. And so
21 pending their request, you know, we're happy
22 to reach out to them, but we certainly share
23 your concern.

24 SENATOR MAY: Okay. Thank you.

1 ACTING COMMISSIONER TIETZ: Thank you.

2 CHAIRWOMAN WEINSTEIN: Assemblywoman
3 González-Rojas.

4 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Thank
5 you so much, Commissioner, for being here.

6 I represent a district that has been
7 hard-hit by COVID, and we're still seeing the
8 pandemic of the hunger crisis in our
9 community. We're still seeing lines wrapped
10 around, you know, food pantries for food and
11 nutrition.

12 I'm also representing a district
13 that's largely immigrant. I'd love to hear
14 more about how OTDA is addressing the hunger
15 crisis in our state, and what specific
16 funding streams can you discuss which does
17 outreach for low-income and immigrant
18 communities for entitlement programs that
19 they qualify for?

20 I understand that, you know, there
21 might be programs that folks qualify for, but
22 not the information, so that the enrollment
23 levels are low. So can you talk about what's
24 being done to address that, given the hunger

1 crisis we're facing right now?

2 ACTING COMMISSIONER TIETZ: Well,
3 certainly the SNAP program. Which, you know,
4 takes in more folks than -- you know, the
5 eligibility is much higher than it is for
6 public assistance. And so many more folks
7 will come into SNAP than could otherwise get
8 other public assistance benefits.

9 Those Emergency Assistance supplements
10 have really increased the benefit to
11 households, which is now \$835 a month for a
12 family of four. That's bringing roughly
13 \$230 million in federal funding each month to
14 New York State.

15 In November the Governor announced
16 some important changes to the program: A
17 simplified and shortened application, for
18 example, that can be both used for
19 applications and recertifying. A longer
20 certification period. It used to be you had
21 to recertify every 24 months, and now it's
22 every 36 months. And we eliminated the
23 requirement that you had to do it in person,
24 so now it can be done without having to show

1 up in person. So we've tried to make a bunch
2 of changes here.

3 I would say for households with
4 children, the pandemic EBT benefits have also
5 been made available, which are pretty
6 substantial. We're talking over a billion
7 dollars in benefits to 2.5 million children
8 in 2019-2020. In 2020-'21, 1.9 billion to
9 1.9 million children. So the caseload has
10 gone up modestly across the state for SNAP,
11 so certainly there's been some uptake there.

12 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Great.
13 And then since the portal was reopened on
14 ERAP, we've advised people to apply for
15 protections. Do you know how many New
16 Yorkers have applied since it was reopened?

17 ACTING COMMISSIONER TIETZ: Yeah. So
18 since it reopened on January 11th, there are
19 about 7,000 applications, or essentially an
20 average of 841 per day.

21 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Thank
22 you so much, Commissioner.

23 CHAIRWOMAN WEINSTEIN: Thank you.

24 To the Senate.

1 CHAIRWOMAN KRUEGER: Thank you.

2 We are joined by Senator Andrew
3 Gounardes.

4 SENATOR GOUNARDES: Thank you,
5 Senator Krueger.

6 Hello, Commissioner.

7 ACTING COMMISSIONER TIETZ: Hi.

8 SENATOR GOUNARDES: Great to see you
9 in this role.

10 A couple of quick questions. First, a
11 quick comment.

12 I'm not going to reask you about the
13 Guidehouse contract that I know was already
14 asked about. Just to say that, you know,
15 this is the consequence of what happens when
16 we give no-bid contracts to entities that we
17 have no accountability over. And it really
18 is a reflection on just how poor a
19 procurement process is where we divest from
20 the public sector and we don't develop these
21 internal capacities ourselves. We have
22 public agencies like yours that are able to
23 do this work, and when we just give out this
24 money without even asking or second-guessing

1 ourselves, it leads to problems like this.

2 And I'll echo what Assemblywoman
3 Rosenthal said, that 13 percent out of
4 \$150 million is still a lot of people that
5 could have had their rent paid because of no
6 fault of their own. So I hope we can really
7 think about that moving forward and that
8 you'll be able to tackle that, you know, in
9 your new commissionership.

10 I want to pivot a little bit on ERAP
11 and piggyback off of the last question from
12 the Assemblywoman. Is there is a sense of
13 how many more people are out there that have
14 not applied yet that would benefit from ERAP
15 protection? Has the agency done any
16 analysis, or what's our best guess for folks
17 that we haven't touched yet?

18 ACTING COMMISSIONER TIETZ: I don't
19 think that we actually have one.

20 So when we did the request to -- the
21 Governor made the \$1.6 billion additional
22 request, we were essentially looking at the
23 pace of applications to date and extrapolated
24 from there. And I would say, you know, when

1 it first reopened, you know, right after the
2 11th, the first week or handful of days, it
3 was a bit higher. It has come down somewhat
4 since then in terms of the daily rate. But
5 the best we could do with that is to simply
6 take the anticipated number given the
7 previous numbers.

8 SENATOR GOUNARDES: And so I guess the
9 1.6 billion number is reflective of what we
10 have in outstanding liabilities based on what
11 we currently know? Or does that project
12 future --

13 ACTING COMMISSIONER TIETZ: It
14 projects future as well.

15 SENATOR GOUNARDES: It does. Okay.

16 ACTING COMMISSIONER TIETZ: My only --
17 I mean, listen, if it projects out a short
18 bit -- I don't want to get too --

19 SENATOR GOUNARDES: Sure, of course.

20 ACTING COMMISSIONER TIETZ: It's a
21 little difficult to I think request of the
22 Treasury a number that isn't backed up by,
23 you know, a solid estimate. And so it's a
24 little hard to do that. But if it goes out a

1 short bit, I think it's mostly looking at
2 what we already know.

3 SENATOR GOUNARDES: Got it. Thank
4 you.

5 And my last question is, what
6 additional resources would you need as an
7 agency or what process would you need us to
8 help work on so we can match potential
9 nonpayment cases in courts with the ERAP
10 program or the LRAP program, to kind of be a
11 more seamless process? You know, how are we
12 doing on that right now, and what more could
13 we be doing there to support your work in
14 connecting those -- you know, the right hand
15 to the left hand?

16 ACTING COMMISSIONER TIETZ: Well,
17 there is a data share with OCA, so they can
18 actually see who's submitted an ERAP
19 application, for example. And so there's
20 that back-and-forth that exists now.

21 And tenants who've made an ERAP
22 application, if they were to be brought into
23 court by their landlord, can produce those
24 notices or produce what they got out of the

1 system as evidence of the same, even if the
2 OCA couldn't find it. So for sure that
3 back-and-forth happens now.

4 SENATOR GOUNARDES: Okay. Great.
5 Thank you.

6 CHAIRWOMAN KRUEGER: Thank you.
7 Assembly.

8 CHAIRWOMAN WEINSTEIN: Thank you.
9 We go to Assemblyman Anderson, three
10 minutes.

11 ASSEMBLYMAN ANDERSON: Thank you,
12 Chairwoman.

13 Thank you, Commissioner, for answering
14 our questions. I will try my best to be
15 brief; however, I do have a number of
16 questions. The first I'm going to start with
17 is the childcare vouchers.

18 Many folks have applied for childcare
19 vouchers that are distributed via OTDA on
20 down here to HRA, or have applied for those
21 vouchers. But I want to know what specific
22 measures are taken to speed up the process in
23 which those vouchers pay out to the daycare
24 and childcare providers, because oftentimes

1 it does take quite a bit of time for those
2 vouchers to pay out, which impedes the
3 ability of working-class families to get back
4 to work. That's the first question I have.

5 ACTING COMMISSIONER TIETZ: So let me
6 just answer that, which is to say that it's
7 actually not OTDA, it's OCFS.

8 ASSEMBLYMAN ANDERSON: Okay. So I'll
9 make sure I direct that to Commissioner Poole
10 and her team.

11 In terms of ERAP, I want a clear
12 answer on this because I can't get a clear
13 written answer on this. So I've heard from
14 constituents and from colleagues that if
15 someone applies for ERAP or -- yeah, ERAP,
16 and they have been waiting for God knows how
17 long for that to pay out but they're still
18 accumulating rent, that if they apply for the
19 one-shot deal they're being discouraged from
20 applying for the one-shot deal through HRA
21 because it will count negatively against
22 their ERAP application.

23 Can you just put to bed whether or not
24 that double negative is actually occurring?

1 And if you can point to any directives that
2 you've given to your agency to ensure that if
3 a tenant applies for ERAP and then turns
4 around and applies for a one-shot deal
5 because they've been waiting for ERAP for God
6 knows how long, are they being negatively
7 impacted via their case?

8 ACTING COMMISSIONER TIETZ: So the --
9 that's largely correct. I would make just a
10 little adjustment to what you said.

11 They get the tenant protections, of
12 course, because they applied to ERAP. So --
13 and I know it's very frustrating for
14 landlords and tenants alike that applications
15 are pending for -- you know, not paid, if you
16 will, for months at a time, for the reasons
17 I've already mentioned.

18 ASSEMBLYMAN ANDERSON: I'm sorry,
19 Commissioner, I don't have much time. So yes
20 or no, are people being negatively impacted
21 by this --

22 ACTING COMMISSIONER TIETZ: I'm going
23 to answer it. I heard you, Assemblymember.

24 So the -- if you have an ERAP

1 application, you can't actually get the
2 public assistance. You'd have to withdraw
3 your ERAP application -- the thing I wouldn't
4 urge people to do at this moment, because of
5 the tenant protections in the ERAP
6 application.

7 ASSEMBLYMAN ANDERSON: But I just want
8 to clarify, though, Commissioner, your folks
9 on the state level and on the city level, a
10 different agency, are telling people to pull
11 those applications. I just want to
12 acknowledge that.

13 And my last question was about
14 emergency housing choice vouchers for
15 domestic violence victims. Did you guys ask
16 for additional funding in the budget, or do
17 you plan to ask for additional funding in the
18 budget for emergency housing vouchers for
19 domestic violence victims, given that
20 domestic violence is on the rise --

21 CHAIRWOMAN WEINSTEIN: Yes or no,
22 because time has run out.

23 ACTING COMMISSIONER TIETZ: So
24 emergency DV shelter is actually OCFS also,

1 if that's what you're referring to.

2 ASSEMBLYMAN ANDERSON: No, the
3 vouchers. The vouchers, Commissioner.

4 ACTING COMMISSIONER TIETZ: The
5 vouchers are available to the folks in DV
6 shelter in the same way in which they are in
7 the DHS shelter.

8 CHAIRWOMAN WEINSTEIN: Thank you. We
9 move to the Senate.

10 ASSEMBLYMAN ANDERSON: Thank you.

11 CHAIRWOMAN KRUEGER: Thank you.

12 I think we're up to me. I have a
13 bunch of sort of follow-up questions.

14 One, I believe the answer on the
15 number of supportive housing units, based on
16 what the housing commissioner said the other
17 day, is anticipated to grow from 6,000 --

18 ACTING COMMISSIONER TIETZ: To 10,000,
19 yes.

20 CHAIRWOMAN KRUEGER: -- to 10,000 over
21 five years. So my question for you, are we
22 planning in the budget to have adequate funds
23 for the social services that must accompany
24 successful supportive housing units?

1 ACTING COMMISSIONER TIETZ: Yes. In
2 ESSHI there is adequate resource to cover the
3 services and operations for the additional
4 units.

5 CHAIRWOMAN KRUEGER: Thank you.

6 Following up on Senator May's question
7 about the impact of the bonus model -- and I
8 just want to reiterate it is your bailiwick,
9 whether you think it is or not, because --
10 she gave the example of that \$3,000 bump for
11 one month might put a working but poor home
12 care attendant out of eligibility for PA. I
13 think the more common story would be the
14 bonus money will kick that home care worker's
15 entire household out of the SNAP program
16 because of the one-month bump in pay.

17 That could be large numbers of people
18 losing their entire benefits because one
19 household member had a temporary bump. And
20 of course in food stamps -- excuse me, SNAP,
21 I'm old -- you know, if Aunt Jessica is
22 living with the family, her wages impact
23 everyone else's SNAP. If Grandma's working
24 as a home care attendant and gets a one-time

1 bonus, her income bumps food stamps --
2 SNAP -- and potentially also household
3 members' Medicaid.

4 So I really urge you to help the
5 Governor's people understand -- I am not
6 opposed to giving people more money, trust
7 me, but we want to do it in a way that
8 doesn't risk losing them more in federal
9 benefits than we're actually giving them as a
10 one-time bonus. And I think only your
11 department is in a position to be able to
12 explain the complications of how these
13 programs all interact.

14 ACTING COMMISSIONER TIETZ: Yeah, I
15 think -- I appreciate that, Senator. And
16 when you started down this road I thought,
17 Oh, now I get it, I get what Senator May was
18 asking.

19 So first I thought she was asking me
20 about the bonus itself, which doesn't come
21 from us. But you're right, and I get it.

22 So for sure -- for sure this could be
23 an issue. And I think we are happy to
24 discuss about how best to address it. It may

1 be that, you know, in the budget negotiations
2 there's an exemption made for those receiving
3 bonuses. But I think an approach to
4 addressing this, because we certainly don't
5 want to harm an entire household over the
6 long term because of this bonus. The whole
7 point of this was to improve their economic
8 security, improve their financial
9 circumstance. And it would be very
10 counterproductive if we then kicked them off
11 of, for example, SNAP benefits, as you point
12 out, for this reason.

13 CHAIRWOMAN KRUEGER: Exactly. Thank
14 you.

15 One of my colleagues was concerned
16 about NYCHA not getting ERAP eligibility.
17 You know, I don't necessarily lose sleep over
18 that because of course we know if your income
19 went down and you're a public housing tenant,
20 they are supposed to recertify you at the
21 lower income. So if you're at zero because
22 of COVID, well, guess what, your rent is zero
23 for those months also because it can only be
24 30 percent of your income.

1 So I'm more concerned about making
2 sure that NYCHA knows what the rules of the
3 road are. If somebody's income goes down,
4 they have the right to be recertified at the
5 lower income. And I would rather we use our
6 very limited ERAP for people who don't have
7 any option to lower their rent costs.

8 So I'm just putting that out there as
9 perhaps a disagreement within the
10 Legislature.

11 But something I am concerned about --
12 and you and I have talked a little bit about
13 this already, about the use of HEAP and the
14 new expanded HEAP to help pay all the back
15 utility arrears. I am very careful that you
16 don't make the mistake of taking away the
17 HEAP from public housing tenants. It's a
18 very small amount, but because public housing
19 tenants don't have a separate utility bill in
20 most cases, unless they continue to get a
21 HEAP payment, they can lose up to \$100 per
22 person per month in SNAP because of the way
23 that a SNAP budget is done.

24 And I won't bore us all, but I

1 actually helped get that into law maybe a
2 hundred years ago, how we calculate that. So
3 I really don't want to turn around and see we
4 thought we were just taking a little bit of
5 HEAP money away from each public housing
6 recipient and instead we, pardon me, screwed
7 them on SNAP. So --

8 ACTING COMMISSIONER TIETZ: No, no,
9 there's no change there.

10 CHAIRWOMAN KRUEGER: Okay. Fine.
11 Good. Good. You know, every action has a
12 reaction.

13 And you heard about ERAP and people's
14 concerns. I'd Shared some concerns with you
15 yesterday about problems, and just
16 emphasizing I know we don't have enough money
17 now. We cannot be turning people away from
18 applying. And you actually, I think, have
19 over 600 million that have been approved but
20 are not yet out the door because of some
21 technical problems. And I know my office is
22 desperately trying to help people fix them,
23 and I told you this yesterday -- landlords
24 are so excited when we call them and say "We

1 just need this from you and we can get it
2 taken care of." And we really think that
3 your system needs to figure out how to do
4 better outreach to landlords or tenants who
5 apparently don't know that you're missing
6 something from them. Because God knows we
7 want to get this money out for people, both
8 the landlords and the tenants.

9 ACTING COMMISSIONER TIETZ: If I may,
10 Senator. So we've actually worked real hard
11 on that, and of course are paid outreach for
12 this program. So there were -- there have
13 been 31,000-ish 180-day notices. So you
14 didn't use the phrase, but I'll use it, so
15 it's the 180-day notice.

16 So just for example, the tenant puts
17 in an application, the landlord puts in --
18 he's supposed to match that, so there's a
19 matching application. Oftentimes the tenant
20 puts in one but then the landlord is missing
21 something or another. They get this notice.
22 Both parties see the notice, they get a
23 notice that says, here, we're missing
24 thus-and-such and you have 180 days to get it

1 to us.

2 In the last few months that number,
3 that 31,000-ish, is now down to 23,000. So
4 some 8,000 applications have been completed
5 and are getting paid. So for sure it's
6 having an impact, the outreach is having an
7 impact to get those applications completed so
8 that those numbers get paid. Because as you
9 know, it's first in, first out. So we can't
10 move on to future applications until the
11 180 days passes on the ones that are pending.
12 You know, which is why when people see that
13 it's pending or it's provisionally approved,
14 it's sitting there waiting for something
15 else.

16 And we are now pressing, we're working
17 with community-based organizations, with the
18 local districts, with landlord and tenant
19 organizations to get those applications
20 complete. And I think it's having some
21 impact.

22 CHAIRWOMAN KRUEGER: Thank you.

23 And just in follow-up to quite a few
24 of my colleagues in both houses' points --

1 and we all know this -- our shelter allowance
2 levels are too low to afford rent, our FHEPS
3 levels are still too low, you can have
4 vouchers and never find an apartment in
5 New York City based on the complications.
6 I'm very disturbed to read, just I think
7 yesterday, an article saying that in New York
8 City two-thirds of the families who apply for
9 shelter are rejected.

10 I beg you to go look into that. I
11 have the highest respect for the efforts the
12 city has attempted to make during this
13 extraordinarily difficult time of COVID and
14 growing homelessness and impossible
15 mismatches between income and rent costs.
16 I'm very proud of the fact that I never fight
17 a shelter that comes into my district,
18 because I understand we need them, even if
19 nobody wants to have to be there.

20 But something's wrong, Commissioner,
21 if we're rejecting two out of three families
22 who come to us for shelter. So I hope that
23 you will work with the City of New York to
24 figure out what the heck's going on there.

And listen, for better and worse, it's been -- folks just haven't turned in the materials that DHS says they need to ensure that they are actually eligible. So they

1 reapply. So we see the rate of reapplication
2 going up in place. They never left, they're
3 still there.

4 The biggest drawback, of course, is
5 that until they're found eligible, the clock
6 doesn't start to run on the voucher, right,
7 that would get them permanent housing. Which
8 the story did -- that article did address.

9 So I think -- we're looking into it.
10 I can tell you that it didn't go unnoticed.

11 CHAIRWOMAN KRUEGER: Thank you. I
12 have used up my time. And welcome back to
13 the state. As we know, you have gone
14 back-and-forth between the state and the city
15 agencies multiple times. Looking forward to
16 continuing to work with you.

17 Thank you, Helene.

18 CHAIRWOMAN WEINSTEIN: We go to
19 Assemblyman Burdick, three minutes.

20 ASSEMBLYMAN BURDICK: Thank you,
21 Chair Weinstein.

22 And thank you, Commissioner. I wanted
23 to speak to you a moment about reentry
24 housing.

1 I serve on the Correction Committee,
2 and I also have two correctional facilities
3 in my district. And I know that the
4 Executive Budget does have a modest reentry
5 housing initiative, but I'd like to get an
6 idea of what the longer-term strategy is
7 given the fact that, as you know, the
8 Department of Corrections and the Legislature
9 is moving ahead with programs that will
10 provide for more to be released from our
11 correctional facilities.

12 And the tragedy of it is that so many
13 of them end up in homeless shelters, as I'm
14 sure you know. In two consecutive budget
15 hearings, Commissioner Annucci acknowledged
16 that the vast majority end up in homeless
17 shelters.

18 So tell me what the longer-term plan
19 is, because this is obviously going to be
20 continuing for a while.

21 ACTING COMMISSIONER TIETZ: Yeah,
22 certainly there's an intersection here for
23 OTDA and the local districts with
24 Corrections.

1 I mean, the reentry housing is really
2 in the Corrections budget, and it's I think
3 largely driven on their side of the house.
4 But we are more than happy to collaborate,
5 work with Corrections, among others, on what
6 to do about reentry housing.

7 You're not wrong --

8 ASSEMBLYMAN BURDICK: If I could just
9 interrupt you there, because, you know, it's
10 interesting because Commissioner Annucci kind
11 of intimated that, well, you know, this isn't
12 what we do, that's not really our mission, is
13 to provide housing.

14 So, you know, I had suggested to him
15 that among the agencies, whether it's HCR,
16 whether it's you, there really needs to be
17 some coordination. There needs to be --

18 ACTING COMMISSIONER TIETZ: We
19 completely agree. We completely agree.
20 You're absolutely right.

21 ASSEMBLYMAN BURDICK: And it doesn't
22 seem to be happening. And I would just say
23 that since the principal mission of your
24 agency is to provide temporary housing -- or

1 at least one of the missions -- then I would
2 think that somebody has to take this on and
3 to say, Look, this is something that we
4 acknowledge is part of our mission and part
5 of what we should be doing.

6 And I would really appreciate the
7 opportunity to discuss this offline among
8 yourself and the other commissioners.

9 ACTING COMMISSIONER TIETZ:
10 Absolutely. I'm in my third week of work,
11 but this has --

12 ASSEMBLYMAN BURDICK: And
13 congratulations, by the way.

14 ACTING COMMISSIONER TIETZ: Thank you.
15 This has already come up as a
16 discussion. I'm well aware that somewhere
17 around 22 or 24 percent of single men in
18 shelter in New York City were in a prison or
19 a jail within the previous 30 days.

20 ASSEMBLYMAN BURDICK: I think it's
21 actually higher, but in any event -- we won't
22 quibble.

23 ACTING COMMISSIONER TIETZ: So we get
24 that there's a real challenge, and it runs

1 across agencies. I'm happy to work with you
2 and others on this.

3 ASSEMBLYMAN BURDICK: Super. Thank
4 you so much.

5 ACTING COMMISSIONER TIETZ: Senator,
6 are you going to go to your second round?

7 CHAIRWOMAN KRUEGER: We have a second
8 round just for our chair, Roxanne Persaud,
9 three minutes.

10 SENATOR PERSAUD: Thank you. Thank
11 you. So Commissioner, quickly, I'm just
12 going to go through these.

13 Going back to the COLA, we know
14 there's a \$500 million COLA. Could you tell
15 us, how is your agency going to use that to
16 ensure that all current contractors,
17 regardless of whether they are listed in the
18 statute, that they are covered with that? We
19 want to ensure that the COLA is going to
20 them. And then --

21 ACTING COMMISSIONER TIETZ: Senator,
22 if I may. So as I mentioned earlier, OTDA
23 only has one small program that this affects.
24 And it's -- you know, it's a modest

1 adjustment in that budget of \$165,000. We
2 only have a short handful of staff that this
3 affects.

4 SENATOR PERSAUD: Okay. Can you tell
5 me also in terms of contracts -- I'm going to
6 skip the contracts because it's going to get
7 into the Guidehouse thing.

8 Can you tell me, will OTDA receive
9 sufficient additional staffing and personnel
10 resources to oversee the large ESSHI project
11 and the program portfolio? Do you think so?

12 ACTING COMMISSIONER TIETZ: Yeah, I
13 believe we have adequate staff to handle the
14 adjustments in ESSHI and the housing budget,
15 yup.

16 SENATOR PERSAUD: Okay. And so going
17 to the DV provisions in the budget, could you
18 provide details on how the program will be
19 administered based on the 2023 Executive
20 proposal that maintains the \$5 million in
21 support of that pilot program that was from
22 2018 onward?

23 ACTING COMMISSIONER TIETZ: I'm sorry,
24 I missed part of your -- I think my

1 connection skipped a bit here. This is on
2 which now?

3 SENATOR PERSAUD: DV. So in 2018
4 Congress passed legislation reauthorizing the
5 Family Violence Prevention and Services Act.
6 And so we -- in the 2023 budget there's
7 \$5 million in support of the pilot program.
8 Can you provide details on how this program
9 will be administered? How does OC -- sorry.
10 Can you provide details on how that will be
11 administered?

12 ACTING COMMISSIONER TIETZ: Senator, I
13 think you actually were about to say where it
14 actually lives, which is OCFS.

15 SENATOR PERSAUD: I think I missed a
16 line in my notes I'm writing. I'm going to
17 get back to that question. Sorry.

18 Can you tell me, how does -- I'm going
19 to go back to COLA again, because I want to
20 make sure that we're understanding this. So,
21 for example, can a SNAP outreach worker not
22 be covered under the COLA but a NOEP worker
23 is, a coordinator is? Can you tell us? Even
24 though you said it's a small percentage of

1 people. But we're just trying to get a sense
2 of what is happening. Because our
3 understanding is that some people who are
4 sitting in the same office, one person can be
5 getting a COLA and the other one will not.
6 Can you address that?

7 ACTING COMMISSIONER TIETZ: So it is
8 the NOEP program. It's the Nutrition
9 Outreach and Education Program.

10 SENATOR PERSAUD: Right.

11 ACTING COMMISSIONER TIETZ: It's a
12 5.4 percent increase, for about \$165,000.
13 That's the only COLA adjustment that is
14 living within the OTDA budget.

15 SENATOR PERSAUD: Okay. So just to
16 clarify, a SNAP outreach worker will not have
17 it. Okay, thank you.

18 CHAIRWOMAN WEINSTEIN: We go to
19 Assemblywoman Rajkumar.

20 ASSEMBLYWOMAN RAJKUMAR: Thank you.

21 Good afternoon, Commissioner Tietz.

22 ACTING COMMISSIONER TIETZ: Hi.

23 ASSEMBLYWOMAN RAJKUMAR:

24 Congratulations on your new role.

1 ACTING COMMISSIONER TIETZ: Thank you.

2 ASSEMBLYWOMAN RAJKUMAR: So my
3 question is about the report that was
4 released this week in the news outlet
5 THE CITY. And I believe Chair Krueger
6 referred to it earlier, and I would just like
7 to hone in on it a bit more.

8 Unbelievably, it was reported that the
9 rejection rate for New York City homeless
10 families applying for shelters was over
11 75 percent in 2021. That's up from a
12 50 percent rejection rate in 2016. The major
13 barrier to families securing a place in a
14 shelter was the City Department of Homeless
15 Services' burdensome requirements. Those
16 requirements included requiring families to
17 document their living situations for the past
18 two years and proving that they do not have
19 any alternative.

20 OTDA heard almost 1400 appeals of
21 these DHS housing assistance denials last
22 year. That's almost 500 more appeals than
23 OTDA heard in 2020. And amazingly, in
24 38 percent of cases OTDA ruled that the DHS

1 decision was not correct.

2 So my question is, what specifically
3 could OTDA do to help reform this application
4 process so that homeless families get the
5 housing they are entitled to without a
6 lengthy appeal? I'm very interested in your
7 thoughts. Why did OTDA hearing officers
8 overturn so many of these DHS rejections?
9 Can you give us some insight?

10 ACTING COMMISSIONER TIETZ: Yeah, so
11 we've had some initial conversations with DHS
12 following that article.

13 Here's what I would note. That in
14 addition to what I described earlier about
15 how they can now apply from where they are,
16 they don't leave shelter -- as opposed to
17 previous, where they would have been sent
18 back out of a shelter, having been found
19 ineligible for reasons of -- for, among other
20 things, for reasons of not providing the
21 evidence required and would have to go back
22 to PATH.

23 Some of the other reasons here with
24 regard to the OTDA and the decisions is

1 that -- a couple of things. So in the past
2 some of these would have just been denied
3 because the client didn't show for the
4 hearing. Now those hearings largely happen
5 remotely, so the show rate is much higher. I
6 think for the agency, for DHS and its
7 representation, in the past they would have
8 stipulated more of these things and there
9 wouldn't have been a ruling against the
10 agency, it would have simply gone along --
11 the client would have made out their case and
12 the agency would have said, Fine, you're
13 right, and they would have been found
14 eligible for shelter.

15 So we're digging deeper on this, but I
16 think -- I guess I would just say I wouldn't
17 take that article as the whole story here.
18 And that some of this really relates to the
19 change in which both the client applies and
20 how hearings happen since COVID.

21 ASSEMBLYWOMAN RAJKUMAR: Okay. Thank
22 you.

23 CHAIRWOMAN WEINSTEIN: Thank you.
24 Since there are no Senators with questions,

1 we will continue with the Assembly.

2 Assemblyman Bronson, three minutes.

3 ASSEMBLYMAN BRONSON: Thank you,
4 Chair. And thank you, Commissioner, for
5 being here today and for your testimony.

6 I want to talk a little bit about the
7 Child Poverty Reduction Act, and I'm so
8 thankful that Governor Hochul joined us and
9 signed that into law. And I'm also
10 encouraged that you included this measure in
11 your written testimony.

12 As you know, this act sets a goal of
13 reducing child poverty by 50 percent over the
14 next 10 years and through the advisory
15 council, of which you're the cochair, sets up
16 a framework to establish benchmarks,
17 transparency, and accountability.

18 Contrary to your written testimony, I
19 actually strongly think that the budget is
20 directly related to reducing child poverty --
21 and this act -- as a budget is a statement of
22 priority based on investments being made.
23 Recognizing the advisory council has not been
24 fully appointed yet, my question is: As

1 commissioner, what funding measures -- tax
2 credits or support for programs -- are
3 contained in this budget that will help us to
4 begin to reduce child poverty in the
5 2022-2023 budget year?

6 ACTING COMMISSIONER TIETZ: Well, I
7 certainly described some of them. And I
8 think with regards to the benefits level and
9 the earned income disregard, it's certainly a
10 start down this road.

11 But again, it's a start down this
12 road. We never intended for this to be the
13 whole story. And I think it's -- we're
14 looking forward to the opportunity to work
15 with the Legislature and other
16 stakeholders -- that's the counties, the
17 local districts, the providers, experts in
18 the field -- as part of this effort to come
19 up with a comprehensive strategy and plan
20 going forward.

21 I don't -- I hear the comments with
22 regard to what folks view as outdated or
23 broken, and I assure you that we're going to
24 have a whole conversation on this.

1 ASSEMBLYMAN BRONSON: That's great,
2 Commissioner. I'm so thankful that you're
3 looking forward to this process and really
4 holding us to this goal so that we can
5 achieve this. I strongly believe we can.

6 You know, it's so important in my
7 district. In the City of Rochester, any
8 given day -- any given day -- there are
9 2,000 children who are homeless in our
10 Rochester City School District. And that's
11 unacceptable. So we need to move forward in
12 making sure that all of our agencies --
13 certainly yours and others -- are committed
14 to reducing child poverty. We owe it to
15 these children and the future generations.
16 So thank you, Commissioner.

17 ACTING COMMISSIONER TIETZ: Thank you.

18 CHAIRWOMAN WEINSTEIN: Assemblywoman
19 Forrest, three minutes. There she is.

20 Just so members know, so you can keep
21 an eye out and be prepared to speak, it will
22 be Assemblywoman Hunter, Assemblyman Meeks,
23 and then to close, Assemblywoman Rosenthal,
24 for her second round of three minutes.

1 ASSEMBLYWOMAN FORREST: Thank you,
2 Chair. I'm sorry, I had to stretch my legs.

3 All right. Thank you to the new
4 commissioner. Good luck with the new job.

5 We have a growing crisis of
6 homelessness, with over 92,000 homeless
7 families in the state. I know that OTDA
8 already contracts with an extremely robust
9 outreach network that includes many
10 well-funded nonprofits. But this doesn't
11 address the crisis, because many people do
12 not want to go to shelter.

13 Do you know -- well, do you agree that
14 we need to fully fund rental assistance so
15 that outreach teams can successfully move
16 people off the street and into permanent
17 housing?

18 ACTING COMMISSIONER TIETZ: So as I
19 noted earlier, the Governor has announced,
20 with Mayor Adams, the expansion of those
21 outreach teams and the addition of clinical
22 services, particularly mental health and
23 substance use-related services for folks in
24 the subway and on the street.

1 We work in close collaboration with
2 those sister agencies and with the local
3 district, with DHS, which contracts with BRC
4 to serve folks in the subways. And so with
5 that, we're very much involved in that
6 expansion and have a significant
7 collaboration role in this.

8 I think what folks should understand
9 is that it's a long haul, oftentimes, from
10 getting -- from, you know, repeat engagement
11 with very challenging cases, very challenging
12 individuals who have got a lot of problems.
13 It's repeat engagement that will get them out
14 of that circumstance and ultimately into
15 permanent housing.

16 ASSEMBLYWOMAN FORREST: Right. And so
17 that's why we appreciate the work of these
18 outreach teams that identify the people, the
19 individuals in the community, and actively
20 engage them over and over again.

21 So is there a plan -- I'm glad that
22 you mentioned the city and the state working
23 on this. But is there a plan to pass an
24 expanded Housing Access Voucher Program in

1 this year's budget in order to do that, to
2 support that work?

3 ACTING COMMISSIONER TIETZ: So I want
4 to -- so the short answer is yes. Of course
5 I described earlier the Governor's capital
6 budget with regards to additional supportive
7 housing, which I think is particularly
8 relevant to this crowd.

9 ASSEMBLYWOMAN FORREST: Commissioner,
10 I'm not talking about supportive housing, I'm
11 talking about the HAVP, Housing Access
12 Voucher Program.

13 ACTING COMMISSIONER TIETZ: So HHAP is
14 partly what I'm referring to here. So
15 there's the support and services piece of
16 supportive housing, and then there's the
17 capital piece of supportive housing.

18 I'm just going to note again that I
19 think the issue here is engagement with those
20 folks to get them to a very low-barrier kind
21 of stabilization temporary housing, and then
22 ultimately into supportive housing if that's
23 what makes sense for them.

24 That's not a short ride, as it were.

1 Many of these folks require repeat engagement
2 again and again before they even are willing
3 to leave the street or the subway. So -- but
4 for sure, in the longer haul here, we're
5 creating 800 to 900 new supportive housing
6 units, some of which I would anticipate would
7 go to these folks coming out of the subways
8 and off the streets.

9 ASSEMBLYWOMAN FORREST: Thank you,
10 Commissioner.

11 CHAIRWOMAN WEINSTEIN: Thank you.

12 We go to Assemblywoman Hunter, three
13 minutes.

14 ASSEMBLYWOMAN HUNTER: Yes, thank you.

15 Good afternoon. I have three
16 questions.

17 How many nonpayment evictions are
18 projected? And what is OTDA doing with
19 localities for these displaced New Yorkers?

20 ACTING COMMISSIONER TIETZ: I don't
21 know that I actually have a number on
22 evictions. I don't think that's something --
23 so much that we can track. I think we can
24 certainly inquire and get back to you. It

1 may be a matter that's -- as between the
2 local districts and the courts, we may have
3 some sense of the number, and we can
4 certainly follow up.

5 ASSEMBLYWOMAN HUNTER: Okay. And you
6 had mentioned that there are 7,000 pending
7 applications since January 11th. Obviously I
8 live in Onondaga County, so none of those are
9 mine. But those are based on the fact that
10 the court said you had to open up the portal,
11 but there isn't any money to fund those
12 applications.

13 So if somebody presents at eviction
14 court with that application, even though we
15 know that there isn't money to fund it, is
16 that still eligible for someone to not be
17 evicted?

18 ACTING COMMISSIONER TIETZ: Yes.

19 ASSEMBLYWOMAN HUNTER: Okay.

20 And relative to the Housing Access
21 Voucher Program, I see a bill that Cymbrowitz
22 has, we've made mention of it several times.
23 Some of it is for people for shelter, you
24 made mention of domestic violence. Is there

1 an opportunity -- because we need to look
2 past the pandemic. And obviously this
3 housing crisis has impacted many people.
4 Many of the people in ERAP and in my county
5 as well were not eligible for the program
6 because of the median income that they had to
7 have in relation to how much housing costs.

8 So a \$50,000 in annual salary person
9 in Syracuse wouldn't have been eligible,
10 where maybe an \$80,000, \$90,000 salaried
11 person in New York City would, based on the
12 average housing cost. So trying to see will
13 there be any mechanism to help the
14 middle-income earners with these huge
15 increases in rent that are coming and will
16 only need to be helped by assistance from
17 OTDA in some type of voucher program because
18 they can't afford it? And it's just another
19 form of eviction.

20 ACTING COMMISSIONER TIETZ: It's a
21 great question. And I'll say that I think,
22 you know, for sure many of our programs are
23 targeted at lower-income households.

24 You know, I'll note that in ERAP --

1 not ERAP, but in the tenant program that
2 matches LRAP, right, so the 80 to 120 of AMI.
3 So for arrears, that actually is fairly
4 undersubscribed. I think only about
5 20 percent of that money has gone out the
6 door. For someone who's got COVID-related
7 arrears, that program is still available and
8 still open. Which for sure, at 80 to 120 of
9 area median income, is taking in middle-class
10 households.

11 I think for the longer term we're open
12 to, you know, discussing with the Legislature
13 what makes sense in terms of future
14 investments. But admittedly I think the
15 \$100 million supplement that the Governor has
16 provided takes in folks who may be above
17 public assistance-eligible at some point, but
18 it -- I wouldn't necessarily describe that as
19 reaching middle class in a way which probably
20 most of us think about middle class.

21 ASSEMBLYWOMAN HUNTER: Thank you.

22 CHAIRWOMAN WEINSTEIN: Thank you.

23 We move on to Assemblyman Meeks.

24 ASSEMBLYMAN MEEKS: Thank you,

1 Madam Chair.

2 Commissioner, you mentioned earlier
3 and I was glad to hear discussion about the
4 benefits cliff and that it's recognized. And
5 you put a dollar amount on the benefits
6 cliff. What are the chances of accompanying
7 that with a timeline of sorts? So say, for
8 instance, a person, you know, makes X amount
9 more one month and then, you know, the
10 benefits they're eligible for, they're no
11 longer eligible for them. What's the
12 timeline on that? Is it two months, three
13 months, a year, what? Is there a timeline?

14 ACTING COMMISSIONER TIETZ: There
15 isn't.

16 ASSEMBLYMAN MEEKS: Okay. And, you
17 know, that's something I would think we'd --
18 I think we should take into consideration,
19 implementing a timeline.

20 For instance, if it happened in a
21 month, that would be too soon for a person to
22 actually save up some resources. We see that
23 in Rochester, in Monroe County, instances
24 where a person was receiving, you know, \$600

1 a month towards their rent, and then the
2 benefits cliff, they fall off, and they're no
3 longer eligible for that 600 -- but they're
4 only making, you know, \$5 more an hour. It
5 just doesn't add up.

6 So, you know, I think we need to
7 consider a timeline as opposed to a dollar
8 amount or put the -- couple the two together.

9 ACTING COMMISSIONER TIETZ: Again, I
10 think as part of our entire sort of
11 anti-poverty agenda effort and the overhaul
12 of the public assistance benefits, the
13 Governor has made clear that this -- what
14 we've proposed here now in this budget is a
15 starting point, not the end point. And that
16 going forward, we are open to a far larger
17 conversation as part of the Child Poverty
18 Reduction Act Advisory Council's discussions
19 and coming up with a strategy and plan. I
20 anticipate that this will be a part of it.

21 ASSEMBLYMAN MEEKS: Great. Thank you.

22 CHAIRWOMAN WEINSTEIN: Thank you.

23 We go to our Social Services chair,
24 Linda Rosenthal, for three minutes in a

1 second round.

2 ASSEMBLYWOMAN ROSENTHAL: Thank you.

3 I guess this is your last three minutes on
4 the hot seat this year.

5 I wanted to just follow up on a couple
6 of things. Even though 80 percent of
7 New York State's supportive housing program
8 funding supports salaries of direct care
9 workers, the program wasn't part of the list
10 of OTDA and the other O agencies proposed to
11 receive a 5.4 percent COLA increase. How can
12 we include that in the 30-day amendments?
13 because it's not really fair for that sector
14 not to get the COLA.

15 ACTING COMMISSIONER TIETZ: Yeah, I
16 appreciate your question and your concern.

17 You know, this is statutory. It's
18 really not up to us. Certainly if the
19 Legislature wishes to go in a different
20 direction, we're happy to do whatever we're
21 asked to do.

22 ASSEMBLYWOMAN ROSENTHAL: Okay, that's
23 good to hear.

24 Also, so ERAP funds -- we've got

1 27 million, the Governor asked for more. At
2 the end of the day, what happens to the
3 tenants and landlords, particularly small
4 landlords, who will not get paid? I fear
5 there's going to be many, many evictions
6 without those parties being paid.

7 What do you think about the state
8 taking up the slack? Or how else do we get
9 out of this crisis so people aren't living on
10 the street adding to the homeless population?
11 It's a crisis. And we want the federal
12 government to step up, but what happens if
13 they don't?

14 ACTING COMMISSIONER TIETZ: It's a
15 very good question, and one that concerns us
16 greatly. The Governor has committed a lot of
17 resources here and offered up, as I mentioned
18 earlier, \$2 billion for COVID-related
19 expenses, which may be one resource to
20 address this. I am reluctant to suggest that
21 we should go there promptly, given that our
22 request to the Treasury of \$1.6 billion
23 remains outstanding.

24 And so I think -- I do think that

1 this -- we should continue to press on our
2 federal friends about getting as much federal
3 resource as possible. But for the longer
4 term, it's a very fair question.

5 ASSEMBLYWOMAN ROSENTHAL: Okay.

6 And -- well, thank you. I agree with you.

7 Also -- I have very little time --
8 back to the vacancy rate in supportive
9 housing. We know that the city is requiring
10 so much documentation, and that's part of the
11 reason that it takes so long for people to
12 actually move into their units. What can you
13 do to help cut through the bureaucracy?

14 ACTING COMMISSIONER TIETZ: You have
15 mentioned this to me previously. And I --
16 we've looked into it. We don't think there
17 is a 10 percent vacancy rate. So we'd love
18 to see where you're seeing that.

19 ASSEMBLYWOMAN ROSENTHAL: Okay.

20 ACTING COMMISSIONER TIETZ: Look, the
21 city is expected, you know, to turn those
22 units in pretty much 30 days, as best I
23 understand it. So as a unit empties out,
24 whatever improvements or repairs have to be

1 made, et cetera -- and there's a whole list
2 of folks who are all set to go. Like there
3 is -- as you know, there's more demand for
4 supportive housing. They know who those
5 folks are, and they run them to those units
6 in order. I think they get to look at three,
7 they have to pick one. The turnaround
8 happens quickly. It is very much in the
9 city's interest to turn those units as
10 quickly as possible and not leave them vacant
11 for long.

12 So we're happy to discuss if you've
13 got some data for us to look at, I'm happy to
14 look at it and then talk with them.

15 ASSEMBLYWOMAN ROSENTHAL: All right,
16 thank you.

17 CHAIRWOMAN WEINSTEIN: Thank you,
18 Commissioner Tietz, for being here with us
19 today. And look forward to having continued
20 discussions as we work on the final budget.

21 ACTING COMMISSIONER TIETZ: Thank you
22 so much.

23 CHAIRWOMAN WEINSTEIN: There are no
24 more questioners.

1 ACTING COMMISSIONER TIETZ: Thank you
2 so much. It was a pleasure.

3 CHAIRWOMAN WEINSTEIN: And now we will
4 have Greg Olsen, the acting director of the
5 New York State Office for the Aging.

6 NYSOFA ACTING DIR. OLSEN: Hi. Can
7 you hear me?

8 CHAIRWOMAN WEINSTEIN: Yes. Just
9 wanted to mention -- just a reminder that you
10 have 10 minutes to make an opening -- for
11 remarks. Your testimony has been distributed
12 to all the members, so feel free to summarize
13 and not necessarily use all the 10 minutes.
14 And then there will be questions from some of
15 the members, the respective Aging chairs and
16 other members.

17 So the floor is yours.

18 NYSOFA ACTING DIR. OLSEN: Well, that
19 sounds great. I will summarize some, but I
20 promise you I'll stay within the 10 minutes.

21 So again, good afternoon, Chairpersons
22 Krueger, Weinstein, Chairpersons May and Kim,
23 all the distinguished members of the Senate
24 and Assembly standing committees.

1 Again, I am Greg Olsen, the acting
2 director of the New York State Office for the
3 Aging, and I'm really honored, as always, to
4 testify on provisions of Governor Kathy
5 Hochul's proposed budget that directly impact
6 NYSOFA programs and services, along with
7 additional budget proposals that will
8 positively impact older New Yorkers and their
9 families.

10 Governor Hochul and her
11 administration's commitment to older
12 New Yorkers is unprecedented, and I think you
13 see that within this budget looked at
14 holistically. The Governor's State of the
15 State message and subsequent proposed
16 Executive Budget contain many initiatives
17 that are positive for older adults and their
18 families. But the approach is much broader
19 than one particular agency -- it's about
20 making New York the healthiest state in the
21 nation through a multi-agency, coordinated
22 effort which focuses on improving physical
23 and behavioral health, preventive health care
24 strategies, embedding healthy aging and

1 livability principles into general government
2 and local government operations, expanding
3 age-friendly communities and age-friendly
4 health systems, expanding access to services
5 and training for older LGBTQ individuals,
6 supporting informal caregivers and working
7 caregivers, addressing disparities in access
8 to care, and so much more.

9 Utilizing the Prevention Agenda from
10 '19 to '24 as the umbrella, and instituting a
11 Health Across All Policies approach, New York
12 State agencies are incorporating health
13 considerations into our planning, programs,
14 and initiatives. As agencies, we're
15 committed to working together and considering
16 how all of our policies fulfill New York's
17 pledge as the first age-friendly state in the
18 nation. We are already meeting this pledge
19 for New York's older population, and now we
20 have the opportunity to further strengthen
21 and coordinate this vital work through the
22 Governor's proposed State Master Plan on
23 Aging.

24 This master plan is consistent with

1 the goals and work that New York has been
2 engaged in to improve communities for people
3 of all ages and create healthy environments
4 in which to grow up and grow old.

5 As you know, New York became the first
6 age-friendly state in 2018 because of that
7 foundation. And through much-needed
8 investments, the Governor's '23 Executive
9 Budget expands and strengthens this
10 foundation with initiatives that will help
11 individuals of all ages access needed
12 services and lead healthy lives. We do this
13 by maintaining all of our core services and
14 many of the legislative adds from last year,
15 investing almost \$3 million in efforts to
16 combat isolation, bridge the digital divide,
17 encompass elder abuse prevention, baselining
18 Holocaust survivors' dollars, continued
19 improvements for our New York ADRC, which is
20 called NY Connects, creating the master plan,
21 as I mentioned, and strengthening the Long
22 Term Care Ombudsman program.

23 To meet the growing needs for services
24 in the pandemic, NYSOFA received more than

1 \$149 million in federal stimulus funding that
2 we immediately distributed to all counties.
3 This funding has met a variety of needs,
4 including, in addition to the 20-plus core
5 services that are available throughout
6 New York State on a daily basis, several key
7 areas, including home-delivered meals,
8 grab-and-go meals, shopping and supply
9 delivery, prescription drug delivery,
10 critical transportation to things such as
11 dialysis and cancer treatments, combating
12 social isolation, shifting service delivery
13 to virtual programming where appropriate,
14 elder abuse mitigation and scam prevention
15 via enhanced education and outreach, helping
16 individuals get vaccinated, both at vaccine
17 sites and in the home, as well as getting
18 boosted.

19 State-level executive orders, coupled
20 with the federal disaster declaration, the
21 MDD, have allowed NYSOFA to provide counties
22 and their community-based partners with
23 maximum flexibility in the delivery of these
24 services, eliminating barriers that would

1 otherwise unduly impede responsive action to
2 community needs during the pandemic. These
3 flexibilities remain in place today while we
4 work to safely reopen community outlets that
5 were closed.

6 On a national level, our office's
7 advocacy efforts assisted in securing policy
8 and program changes that really impacted the
9 entire nation, and additional resources to
10 help older New Yorkers. We are also leading
11 a national effort under our Older Americans
12 Act Modernization proposal to better resource
13 this network and to continue to provide
14 flexibilities that will allow our counties to
15 meet locally determined needs.

16 The demands of COVID-19 have also
17 strengthened our existing core partnerships
18 with many state agencies to help New Yorkers,
19 such as our work with Ag & Markets on access
20 to food, the Department of Labor on support
21 for working caregivers, the Department of
22 Health on all COVID-related health and safety
23 issues, the Office of Mental Health on
24 addressing social isolation and mental health

1 issues magnified by COVID-19, the Office of
2 Addiction Services and Supports on prevention
3 and treatment for alcohol and substance
4 abuse, prescription safety and abuse and
5 problem gambling, the Division of Veterans'
6 Services, where 63 percent of the veterans
7 are over the age of 60, and of course our
8 partnership with OVS to expand our enhanced
9 multidisciplinary team elder abuse mitigation
10 model.

11 Throughout the pandemic NYSOFA
12 developed and tested new programs and
13 projects to assist older adults. The FY '23
14 Executive Budget provides critical funding to
15 sustain and significantly expand these
16 efforts. The Governor's budget provides the
17 support necessary to continue our
18 trailblazing initiatives like our
19 award-winning animatronic pet project, which
20 has proven to reduce loneliness, pain,
21 depression and isolation, as well as our
22 partnership with several tech platforms that
23 are bringing virtual programs into the homes
24 of older adults. This includes our

1 partnership with the Virtual Senior Center,
2 GetSetUp, leveraging the therapeutic power of
3 pets through our Pets Together platform, and
4 our partnership with the New York State
5 Council on the Arts to bring professional
6 teaching artists into the homes of older
7 adults.

8 NYSOFA has also begun partnering with
9 GoGoGrandparent, a targeted rideshare
10 service, to increase transportation options
11 and economic opportunities for older adults.

12 We're launching a multicounty
13 evidence-based intervention pilot that uses
14 complex analytics to identify caregiver
15 burnout, which is a leading cause of
16 placement in a higher level of care.

17 Our partnership with the Developmental
18 Disabilities Planning Council is working to
19 better equip and train our network to serve
20 older adults who are taking care of
21 individuals with ID or DD.

22 We teamed up with the Division of
23 Homeland Security and Emergency Services to
24 bring FEMA resources to continue providing

1 nutrition throughout New York State. Our
2 comprehensive assessment tool that we use now
3 includes a screen for social isolation and
4 technology capacity. We've partnered with
5 the Department of Health and HANYS to better
6 integrate clinical and community-based care
7 to improve outcomes for older adults under
8 the Age-Friendly Health System priority.

9 NYSOFA is also the nation's first
10 state in the country to partner with the
11 National Association of Home Builders to make
12 their Certified Aging in Place Specialist, or
13 CAPS, training available for our case
14 managers. This certification will better
15 prepare our staff to assess, recommend, and
16 incorporate home safety features into care
17 plans, helping individuals age in place and
18 prevent injuries and falls.

19 Finally, through our partnership with
20 the Health Department, we'll be expanding a
21 very successful integrated care model that
22 started in Monroe County that coordinates
23 aging services with health services, and to
24 strengthen our NY Connects program, both on

1 the data and reporting side as well as the
2 state resource directory.

3 But again, this budget is about a lot
4 more than one agency. For our lives, our
5 older adults' lives, we touch more than one
6 system, so we can't look at this budget in
7 terms of just the State Office for the Aging.
8 It really has to be examined holistically.
9 Older adults like you and me touch every
10 different system, and I've outlined just some
11 of the key areas that have also been invested
12 in. And hearing some of the other
13 commissioners speak about all the overlap
14 that occurs, whether it be in housing or
15 transportation or in SNAP benefits, et
16 cetera, the litany goes on and on. This is a
17 really significantly positive budget.

18 We're always going to continue to work
19 with anybody and everybody -- state agencies,
20 local agencies, the private sector, your
21 offices. This has always been about
22 partnerships, leveraging different assets.
23 We all can't do this alone; we have to, you
24 know, connect the dots, tighten things up

where there are cross-systems issues that impact, so that we can treat people the way they need to be treated -- holistically and not siloed.

So as always, I always look forward to being in front of you. I thank you for your longstanding support of not only my office but all of your constituents and the partnership that we've maintained over the course of many, many years. And I look forward to any questions that you have of me.

CHAIRWOMAN WEINSTEIN: Thank you,
Acting Director.

We go to Assemblyman Kim for
10 minutes, the chair of the Assembly's Aging
Committee.

ASSEMBLYMAN KIM: Thank you --

CHAIRWOMAN WEINSTEIN: Just need to
reset the clock.

ASSEMBLYMAN KIM: Thank you,
Chairwoman. And thank you, Director Olsen.
It's good to see you, and thank you for your
testimony.

I want to start off with some line of

1 questions regarding the Unmet Need Audit that
2 the State Comptroller had issued, and I want
3 to give you an opportunity to address some of
4 the concerns. But basically the audit is
5 saying that the money that we allocated to
6 meet the unmet need was inefficiently
7 allocated by your agency.

8 But I want to first focus on this
9 particular statement, which to me was the
10 most meaningful line in that audit, which
11 says: "In some cases, clients who cannot
12 withstand the wait have had to resort to
13 nursing home placement."

14 There are roughly 10,000 older adults
15 on the waiting list for basic services. An
16 implication of that line is that the more
17 they wait, the more they're pushed to older
18 adults.

19 So my first question is, to start off,
20 Director Olsen, how much do taxpayers
21 actually spend on each institutionalized
22 older adult -- you know, long-term facility
23 or nursing home?

24 NYSOFA ACTING DIR. OLSEN: Yeah, the

1 average nursing home rate, roughly, statewide
2 is about \$150,000 a year. And that's
3 primarily financed by Medicaid.

4 ASSEMBLYMAN KIM: And in some cases,
5 obviously, it goes way on, what, to
6 200,000-plus-dollars a year as well.

7 And how much do we roughly spend to
8 provide care at home for older adults, in
9 community care?

10 NYSOFA ACTING DIR. OLSEN: So in our
11 network, to provide, you know, the basic
12 package of services that somebody
13 traditionally gets is, you know, you're going
14 to get case management, because that's a
15 critically important systems issue and
16 advocate to make sure that people are getting
17 what they need holistically; usually personal
18 care Level 1 or 2; and probably a
19 home-delivered meal.

20 Now, there's a variety of other things
21 that somebody, depending on the assessment
22 and the care plan, may receive. But if we
23 just took that as kind of our starting point,
24 it costs anywhere between \$7,000 or \$8,000 a

1 year, depending on where you are in the
2 state. But it's under \$10,000.

3 ASSEMBLYMAN KIM: And I also read
4 somewhere that between 20 to 30 percent of
5 institutionalized older adults actually don't
6 need to be in those facilities if they had
7 proper support in place. Is that an accurate
8 depiction?

9 NYSOFA ACTING DIR. OLSEN: You know, I
10 don't know. So, you know, the way I'd answer
11 that, Assemblyman -- and I appreciate the
12 line of questioning -- is, you know, because
13 of how our system works, which is we're able
14 to trigger services long before somebody
15 needs the type of skilled care you would get
16 in a nursing home. Right?

17 We're able to organize not only a
18 package of NYSOFA-funded programs and
19 supports but, because of the way that we're
20 structured, leverage so many other community
21 partnerships, whether that be adult
22 protective services or the court systems or
23 working with law enforcement. And I want to
24 be quick in terms of the time that you have.

1 You know, we're able to, again, prevent
2 emergency room visits, hospitalizations and
3 nursing home admissions because we're able to
4 start earlier.

5 And I think, you know, the idea of
6 focusing on prevention is something we've all
7 talked about for decades and decades, which
8 is finally starting to be embraced, not only
9 at the federal level but also at the state
10 level, that prevention strategies matter for
11 people, their outcomes, where they want to
12 live, and certainly has cost ramifications
13 that are positive.

14 ASSEMBLYMAN KIM: Right. But another
15 way to frame this, the reason why I start off
16 with the numbers is if it's costing \$150,000
17 more, on average, to institutionalize an
18 older adult versus spending 7, 9, up to
19 30,000 in New York City, sometimes, to have a
20 community and home care in place -- another
21 way of looking at it, there's much more money
22 to be made on the other side of this equation
23 in terms of the secondary, intermediary
24 market spaces making more money. So the

1 natural market forces tend to push people
2 into institutionalized facilities because
3 there are more stakeholders out of our hands
4 that are making more money.

5 So, I mean, the point of my line of
6 questioning with that is that the auditing,
7 going back to the auditing of the
8 Comptroller -- instead of really looking at
9 the systemic and market failures that clearly
10 favor institutionalizing older adults, I
11 mean, I feel the Comptroller is taking a
12 cheap shot, a scapegoating of SOFA, which
13 should be supported even more as the only
14 agency, in my opinion, that's delivering
15 preventative solutions in a very broken
16 long-term-care system.

17 Do you have any thoughts to that
18 assessment?

19 NYSOFA ACTING DIR. OLSEN: You know, I
20 do. And I so appreciate your comments. And
21 I don't know who else, you know, read the
22 audit, but many of you know your county
23 offices for the aging. They certainly have
24 worked for me for a long time.

1 You know, I've spent 30 years of my
2 career serving your constituents, and
3 hopefully will do that for a very long time.
4 We have always had a very strong partnership
5 because aging is not political. This is
6 about helping people remain independent,
7 valuing the population.

8 And so to even suggest, to me, that I
9 myself, the staff for the agency that I've
10 been entrusted to oversee on behalf of the
11 Governor, and this network, starting with the
12 AAAs and our 1200 contractors, that we didn't
13 step up during the pandemic and provide
14 services -- which is what the takeaway from
15 this audit was -- is simply false. We have
16 doubled our service capacity.

17 So what I'm going to ask you guys to
18 do is, in addition to reading the audit, I'm
19 going to refer you to my written response to
20 the audit, because that's the facts. And it
21 corrects the inaccurate findings of the
22 audit. The data that you cited is not
23 correct in terms of the number of folks that
24 were awaiting services. That data set is

1 years and years old. And unfortunately, I
2 think much of the time that I spent
3 communicating did not wind up in the audit.

4 And it's disappointing, because it
5 puts a cloud over what this day could be,
6 which is really highlighting the incredible
7 efforts of your counties, your providers and
8 our office in doing the job that needed to be
9 done. Because job number one was serving
10 people, and that's exactly what we did.

11 ASSEMBLYMAN KIM: And I will just add
12 that the danger of the Comptroller's audit of
13 SOFA is the knee-jerk reaction that may come
14 out of it. Which may follow to further take
15 away the agency's funding streams and hand it
16 over to third-party quasi-government
17 contractors, what the Empire Center once
18 called shadowy nonprofits.

19 And I hope that, as lawmakers, that
20 that is not the reaction that we have, and
21 we'll work with you to making sure that SOFA
22 is more efficient and effective.

23 But speaking of these third-party
24 contractors, like Health Research, Inc.,

1 HRI -- and I know we've spoken about this
2 before, but does SOFA contract with HRI in
3 any capacity?

4 NYSOFA ACTING DIR. OLSEN: We don't
5 contract with HRI, Assemblyman. We have, you
6 know, fortunately gotten some really good
7 staff that worked at HRI that now have joined
8 my team several years ago. But no, we do not
9 contract with HRI.

10 ASSEMBLYMAN KIM: Are you aware of a
11 September 2014 Department of Health-HRI RFP
12 contract that was to study and prepare the
13 state for emergencies like the pandemic?

14 NYSOFA ACTING DIR. OLSEN: I am
15 familiar with it because you had raised it
16 with me last week, yes.

17 ASSEMBLYMAN KIM: And specifically,
18 the RFP gave HRI federal money to prepare for
19 hospital to nursing home surge in emergencies
20 like the pandemic. But it's my understanding
21 that other agencies that are focused on
22 community care, like yourself, and home care,
23 that not part of that discussion. Is that
24 correct?

1 NYSOFA ACTING DIR. OLSEN: You know, I
2 can't respond to that, Assemblyman.

3 What I can respond to, because HRI is
4 a -- you know, directly works with the Health
5 Department, are the efforts that our agency
6 is involved with, with DHSES and all the
7 other state agencies, as well as our
8 involvement at the county level in all the
9 emergency operations planning that, you know,
10 deal with this as well.

11 So, you know, we have a long track
12 record in working at the state level and the
13 local level and in partnership with others on
14 emergency management and preparedness. But I
15 can't speak to the HRI RFI {sic}, I'm sorry.

16 ASSEMBLYMAN KIM: That's okay. And, I
17 guess, the line of my questions is that the
18 right course of action would have been to
19 empower and include SOFA in every step of the
20 way in our state's emergency preparedness
21 plan. But that's not what happened, and I
22 hope there are some lessons learned so we
23 don't repeat the same mistakes moving
24 forward.

1 I'll just transition for my last one
2 minute for the Long Term Care Ombudsman
3 Program. The executive did not include any
4 dollars for this program, but we plan on
5 supporting and giving some teeth to this
6 program. I hope that your agency will work
7 with us on putting in some real dollars to
8 make sure that we have the proper oversight
9 program over long-term facilities.

10 NYSOFA ACTING DIR. OLSEN: Yeah, I'm
11 with you a hundred percent. I think that
12 there's a couple of things. There was
13 \$2.2 million to hire 17 additional staff in
14 the Health Department to be able to receive
15 those types of complaints from facilities
16 that really rise to that level. That's a
17 real promising thing.

18 As you guys know, the Legislature
19 passed five different bills last year
20 impacting the Long Term Care Ombudsman
21 Program. So I'm actually really excited
22 about the study. I think it's the right time
23 and right place to do that so that we can
24 really have a thoughtful, deliberative

1 process on how we empower and strengthen, you
2 know, the response for the LTCOP program to
3 be as successful as possible.

4 CHAIRWOMAN WEINSTEIN: Thank you.

5 We go to the Senate.

6 CHAIRWOMAN KRUEGER: Thank you very
7 much.

8 And we go to Chair of Aging Rachel
9 May, for 10 minutes.

10 SENATOR MAY: Thank you so much. And
11 I'm just going to run with the ball that
12 Chair Kim was starting with.

13 So first of all, going back to the
14 ummet need, the waiting list for services,
15 what is your estimate of what we should be
16 pushing for? And I agree with Chair Kim that
17 we can't let that Comptroller's report
18 deflect us from the fact that we really need
19 to meet the need for people to stay out of
20 nursing homes wherever possible.

21 So what is your estimate now of the
22 waiting lists and the people who -- or the
23 amount of money that we should be asking for?

24 NYSOFA ACTING DIR. OLSEN: So on the

1 financial front, Senator -- and thank you for
2 the question -- we have the money within our
3 networks, from the five different stimulus
4 packages, our basic federal allocation, the
5 General Fund commitment to older adults, as
6 well as the proposal to continue the
7 23 million in unmet funding.

8 Where we're seeing -- the unmet need
9 numbers have gone significantly down, and
10 that's what we all expected. Of course, you
11 know, I know that you're carrying a home care
12 bill. There are other proposals in the
13 budget to try to, you know, attract, retain,
14 increase salary, benefits, for direct care
15 workers. That's the area that we are dealing
16 with right now, is on the workforce front.

17 But, you know, we're not standing
18 around and doing nothing. So I want to let
19 you know like what we are doing. We have the
20 ability, and have since 2014 -- and, you
21 know, I have to implement tools that I have
22 within, you know, my authority, which we are
23 doing. We have the ability to negotiate
24 higher rates to incentivize aides to assist

1 our clients. We have a partnership that we
2 are strengthening with HCP that oversees the
3 LHCSAs to do exactly that: Can we target
4 particular areas where there just isn't an
5 aide available to, again, provide the types
6 of resources that would incentivize them to
7 work with us.

8 You know, I asked my staff, my legal
9 staff to review my powers and authority under
10 federal and state law, because there's a lot
11 of nuances to who makes decisions at the
12 local level. We're different from other
13 agencies, in that I don't have state staff
14 out in the community. We contract with
15 counties, counties contract out with 1200
16 organizations. I can't make them hire, I
17 can't make them spend money. And I'm not
18 suggesting that they're not doing that, but a
19 lot of times decisions are made outside of
20 the director of the county office for aging.

21 So we are looking at those tools. And
22 if I need to get more involved in, you know,
23 working with the county or directly
24 contracting to get these services turned on,

1 then I'm prepared to do that. Because I
2 cannot go home at night every day knowing
3 that for the first time in our history we are
4 resourced and then some of these things may
5 not get turned on because of misunderstanding
6 or not knowing that the funds are going to be
7 there or that they're recurring.

8 And so those are the things that I'm
9 prepared to begin to do.

10 SENATOR MAY: Okay. Thanks.

11 And then about the Long Term Care
12 Ombudsman Program. So I'm happy to hear that
13 there's funding in the Health budget for
14 receiving those complaints. We had to push
15 very hard to get that avenue opened up so
16 that the LTCOP complaints can go to the
17 Health Department.

18 But we are also asking for \$20 million
19 for hiring more paid staff in LTCOP. Is that
20 something that the ombudsman program can --
21 has the capacity to handle if we were able to
22 get \$20 million for paid staff?

23 NYSOFA ACTING DIR. OLSEN: Well, you
24 know, we switched years ago, Senator. This

1 program used to be run by the county offices
2 for the aging, and they would get about
3 \$13,000. Now, you cannot run a program on
4 \$13,000. So we consolidated, regionalized
5 it, made sure we had, you know, paid
6 full-time workers, et cetera, in the
7 15 regions.

8 So why I'm excited about this budget
9 is, you know, as some of the other
10 commissioners have said, it's the beginning
11 point. I think this issue is so important
12 that -- I know that the Governor has talked
13 about it, has met with families, has met with
14 Assemblyman Kim directly. There is
15 legislation that's been passed.

16 So, you know, I am sure that this
17 conversation is going to continue over the
18 next -- you know, over the budget
19 negotiations. But, you know, what any
20 resources -- whether they be federal, in
21 Build Back Better, where there's \$400 billion
22 for this. In my modernization plan there's
23 money for LTCOP. In the Build Back Better
24 there's 1.4 billion for the Older Americans

1 Act that would impact this.

2 However that winds up, you know, at
3 the end of this whole process it would allow
4 for additional resources and staff and
5 oversight to make sure that there's a
6 presence in facilities across the state.

7 SENATOR MAY: Okay, thank you.

8 Now let's talk about the COLA that is
9 in the budget, 5.4 percent. My understanding
10 is it only covers some of the programs, the
11 EISEP, the CSE and WIN programs, but not the
12 NORCs and not social adult day programs.

13 Is there a statutory reason for this?
14 Do you understand what the --

15 NYSOFA ACTING DIR. OLSEN: Yes, I do.
16 Let me explain, because I know that that's
17 the way that it appears.

18 So it's almost \$6 million. And the
19 way that this is implemented, by what you
20 have read, is CSE covers every single service
21 that we provide, including social adult day.
22 You know, EISEP covers a variety of services,
23 not just in-home care. And WIN provides a
24 variety of nutrition programs. So those

1 collectively really make up the network.

2 We have had conversations, and I'm
3 pleased to report to you that we are going to
4 be including the types of tasks within the
5 NORC program that are consistent with the
6 provisions in CSE. And then again, because
7 of the additional revenues that we have,
8 social adult day programs not only would be
9 covered under this COLA, within our budget,
10 because that's a fundable service through two
11 of those three funding streams, but also the
12 additional 149 million and the additional
13 48 million proposed to continue unmet need --
14 we think we'll be able to get there.

15 SENATOR MAY: Okay, thank you.

16 And let's talk about the
17 home-delivered meals. The people who do the
18 deliveries, are they just volunteers? Do
19 they get paid? At what rate do they get
20 paid? Does the COLA apply to them?

21 NYSOFA ACTING DIR. OLSEN: Yes, the
22 COLA absolutely applies to them. I mean,
23 we've had a 100 percent increase in
24 nutrition. That has been the biggest impact

1 of the pandemic.

2 So it's a mix and match. There are
3 obviously paid staff. There are paid staff
4 that prepare meals, there are paid drivers.
5 And there are volunteers who help prepare
6 meals and volunteers who help, you know,
7 deliver meals, depending on where that you
8 are.

9 But of course that is a main part of
10 where we want to try to get resources. We
11 operate the largest nutrition program for
12 older adults in the nation. We're doing
13 about \$30 million a month.

14 In addition, as I mentioned, we
15 partnered with DHSES to make sure that we had
16 access to the same FEMA emergency nutrition
17 money that New York City applied for. So
18 that is ongoing. What that will do is not
19 only bring a lot of federal resources in, but
20 it will help stretch our existing dollars
21 further because we can spend those FEMA
22 resources first.

23 SENATOR MAY: Okay. And then the
24 Master Plan for Aging, what is your plan for

1 that? What is the timeline, what would be
2 the process, how can we make sure that this
3 is not just something that sits on a shelf
4 but is actually put into practice?

5 NYSOFA ACTING DIR. OLSEN: Yeah, well,
6 I'm with you, Senator. I want to make sure
7 we have a good outcome out of that.

8 As I mentioned to you last week, and
9 for those who are listening, you know, we've
10 been doing this type of work since 2006.
11 This is really an opportunity to build on the
12 Prevention Agenda, Health Across All
13 Policies, Age-Friendly New York, age-friendly
14 health systems, dementia-capable health
15 systems, all the work on the economic
16 development side with downtown
17 revitalizations. And then many of the
18 proposals that the Governor put in her budget
19 that impact other agencies, from housing to
20 increases in mental health and access, in
21 transportation -- I mean, the litany goes on
22 and on.

23 We need to coordinate that, because
24 people again don't live in isolation, and

1 agencies shouldn't be operating in isolation
2 of each other. This all matters to create
3 healthy environments.

4 So we have put together a draft
5 implementation plan that we're talking to the
6 Governor's office now about. And then you
7 know me, Senator -- this is going to be an
8 all hands on deck. This is -- the more
9 voices of different individuals with
10 different experiences that can come together
11 to make this plan work and build upon what
12 we've been doing to make New York the
13 greatest state -- not an exodus state, but a
14 state people want to move into. Because I've
15 lived here my whole life. I love this state.
16 It's an awesome state -- that's the goal.

17 So stay tuned when -- we want to get
18 out of the gate running as soon as possible
19 so that we can start our work and, you know,
20 the Governor put, you know, a 1.5 million,
21 two-year commitment forward to help with
22 that. And then we are working with a variety
23 of foundations and other public and private
24 partners. So I think this is going to be

1 really exciting.

2 SENATOR MAY: Great. Thank you so
3 much. Great to see you.

4 NYSOFA ACTING DIR. OLSEN: Thank you,
5 Senator.

6 CHAIRWOMAN KRUEGER: Thank you.

7 Assemblymember Clark is next, I
8 believe?

9 CHAIRWOMAN WEINSTEIN: Yes. Yes. I'm
10 here, yes.

11 Just so people know, the order is
12 Assemblymember Clark, then Mamdani, then
13 Simpson, then Forrest.

14 ASSEMBLYWOMAN CLARK: Hello. Thank
15 you, Director Olsen, for being here. I'm
16 excited for the opportunity to chat with you
17 about some people we all love the most, our
18 older adults in New York State.

19 I'm going to just sort of jump on the
20 Long Term Care Ombudsman Program a little bit
21 more, given some of the numbers in New York
22 State. We have the fourth-most number of
23 folks living in long-term-care facilities in
24 the country, yet we only rank 17th in state

1 funding for the Ombudsman Program. And if
2 you look at it per bed, we're \$7 per bed,
3 which puts us at 39th in the state.

4 From what we've heard from advocates
5 and those that work in this space, that the
6 Ombudsman Program really -- the best
7 practice, the most effective way to use it,
8 is that there is an ombudsman visiting every
9 facility in the state at least once a week.
10 So I guess -- obviously I am in full support
11 of a \$20 million budget ask that we will be
12 pushing for this year. But do you really see
13 any way for the Ombudsman Program to be
14 effective without it going to a more
15 staff-based program instead of so heavily
16 reliant on volunteers?

17 NYSOFA ACTING DIR. OLSEN: Yeah, thank
18 you, Assemblymember. Appreciate the
19 question. The answer is no. Which is why I
20 am pushing this national Older Americans Act
21 Modernization plan.

22 Our entire network, the way that we've
23 been structured, has a lot of paid staff but
24 is heavily reliant on volunteers. That's in

1 meal delivery, working in senior centers, our
2 Health Insurance Information, Counseling and
3 Assistance Program, our Long Term Care
4 Ombudsman Program. That model worked in
5 1965; it does not work in 2022. So my plan
6 calls for \$2.7 billion, which would bring an
7 additional 175 million to New York State to
8 do exactly what you're talking about.

9 This is a very professional network
10 that works with doctors, nurses, emergency
11 room departments, rehab, nursing homes,
12 hospitals -- and we need to have a staff that
13 reflects that professionalism. I am so
14 thankful for all the volunteers we have. We
15 have over a million volunteers, you know,
16 that are providing \$13.8 billion worth of
17 service. And we will always be trying to
18 recruit them, but that is not a sustainable
19 service delivery model.

20 And then when you go through the
21 pandemic, as I know -- you're smiling and
22 shaking your head. You know this as well as
23 I do, what happened. The folks who are
24 volunteers were the ones who are most

1 susceptible to COVID. Yet they risked their
2 lives to do the work. And I can't thank them
3 enough.

4 But, you know, we do. Which is why
5 I'm excited about the study. I think this is
6 an opportunity to do something --

7 ASSEMBLYWOMAN CLARK: I'm sorry, I
8 don't mean to cut you off. I believe that I
9 could on with this forever, but I do want to
10 just spin real quick to a very quick
11 question, or put it on your radar. Lifespan
12 did a pilot program which was called the
13 Community Care Connections, and it used
14 Medicaid dollars to have a caseworker work
15 with primary care physicians to actually take
16 care of what we consider the critical
17 services our older adults need.

18 One of the ways that we could expand
19 that through the state is to put more money
20 in the critical service pot across the state
21 and also allow it to be able to hire
22 caseworkers and case managers to work with
23 primary care physicians to actually get our
24 seniors the services they need, to save

1 dollars from emergency room visits,
2 healthcare and medical needs.

3 So putting it out there as an idea.
4 Thanks.

5 NYSOFA ACTING DIR. OLSEN: Whoa, whoa.
6 I want to answer because you're going to love
7 my answer.

8 So first of all, Assemblyman, my --
9 (Zoom interference, overtalk.)

10 CHAIRWOMAN WEINSTEIN: Yeah, we --
11 yeah, we've gone over the time. The
12 Assemblywoman went over the time --

13 ASSEMBLYWOMAN CLARK: We can follow up
14 later.

15 (Overtalk.)

16 NYSOFA ACTING DIR. OLSEN: -- there's
17 \$75 million that we're going to expand that
18 program.

19 CHAIRWOMAN WEINSTEIN: To the Senate.

20 NYSOFA ACTING DIR. OLSEN: Sorry about
21 that.

22 CHAIRWOMAN WEINSTEIN: I see you have
23 some more Senators, and we have a number of
24 Assemblymembers.

1 CHAIRWOMAN KRUEGER: We do, thank you.

2 Senator Roxanne Persaud.

3 SENATOR PERSAUD: Thank you, Director.

4 A couple of questions I have are pertaining
5 to food delivery, home deliveries.

6 First, we have a number of agencies
7 and, you know, the reports are telling us
8 about the waitlists for food delivery. Could
9 you tell us how you're addressing that?

10 And then also, how are you addressing
11 the -- meeting the dietary needs and the
12 cultural needs in the food delivery for the
13 seniors?

14 NYSOFA ACTING DIR. OLSEN: Okay, I
15 don't mean to ask a question back at you, but
16 I'm shocked to hear you say that. So where
17 are you saying that there is any waitlist for
18 home-delivered meals?

19 SENATOR PERSAUD: My district in
20 New York City.

21 NYSOFA ACTING DIR. OLSEN: So New York
22 City has had a broad FEMA grant since the
23 beginning of the pandemic that anybody over
24 65 years old is categorically eligible for.

1 That is still running today. That was, as
2 you know, overseen by the now-State Ops
3 Director Kathryn Garcia.

4 New York City DFTA, who is our AAA
5 that represents the five boroughs, received
6 almost half of all the stimulus money and
7 receives almost half of all the federal and
8 state funding that goes out the door. So if
9 there is anybody waiting for meals, they need
10 to be connected to the organizer who's
11 continuing the FEMA project, because that's
12 100 percent federal dollars that can meet the
13 need.

14 In terms of RD standards, you know,
15 those were waived during the pandemic but we
16 still tried to maintain them. All of our
17 meals and menus are RD-certified. They meet
18 the highest national standards. It was only
19 in the very beginning of the pandemic where
20 we were trying to get, you know, meals out
21 the door regardless. And, you know, we
22 weren't always able to meet the highest
23 standard at that time, but we've been back on
24 that -- on that piece for a very, very long

1 time.

2 In terms of cultural meals, those are
3 things we work very closely with our RDs,
4 with our counties, because that is critically
5 important for a lot of pockets around the
6 state, to make sure that the meals that are
7 being delivered do exactly what you say.
8 They're not going to be used if they don't
9 meet the taste and the way that meals are
10 prepared for certain populations.

11 If that's not happening, please, you
12 know, follow up with me.

13 SENATOR PERSAUD: I definitely will,
14 because I still -- as of last week I had
15 complaints about that, the need for --
16 particularly in a certain community, for
17 kosher delivery and Bengali delivery and
18 stuff like that. So I will definitely follow
19 up with you.

20 NYSOFA ACTING DIR. OLSEN: Wonderful.

21 SENATOR PERSAUD: And again, thank you
22 very much.

23 NYSOFA ACTING DIR. OLSEN: Thank you,
24 Assemblywoman {sic}.

1 CHAIRWOMAN WEINSTEIN: We go back --

2 CHAIRWOMAN KRUEGER: I'm sorry, that
3 was our Senator. Back to the Assemblywoman.

4 SENATOR PERSAUD: Back to the
5 Assembly.

6 (Laughter.)

7 CHAIRWOMAN WEINSTEIN: We go back to
8 the Assembly.

9 Assemblyman Mamdani.

10 ASSEMBLYMAN MAMDANI: Thank you so
11 much, Chair.

12 Thank you, Director Olsen. I'm just
13 going to jump into it, in the interests of
14 time.

15 Governor Hochul previously spoke of
16 the need for wage increases for healthcare
17 workers, yet there is no such increase within
18 her budget proposals. While these workers
19 are eligible for the one-time bonus that the
20 Governor has put forward, I haven't seen any
21 research that bonuses alone will solve
22 New York's worst-in-the-nation home care
23 shortage.

24 Does your agency have any data to

1 support the idea that a one-time bonus will
2 address this shortage?

3 NYSOFA ACTING DIR. OLSEN: I do not,
4 Assemblyman. I thought, when I went through
5 the State of the State and the proposed
6 budget, that there were quite a few
7 investments in the healthcare/long-term-care
8 workforce, with real dollars, bonuses, and a
9 Medicaid enhancement.

10 That's not my area of -- that's not
11 what we do, but I do look through all the
12 others just to again show the value of the
13 budget looked at holistically.

14 I completely agree with what you guys
15 have raised today. I think that's the value
16 of these hearings, is that, you know, you do
17 not want to provide -- even though the intent
18 is right, you don't want to provide a bonus
19 that's going to then knock people off of, you
20 know, Medicaid or earned income tax credit,
21 you know, SNAP, HEAP, other types of
22 benefits. So I think that your raising that
23 today, not only to me and to the other
24 commissioners, will help get it into the mix.

1 because nobody's trying to do harm. I think
2 like the last commissioner just mentioned,
3 it's about trying to improve people's
4 economic security. So your raising the
5 benefit cliffs is critically important.

6 ASSEMBLYMAN MAMDANI: Thank you. And
7 I think just to assert -- my interest
8 fundamentally is that any increase that we
9 put forward should be a permanent one,
10 because while a one-time increase is a good
11 thing, frankly the need is at the level of
12 permanent wage increases. And I hope to see
13 that matched.

14 With my final question, Director
15 Olsen, I wanted to just let you know that a
16 few weeks ago Budget Director Robert Mujica
17 said that, quote, Home care workers were
18 taken care of with minimum wage.

19 What do you believe he meant by that
20 statement, and would you agree with him?

21 NYSOFA ACTING DIR. OLSEN: I did not
22 hear that statement. I think -- I'm not
23 quite sure where we are in the phase-in with
24 the minimum wage. I do know what aides are

1 paid. I know -- again, we have a fairly
2 large in-home program also for people who are
3 just above the Medicaid rate. And the rate
4 that we're paying PC 1 and 2 is around \$25 an
5 hour, so that's where the aides are getting
6 \$12, \$13. And that certainly is not a wage
7 that can help people maintain themselves
8 without applying for other benefits, and it
9 certainly doesn't assist people in trying to
10 get into a business that's very, very
11 difficult.

12 So I'm not really sure what he was
13 speaking to, but I think the overall idea is
14 that this is the largest-growth area of
15 business in the entire country, to take care
16 of, you know, not only older adults but
17 younger people with disabilities, people that
18 might have MS or early-onset Alzheimer's, and
19 I think we all collectively have to figure
20 out how to do it.

21 ASSEMBLYMAN MAMDANI: Thank you,
22 Director Olsen.

23 CHAIRWOMAN WEINSTEIN: Thank you.

24 We go back to the Senate.

1 CHAIRWOMAN KRUEGER: Thank you.

2 And five minutes for our ranker, Sue
3 Serino.

4 SENATOR SERINO: Thank you, Madam
5 Chair. And it's great to see you, Director.

6 I'm just going to say for the record
7 I'm disappointed to see Lifespan cut, and I
8 hope you're going to advocate for its
9 restoration.

10 I also have a number of questions for
11 the Master Plan for Aging, but I'd like to
12 follow-up with you afterwards, offline, just
13 for the sake of time.

14 So I'll start. I see a small note in
15 your testimony about NYSOFA partnering with
16 GoGoGrandparent, a targeted ridesharing
17 service, to increase the transportation
18 options and economic opportunities for older
19 adults. And I know you know for years I've
20 been trying to highlight the transportation
21 challenges that older New Yorkers face. And
22 I carried the bill that would establish a
23 pilot program where older New Yorkers could
24 trade in their vehicles for transportation

1 credits.

2 I'm just wondering if you can talk
3 about the GoGoGrandparent partnership.

4 NYSOFA ACTING DIR. OLSEN: I certainly
5 can, Senator, and thanks for that.

6 And your last point was the
7 economically sustainable transportation
8 project that we started years ago that wound
9 up never taking off the ground,
10 unfortunately. But yeah, so -- you know, and
11 again I think all of these things we're
12 talking about really address, I think, some
13 of the misinformation in the audit. These
14 are the types of things that we've been doing
15 for the last two years.

16 So GoGoGrandparent originally started
17 by training people specifically in the needs
18 of older adults, and it was using Lyft and
19 Uber. Since our partnership with them, now
20 you can directly sign up with GoGoGrandparent
21 to be a driver. So that's what I mean by the
22 economic opportunity. You can actually have,
23 not only with GoGoGrandparent, but
24 GetSetUp -- individuals who are older can

1 join the gig economy and actually get paid
2 for what they're doing.

3 So what we're doing now is we've
4 developed a campaign that really has three
5 phases. We're working with Becky Preve and
6 the Association on Aging, with some of our
7 counties, with NYSAC. We have capacity in
8 quite a few counties, meaning there's a lot
9 of drivers that are already part of
10 GoGoGrandparent. So we're going to be
11 targeting older adults in those areas that
12 the service is available, targeting
13 caregivers that this service is available --
14 because an older adult may say "I don't need
15 the ride because my son gives me a ride four
16 days a week," but the son would say no -- and
17 that would be really helpful, and then build
18 capacity in the rest of the state where we
19 don't have drivers yet.

20 So we had already begun that
21 partnership, and then the Governor proposed
22 in my budget an additional \$500,000 to do
23 those three things. I am super-excited about
24 this.

1 SENATOR SERINO: Good. That's great.

2 I'm going to go on to my next question
3 because I don't want to run out of time. You
4 know, while nursing home oversight does not
5 fall under your administration's purview, the
6 Long Term Care Ombudsman Program does. And
7 as you know, the state directly and
8 indirectly shut the program down during the
9 pandemic, leaving an already vulnerable
10 population without critical advocates.

11 So knowing this, do you believe that
12 the state effectively prioritized the health
13 and safety of older New Yorkers throughout
14 the pandemic, and do you believe that the
15 state should perform a full review of its
16 pandemic response, especially as it relates
17 to older New Yorkers, really to better
18 understand what was done well and what
19 wasn't, and to ensure we are better prepared
20 to protect this population if and when we
21 face a future pandemic crisis?

22 NYSOFA ACTING DIR. OLSEN: So, you
23 know, to say it was a difficult situation for
24 residents and families would be an

1 understatement. I guess I'll leave you with
2 this, Senator: You never know where you're
3 going until you know where you've been.

4 SENATOR SERINO: Right. Absolutely.
5 And that's why I am a firm believer that we
6 have to look back and delve into what went
7 wrong and what went right. So thank you for
8 that.

9 My next question, though, is very
10 interested to see a \$500,000 appropriation to
11 develop the State Master Plan for Aging. Can
12 you describe the process you'll undertake to
13 complete the plan? Is it expected that
14 additional funding would follow to then
15 implement the plan? And is there a time
16 frame established for this process?

17 NYSOFA ACTING DIR. OLSEN: So the
18 \$500,000 you talked about is for this year.
19 There's also, in the financial plan, a
20 million dollars for next year. We have
21 foundations like the Hartford Foundation, The
22 Atlantic Philanthropies, SCAN, the Health
23 Foundation of Western and Central New York.
24 There's over 200 organizations.

1 So as I mentioned, we have developed a
2 draft implementation plan that we have had
3 conversations with the Governor's office on.
4 You know, this is a multiyear effort, I would
5 suspect, given all the pieces that are in
6 there, including long-term-care reform. So
7 one of the ideas I have is, you know, there
8 was a bill passed to reimagine long-term
9 care, I believe that was Senator May's bill.
10 Those types of things all need to be folded
11 into this.

12 But the master plan, Senator, which is
13 what I like about the master plan in
14 age-friendly, is it's not just about older
15 people. There's a huge focus on that, and
16 rightly so. This is birth to death, what do
17 communities need to do, how do you pull all
18 the various agencies and subagencies at the
19 community level together to create
20 environments that are healthy for people to
21 grow up and grow old. And that's really the
22 opportunity I think that we have, and really
23 a signature piece for this Governor.

24 SENATOR SERINO: Great. Excellent.

1 Thank you. Thanks, Director.

2 CHAIRWOMAN KRUEGER: Assembly.

3 CHAIRWOMAN WEINSTEIN: We go to
4 Assemblywoman Forrest.

5 ASSEMBLYWOMAN FORREST: Hi. Thank you
6 so much for being here.

7 My question -- I thought Simpson was
8 ahead of me. I didn't prepare my questions.

9 Chair, I need to pull up my question
10 because I thought Simpson was going ahead of
11 me. So just give me one second.

12 CHAIRWOMAN WEINSTEIN: Okay, why don't
13 we go to Assemblywoman González-Rojas then,
14 and then we'll come back to you.

15 Jessica, are you there,
16 González-Rojas?

17 (Overtalk.)

18 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: I'm
19 sorry, I thought Phara was speaking --

20 ASSEMBLYWOMAN FORREST: Well, I found
21 my question.

22 CHAIRWOMAN WEINSTEIN: Phara's back
23 on, okay. Okay, she's there.

24 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Okay,

1 let Phara go and then you come back to me.

2 CHAIRWOMAN WEINSTEIN: Yes.

3 ASSEMBLYWOMAN FORREST: All right. So
4 thank you so much, Director.

5 My question really is regarding the
6 home care workers. It's clear that New York
7 is in the best financial shape that we've
8 been in in decades. I mean, when we talk
9 about a \$5 billion surplus, that makes me
10 excited. So now it seems like this is the
11 moment to invest in the care workforce that
12 keeps our communities and economies strong.

13 Especially when we look, during the
14 pandemic, at women of color doing the
15 essential work that keeps our communities
16 moving, I think they definitely deserve not
17 to be left behind, and in fact need to be at
18 the forefront.

19 So wouldn't a real raise increase be
20 much better than an investment like a
21 one-time bonus?

22 NYSOFA ACTING DIR. OLSEN: Yeah, and I
23 agree with you. I mean, workforce -- you
24 guys have asked every person so far on the

1 workforce issue. It's an issue, from the
2 nonprofit sector to long-term care to
3 healthcare.

4 What I read in the budget was multiple
5 ways to increase salaries for staff in
6 healthcare, long-term care, et cetera, in
7 addition to the bonus. So I am not clear --
8 because that is not under my authority --
9 that it's just a bonus. I saw many other
10 things that are in there.

11 And I think, you know, if a bonus
12 knocks people off of benefits, that's not a
13 good outcome. And a one-time bonus does not
14 really do anything to recruit and retain
15 workers.

16 ASSEMBLYWOMAN FORREST: Right. Right.
17 And I would agree. As a nurse, I
18 understand -- not only as a nurse who visited
19 people at home and see that they're literally
20 holding onto benefits to keep afloat, but on
21 the other side, these are skilled-care
22 workers. Like they learn something to
23 provide the care to keep our most vulnerable
24 populations home. And they deserve a fair

1 wage increase, and not just a one-time bonus,
2 thank you, that really doesn't mean much at
3 the end of the day.

4 But thank you so much for your
5 comments. I return my time.

6 NYSOFA ACTING DIR. OLSEN: Sure.
7 Thank you, Assemblywoman.

8 CHAIRWOMAN WEINSTEIN: Senator
9 Krueger, did you --

10 CHAIRWOMAN KRUEGER: Thank you. Yes,
11 I have a few questions, and then I pass it
12 on -- I'm sure Senator May has a second round
13 after this.

14 CHAIRWOMAN WEINSTEIN: So 10 minutes
15 for Senator Krueger.

16 CHAIRWOMAN KRUEGER: I won't need
17 10 minutes.

18 But thank you very much, Greg. I
19 just -- I think that both chairs did an
20 excellent job laying out the bigger picture
21 for your agency, so I urge you to be an even
22 more assertive advocate for the population of
23 older New Yorkers, who are waitlisted in many
24 ways on many different programs.

1 And I just want to reiterate the point
2 of Senator Persaud. I represent Manhattan.
3 On the East Side of Manhattan we have formal
4 waiting lists for Meals on Wheels. I got a
5 call from Visiting Nurse Service yesterday;
6 they are not able to get meals for vulnerable
7 New Yorkers leaving hospital stays.

8 So I don't know who's telling you
9 what, but I'm telling you this is not being
10 addressed adequately at this point in time.

11 And kudos to Kathryn Garcia when she
12 was working for the City of New York, doing a
13 phenomenal job trying to feed more
14 New Yorkers than I think has ever been done
15 by any government in history. But things are
16 not working right now. So --

17 NYSOFA ACTING DIR. OLSEN: So,
18 Senator --

19 CHAIRWOMAN KRUEGER: -- if you have
20 the ability to track this -- yes.

21 NYSOFA ACTING DIR. OLSEN: Senator,
22 why are folks not able to access the federal
23 funding for this? So that's where I'm not
24 clear. I don't understand -- if you have

1 somebody who is older, they're eligible for
2 the FEMA-funded meals. Where's the
3 disconnect?

4 CHAIRWOMAN KRUEGER: You actually have
5 to tell me. We tracked back to the one group
6 who supposedly evaluates your eligibility,
7 says you're eligible, passes that along to
8 somebody else, who says there's a waitlist to
9 be added to getting you the food.

10 So I don't know whether it's a money
11 issue, a staffing issue, a -- I don't know
12 why. That's why I asked you as the
13 commissioner.

14 NYSOFA ACTING DIR. OLSEN: So under
15 the MDD, anybody 60 and over is eligible for,
16 you know, DFTA meals -- the dollars we give
17 to DFTA. And under FEMA it's 65 and over.
18 There are no eligibility requirements.

19 So if that's a recommunication we need
20 to have with DFTA, we certainly will. I've
21 been expressing that message for two years
22 now, that we have these flexibilities that
23 you have to put in place because job number
24 one is to serve people. So we will double

1 back on that.

2 CHAIRWOMAN KRUEGER: Please do.

3 Because maybe DFTA has an answer for you.

4 But I just want to assure
5 Senator Persaud, and I suspect other
6 legislators here at this hearing, that no,
7 you're not imagining it, Roxanne, we really
8 aren't able to get meals for seniors in many
9 neighborhoods in New York City.

10 Second, I am also disturbed if in fact
11 the Department of Budget, Division of Budget
12 said the home care workers have been taken
13 care of. Because we know we have a crisis in
14 home care, right? We do know that, don't we,
15 Commissioner?

16 NYSOFA ACTING DIR. OLSEN: Yes, we do.

17 CHAIRWOMAN KRUEGER: Okay. So if we
18 have a crisis, we need answers. And I
19 suspect the answers involve adequate pay for
20 people to be able to -- I understand in
21 upstate New York it's even worse than in
22 New York City, and that home care workers
23 aren't even able to afford the vehicles they
24 would need to get to and from the locations

1 that we need them in.

2 So tell me what more we're going to be
3 doing in this year's budget to address that
4 crisis.

5 NYSOFA ACTING DIR. OLSEN: Well, I
6 think your raising this not only at this
7 table -- but I'm sure you will as well at the
8 Health table on the critical need -- is
9 important.

10 I think for us, you know, what we're
11 trying to do is continue to educate the
12 counties and their contractors that -- the
13 contract with LHCSAs -- that they have the
14 ability to raise their own rates. We're not
15 bound by Medicaid rates or MLTC rates; we can
16 do that.

17 We've been working with counties
18 directly to have them hire aides on the
19 county payroll, which takes care of the
20 transportation problem, because they can use
21 cars. They have -- they're in the state
22 retirement system, they're receiving a living
23 wage with benefits.

24 We are also working with HCP that

1 represents the LHCSAs so that we can identify
2 those areas where there are not aides
3 available, and to work with them to try to
4 recruit them through some of these tools that
5 I talked about.

6 Under the Medicaid side, again, that's
7 not what we do, unfortunately. I'm hoping
8 that Build Back Better gets back on track;
9 they're starting to talk about that again.
10 There's dollars there. There's dollars in
11 Build Back Better for our network, another
12 \$150 million. If the pool of Medicaid
13 PC aides and home care goes up, that will
14 have a trickle-down effect in better access
15 for us as well. But it's a challenge.

16 CHAIRWOMAN KRUEGER: Thank you. I
17 cede back my other minutes. Thank you,
18 Assemblywoman.

19 NYSOFA ACTING DIR. OLSEN: Thanks,
20 Senator. Thanks for calling me Greg, too. I
21 appreciate that.

22 (Laughter.)

23 CHAIRWOMAN WEINSTEIN: We go to
24 Assemblywoman González-Rojas.

1 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Thank
2 you, Chair. Hello, Director Olsen.

3 NYSOFA ACTING DIR. OLSEN: Hello.

4 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: I also
5 want to underscore my concern for the home
6 health workers. I feel like no one should be
7 in a job that works so hard and is -- and
8 needs benefits, right? I mean, if they're
9 not losing benefits -- they shouldn't have to
10 have these public benefits, they should be
11 paid enough and have the benefits included on
12 which they could live with dignity as they
13 help serve our families.

14 And I'm someone who has used a home
15 health aide when I broke my leg about
16 11 years ago, so I know the -- how vital
17 their care is.

18 But since a lot of people talked about
19 that, I'll move on to another issue that I
20 care deeply about. We know that given the
21 fiscal and eviction crisis that's been
22 exacerbated by COVID, it's more important
23 than ever to protect our older tenants. And
24 I see \$2 billion for eviction legal

1 representation. I'd love to share more about
2 what -- how that would protect older
3 immigrant adults with disabilities. And I
4 ask that because I have a bill that would
5 expand eligibility for the disability rental
6 income exemption program, DRIE, to extend it
7 to undocumented immigrants who are our elders
8 and have disabilities. And I hope this is
9 something the administration will get behind.

10 But in the meantime, I want to hear
11 about how that \$2 billion would be used. And
12 specifically for undocumented immigrant --

13 NYSOFA ACTING DIR. OLSEN: So,
14 Assemblywoman, that's a great question. I
15 was as excited to see that as you were.

16 That is not under our budget. I
17 believe that's under OTDA or OCFS. It's
18 \$2.2 billion not only for, you know, rental
19 assistance but to basically replicate the
20 legal service protection in -- that the city
21 has had for a while, in upstate New York to
22 provide legal representation for eviction.

23 But there's also a variety of other
24 funding around the housing areas, the

1 eviction, rental assistance, et cetera. So I
2 have the same question as you because I think
3 that, you know, our next step for all the
4 great things that are in the budget -- once,
5 you know, we get to the finish line here,
6 depending on what gets passed and what
7 doesn't -- is to make sure that all of our
8 counties and their providers know who the
9 point of contact is for all of these things.

10 Because, you know, we don't operate
11 this program, but we deal with evictions all
12 the time. We work with Mark Streb and his
13 coalition of, you know, housing preservation
14 providers across the state. And these are
15 the things we need to know, is when you're
16 subject to something like this, where do you
17 go so that you're not making 17 phone calls
18 and there's nobody on the other end picking
19 up the phone and you have an automated system
20 and -- that's just not helpful for anybody.

21 So I don't -- I don't oversee that.
22 I'm sorry I can't answer that in more detail.

23 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Thank
24 you. And just to affirm what you just said,

1 like no older adult wants to navigate these
2 complicated systems, particularly ones that
3 may not speak English or, you know, are
4 English-dominant. So thank you.

5 NYSOFA ACTING DIR. OLSEN: Right.

6 CHAIRWOMAN WEINSTEIN: We send it back
7 to the Senate.

8 CHAIRWOMAN KRUEGER: Oh. Thank you.

9 I believe we have Senator Rachel May,
10 the chair, for her second round.

11 SENATOR MAY: Right, yeah. Thank you.

12 So Greg, you fielded a lot of
13 questions about home care, even though I know
14 the home care workforce isn't under your
15 auspices. But you have been successful in
16 embedding in your budget something that ought
17 to be obvious, which is that investments in
18 helping seniors age at home result in savings
19 to Medicaid. And you've actually had line
20 items put in the budget that way.

21 Can you give us advice about how we
22 can carry that reasoning over into the health
23 budget so that we can argue that investments
24 in raising wages for home care workers

1 actually have a rate of return that's
2 probably higher than the investment within
3 the budget?

4 NYSOFA ACTING DIR. OLSEN: Yeah, it's
5 a great question, Senator. And, you know,
6 having been around a really long time, what I
7 learned -- you hope you get smarter over
8 time, right? I learned that if you don't
9 have data and metrics behind what you're
10 talking about, anecdotes just don't work. We
11 know how important these things are.

12 So what we did to initially win that
13 15 million -- and subsequently, you know, you
14 have added to that, in partnership with your
15 colleagues last year, and then it's been
16 baselined. So we're looking at, you know,
17 \$76 million over a four-year period if this
18 budget passes. We looked at what happens to
19 people. If we're able to -- if you're not on
20 Medicaid, which our folks are not -- our
21 average person is an 83-year-old female who
22 lives alone, low income, four chronic
23 conditions, two ADL limitations and six IADL
24 limitations. On paper, they could spend down

1 to Medicaid. But by providing all of these
2 services that we provide, in conjunction with
3 many other systems, we looked at what
4 happened to people who weren't able to access
5 them and found that almost 20 percent wind up
6 on Medicaid, either in a nursing home or MLTC
7 or community Medicaid. And it's not hard to
8 do the math on that.

9 And in addition, the average person
10 stays on our caseload for between four and
11 seven years. So there's outyear savings to
12 that, not to mention they don't have to spend
13 down and lose those assets, and they stay
14 where they want to stay, which is in their
15 home and community.

16 SENATOR MAY: Great. And then my last
17 question is about family caregivers who are
18 part of this workforce that we don't talk
19 about enough. Your office works to help
20 family members do the work that they need to
21 do, right? You do training and that sort of
22 thing for family caregivers.

23 NYSOFA ACTING DIR. OLSEN: Yes.

24 SENATOR MAY: I have carried a bill

for a family caregiver tax credit because it costs a lot of money for people to care for someone in their home.

So I -- we're running out of time, but I really want us to make sure that family caregivers are on our radar and we're thinking about how to help them.

NYSOFA ACTING DIR. OLSEN: Yup.

Caregivers are central to healthcare, long-term care, social services. They are providing the bulk of care in this nation and in this state, no question.

SENATOR MAY: Thank you.

CHAIRWOMAN WEINSTEIN: Thank you.

We go to Assemblyman Jones, three minutes.

ASSEMBLYMAN JONES: Hello,
Commissioner, how are you? Or Director.
How's it going?

NYSOFA ACTING DIR. OLSEN: Great,
Assemblyman.

ASSEMBLYMAN JONES: I didn't know I was up right now, but that's good.

Have to emphasize -- you know, I know

1 it's been said numerous times here about our
2 home care workers, desperately needed. I
3 think there's two issues going on there,
4 obviously pay and recruitment. Because, you
5 know, maybe -- well, that will go hand in
6 hand, so I have to put in, you know, my call
7 for that as well. And I know many on this
8 hearing want to work towards getting more
9 fair wages for our most important -- or some
10 of our most important workers that we have,
11 taking care of our loved ones, letting people
12 age in place. That's what we want for our
13 family and neighbors and our loved ones. So
14 anything we can do to help that process, I'm
15 all for.

16 I know it's -- I don't know, I missed
17 some of this, I was down in session and in
18 conference. But, you know, I've had a great
19 relationship with you and your office going
20 back to my county days and working with our
21 local office of the aging, and certainly do
22 appreciate that.

23 But there was an audit that was put
24 out there, and I know you responded to that,

1 Director. Do you care to elaborate a little
2 more on that? I'm sure it's been asked, but
3 I missed it myself.

4 NYSOFA ACTING DIR. OLSEN: Yeah, it
5 has been. As I mentioned, Assemblyman, I
6 appreciate your comments because, you know,
7 you specifically, in the various roles that
8 you've played, you know the work of our
9 office, you know the challenges at the county
10 level, but you know the yeoman's efforts that
11 the county office for the aging in the two
12 areas that you represent -- but prior to
13 that, in Franklin County -- you know what
14 they do.

15 All I can say is I'll refer you back
16 to our written statement on the audit because
17 that's factual. This unfortunately put a
18 very negative cloud over what we do --
19 frankly, I believe inappropriately. I think
20 my statement speaks for itself. We will be
21 providing the Legislature, as I promised, a
22 report this year. The reason that that was
23 delayed was because, as you know, again --
24 and for those of you who have worked at the

1 county, when you start a new program it takes
2 nine months to 12 months before you get
3 through the process of getting the notice of
4 grant award out, to getting the applications
5 out, to having them sent back, to going
6 through the county authorization process to
7 spend, to doing a new procurement,
8 reassessments, getting vendors lined up. You
9 know, we don't switch the light on on a new
10 program the day after the budget's passed.

11 So, you know, I think my statement
12 speaks for itself. Highly disappointed in
13 what it made our network look like, because
14 that is nobody's experience with our network.

15 ASSEMBLYMAN JONES: Thank you very
16 much. Appreciate it. Look forward to having
17 you in the North Country soon.

18 NYSOFA ACTING DIR. OLSEN: Great,
19 thanks. Great to see you, Assemblyman.

20 CHAIRWOMAN WEINSTEIN: We go to
21 Assemblyman Burdick next.

22 ASSEMBLYMAN BURDICK: Thank you, Chair
23 Weinstein. And I want to thank the chairs of
24 the committees for the great work that

1 they've been doing.

2 And nice to meet you, Greg -- I take
3 it you prefer that, so I'll do that.

4 NYSOFA ACTING DIR. OLSEN:
5 {Unintelligible}.

6 ASSEMBLYMAN BURDICK: One point again
7 for the chairs, if I could indulge them. If
8 there are documents that are distributed, if
9 they could be shared with the other members
10 here that would be great.

11 And in that regard you make reference,
12 Greg, to the written statement on the audit,
13 and maybe if you could provide that, that
14 would be terrific. And if I could get
15 contact information for follow-up for you,
16 that would be wonderful.

17 NYSOFA ACTING DIR. OLSEN: Sure.

18 ASSEMBLYMAN BURDICK: The digital
19 divide, are you in talks with any cable
20 companies to make internet accessible,
21 preferably free, via hotspots for seniors in
22 senior facilities?

23 And I'll ask my second question, just
24 a follow-up on the Long Term Care Ombudsman

1 Program. I recognize that you're looking to
2 change the model and to look to federal
3 dollars in the new program. But what are we
4 doing in the interim?

5 NYSOFA ACTING DIR. OLSEN: Yup.

6 So on the first one, it's great to
7 meet you as well.

8 In addition to the response to our
9 audit -- I'd be happy to send that -- I'm
10 also finalizing our list of 2021
11 accomplishments, which I think will show
12 abundantly clearly what we really do rather
13 than, you know, what was potentially
14 portrayed. That's a 64-page document,
15 Assemblyman --

16 ASSEMBLYMAN BURDICK: Yeah, that would
17 be great. But, I'm sorry, the question --

18 (Overtalk.)

19 ASSEMBLYMAN BURDICK: -- I have
20 limited time. Go ahead.

21 NYSOFA ACTING DIR. OLSEN: Yup. On
22 the digital stuff, you know, the Governor
23 announced a couple of weeks ago a commitment
24 that -- for individuals at 200 percent or

1 below of poverty, the WiFi monthly rate will
2 be \$30. There's a billion dollars in the
3 budget that we'll be able to access that will
4 not only subsidize that \$30 but can help pay
5 for the purchase of equipment, tablets,
6 phones, as well as training.

7 During the course of the pandemic,
8 those were things we used our funding for and
9 told the counties they could as well, to
10 provide WiFi, to provide tablets -- and they
11 did -- help with telehealth calls, et cetera.
12 So this is going to be huge in terms of when
13 we get full coverage for the state, there's
14 actually a funding stream that keeps the cost
15 down but also allows for the purchase of some
16 of this equipment that's going to help
17 people.

18 ASSEMBLYMAN BURDICK: And the interim,
19 what you're doing on the Long Term Care
20 Ombudsman Program until federal money comes
21 in?

22 NYSOFA ACTING DIR. OLSEN: Yeah. So
23 again, I think I mentioned earlier there's
24 some dollars for the Health Department to

1 hire new people to take complaints. We have
2 \$150,000 to expand our stipend program, which
3 has been very successful. You know, we're
4 doing multiple things at once. I've got an
5 Older Americans Act Modernization, there's
6 things in the Build Back Better. But most
7 importantly, I think the Governor clearly
8 recognizes how important this issue is, not
9 only to her and her administration but to you
10 as well, and many of the others out there.

11 And there is a proposal in the budget
12 to, you know, engage people that are
13 interested in this to strengthen the program,
14 so I'm excited about that. And as I
15 mentioned, there are several bills that were
16 passed last year.

17 So, you know, having a deliberate
18 process that really does the right thing the
19 first time, I'm all for. And I think that's
20 the process that's going to play itself out.

21 CHAIRWOMAN WEINSTEIN: Thank you.

22 Now we move on -- actually, our final
23 questioner is going to be Assemblyman Kim,
24 second round, three minutes.

1 ASSEMBLYMAN KIM: Thank you,
2 Chairwoman.

3 Greg, first of all, plus one for my
4 Chair May on the family caregiver tax credit.
5 I carry the bill in the Assembly. Hopefully
6 we can get something done in this budget.

7 Rightfully so, many of my colleagues
8 have brought up the broken home care
9 workforce and the workers. And unknowingly,
10 I think, they're touching on some structural
11 and systemic problems because home care --
12 Medicaid reimbursement for home care falls
13 under the Department of Health, and
14 institutionalized facilities, nursing homes
15 fall under the Department of Health under
16 Medicaid.

17 SOFA has social daycare, community
18 care. But you mentioned that there's some
19 non-Medicaid home care that you oversee under
20 SOFA?

21 NYSOFA ACTING DIR. OLSEN: Oh, yeah.

22 ASSEMBLYMAN KIM: Can we get some
23 clarity on that?

24 NYSOFA ACTING DIR. OLSEN: Sure.

1 Yeah. So we started our program in 1988.

2 So we serve about 15,000 older
3 New Yorkers. We use the same infrastructure
4 that Medicaid does -- licensed home care
5 service agencies. And we have a variety of
6 federal, state and local funding streams that
7 fund that. You may know one of them as
8 EISEP. But that is just one funding stream
9 of many. So we have a pretty large in-home
10 program.

11 In 2014 when MLTC came in, our rates
12 used to be tied to the Medicaid rate. We
13 couldn't exceed it. That no longer is the
14 case. So our counties are able to work
15 directly with their local LHCSAs, many of
16 them are small programs, to raise those
17 rates, enhance the hours, if needed, in order
18 to incentivize, you know, aides that would
19 then be able to serve our customers.

20 But yeah, we've been doing this for
21 over 30 years.

22 ASSEMBLYMAN KIM: Let me just reframe
23 that. So you no longer are tied to
24 intermediary managed care MLTC rates, you

1 have kind of gone back to a fee-for-service
2 county contract direct model where you're
3 able to have better rates and better
4 reimbursements for the home care workers that
5 are in the space that you manage. Is that
6 oversimplified or is it --

7 NYSOFA ACTING DIR. OLSEN: Yeah, from
8 1988 to 2014, when our program was tied to
9 the same rate structure that Medicaid had
10 before MLTC. Meaning we couldn't pay more
11 than what Medicaid would. And that was
12 really to try to balance the playing field.

13 Once MLTC came in, they started
14 negotiating their own rates on behalf of the
15 state for that service. We did the same. So
16 we have the ability to exceed --

17 NYSOFA ACTING DIR. OLSEN: I'm sorry,
18 I have like 20 seconds, Greg. But
19 unfortunately the daycare centers are still
20 tied -- they're like a distant cousin to home
21 care. They're still tied to some Medicaid
22 rates. And MLTCs, they often get left out of
23 discussions of community care. So I hope
24 that we can look at it and fix it and

1 restructure it under the SOFA model that's
2 working for non-Medicaid home care workers.

3 Thank you.

4 NYSOFA ACTING DIR. OLSEN: Okay,
5 thanks, Assemblyman.

6 CHAIRWOMAN WEINSTEIN: Thank you.
7 Thank you, Greg Olsen. That is all in terms
8 of all of the questioners. So we thank you
9 for being here.

10 NYSOFA ACTING DIR. OLSEN: Thanks.

11 CHAIRWOMAN WEINSTEIN: We look forward
12 to working with you.

13 And we're going to call in the --

14 NYSOFA ACTING DIR. OLSEN:
15 {Inaudible.}.

16 CHAIRWOMAN WEINSTEIN: -- next
17 government witness, who is the New York State
18 Division of Veterans' Services director,
19 Reverend Viviana DeCohen.

20 DVS DIRECTOR DeCOHEN: Good afternoon,
21 everyone.

22 CHAIRWOMAN WEINSTEIN: There you are.
23 Okay. Director, you have 10 minutes. Feel
24 free to not use it all and to summarize your

1 remarks, which we have already distributed to
2 our members. And the floor is yours. And
3 then there will be some -- the Senators and
4 Assemblymembers will have some questions for
5 you.

6 DVS DIRECTOR DeCOHEN: Thank you.

7 Good afternoon, Chairs Krueger and
8 Weinstein, and distinguished members of the
9 Senate and Assembly. My name is Viviana
10 DeCohen. I'm a Marine Corps veteran, and I
11 have the distinct honor of being the director
12 of the New York State Division of Veterans'
13 Services, or DVS. Thank you for the
14 opportunity to discuss Governor Hochul's
15 2022-2023 Executive Budget as it relates to
16 New York State Veterans' Services.

17 In December 2021, I joined DVS and
18 found a truly inspiring and hardworking group
19 of individuals dedicated to our mission of
20 serving those who have served us. As a
21 veteran myself, and having previously served
22 as the commissioner of the Mount Vernon
23 Veterans Service Agency, I have benefited not
24 only as a constituent from the work DVS does,

1 but also as a teammate and partner.

2 Governor Hochul has made it clear in
3 her administration -- and in her budget --
4 that we are ushering in a culture of respect,
5 teamwork, and expansion in this great state.
6 The veterans' services realm is no exception
7 to this, and DVS is eager and excited to
8 implement the many programs and services to
9 provide the highest-quality care for
10 New York's veterans, servicemembers, and
11 their families.

12 Under Governor Hochul's leadership,
13 New York remains a state that veterans and
14 their families are proud to call home. DVS's
15 economic impact, which goes straight into the
16 hands of New York's veteran families, yields
17 incredible results annually, with over
18 \$790 million in tax-free federal dollars for
19 thousands of veterans and their families in
20 2021. These funds filter their way into
21 every community across New York State to
22 support not only the over 714,000 veterans of
23 New York, but their entire community and
24 businesses.

1 The work of this agency delivers
2 concrete results and benefits for veterans
3 and their families in the form of these
4 federal funds and healthcare access.
5 Throughout the past year, DVS has shown time
6 and time again it is ready and able to
7 provide the services our constituents need
8 during these challenging and ever-changing
9 times. DVS has addressed food insecurity,
10 increased public access to veterans' benefits
11 information through digital technology, and
12 expanded peer-to-peer mentoring programs to
13 assist --

14 {Zoom video frozen.}.

15 CHAIRWOMAN WEINSTEIN: You seem to
16 have frozen, and we lost --

17 CHAIRWOMAN KRUEGER: Yup, we've lost
18 her.

19 CHAIRWOMAN WEINSTEIN: Can we --
20 there. She's coming back, hopefully.

21 Director, maybe try and speak without
22 your video on. That often helps.

23 CHAIRWOMAN KRUEGER: Stop the clock.

24 (Discussion off the record.)

1 CHAIRWOMAN WEINSTEIN: Liz, I'm going
2 to leave it to you. I'm going to go walk
3 over to the tech people over here and see
4 what we can do.

5 CHAIRWOMAN KRUEGER: Okay --

6 THE MODERATOR: Oh, she seems to have
7 sound back.

8 CHAIRWOMAN KRUEGER: She's come back?

9 THE MODERATOR: I could be wrong, I'm
10 sorry.

11 CHAIRWOMAN WEINSTEIN: Okay, let me go
12 check.

13 CHAIRWOMAN KRUEGER: Okay.

14 CHAIRWOMAN WEINSTEIN: If she comes
15 back, just let her continue.

16 CHAIRWOMAN KRUEGER: And everyone
17 else, this might be a good few minutes to
18 take a break to stretch your legs or eat a
19 late lunch, quickly -- something.

20 (Pause.)

21 CHAIRWOMAN WEINSTEIN: We are trying
22 to reach her by phone and see what we can do.
23 Otherwise, we can go to move on to the
24 panels, and when we reconnect -- let's just

1 give it a few minutes. A good time to stand,
2 stretch your legs.

3 (Discussion off the record; brief
4 recess.)

5 DVS DIRECTOR DeCOHEN: I'm here. Can
6 you hear me?

7 CHAIRWOMAN KRUEGER: Yes.

8 CHAIRWOMAN WEINSTEIN: Yes, thank you.

9 Okay, I'm sure you've had plenty of
10 experience with things not going the right
11 way all the time, so why don't you --

12 DVS DIRECTOR DeCOHEN: Absolutely.

13 CHAIRWOMAN WEINSTEIN: You know, why
14 don't we reset the clock to 10 minutes and
15 just let you start from the beginning.

16 DVS DIRECTOR DeCOHEN: Sounds good,
17 thank you.

18 CHAIRWOMAN WEINSTEIN: Okay, fingers
19 crossed.

20 DVS DIRECTOR DeCOHEN: Thank you.

21 Good afternoon again to Chairs Senator
22 Krueger and Weinstein and distinguished
23 members of the Senate and Assembly. My name
24 is Viviana DeCohen, a Marine Corps veteran,

1 and I have the distinct honor of being the
2 director of the New York State Division of
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22 during these challenging and ever-changing
23 times. DVS has addressed food insecurity,
24 increased public access to veterans' benefits

1 information through digital technology, and
2 expanded peer-to-peer mentoring programs to
3 assist transitioning servicemembers. We are
4 grateful for the support of the Legislature,
5 Executive Chamber, and the tremendous work of
6 the DVS staff, which have enabled us to rise
7 to every occasion.

8 Food insecurity has been repeatedly
9 cited as a concern for military-connected
10 families. Despite the new challenges brought
11 on by COVID-19, this season DVS distributed
12 over \$140,000 worth of FreshConnect checks,
13 which allow veterans, servicemembers and
14 their families to receive \$20 food vouchers
15 to use at farmer's markets and stands across
16 the state. In the past seven years since the
17 program's creation, DVS staff have
18 distributed more than \$600,000 in
19 FreshConnect checks.

20 To further address this concern, DVS
21 worked in collaboration with multiple public
22 and private-sector partners to facilitate an
23 unprecedented endeavor to distribute healthy
24 and nourishing meals to veterans and their

1 families. To give perspective to the
2 expansiveness of the food distribution
3 efforts, since June 2020 approximately
4 800,000 nourishing meals have been
5 distributed to veterans, servicemembers and
6 military families confronting food insecurity
7 in Western New York, the North Country, and
8 New York City. We are fortunate to have the
9 ability to continue these partnerships to
10 address this vital concern in the communities
11 we serve.

12 DVS has also worked to provide more
13 points of access for our veterans to learn
14 about their benefits. And we're proud to
15 announce that on Veterans Day of 2021, just
16 this past year, DVS joined with several
17 partners in state government to dedicate
18 New York State's first-ever digital Veterans
19 Welcome Center kiosk. The Veterans Welcome
20 Center kiosk provides veterans and military
21 families with quick and easy access to
22 information about benefits, programs,
23 services and resources available to them.
24 Located at the Capital Region Welcome Center

1 adjacent to the New York State Thruway in
2 New Baltimore -- a spot that welcomes
3 approximately 500,000 visitors annually --
4 this digital kiosk marks the first of several
5 Veterans Welcome Center kiosks that DVS plans
6 to place throughout New York State, and
7 Governor Hochul's Executive Budget provides
8 funding to support the expansion of this
9 valuable resource.

10 Lastly, DVS has endeavored to find
11 ways to best support transitioning
12 servicemembers and make New York State a
13 place they'd like to call home. DVS began
14 this process by facilitating new partnerships
15 between New York State and the Expiration of
16 Term of Service -- ETS -- sponsorship
17 program, a new federal effort focusing on
18 training community mentors and connecting
19 these mentors with servicemembers who are
20 nearing their date of discharge from the
21 military. Already more than 150 New York
22 State residents have completed the training
23 to serve as community mentors. We at DVS are
24 excited about continuing this fruitful

1 partnership.

2 Governor Hochul's State of the State
3 agenda and Executive Budget will provide DVS
4 with the resources to build upon these
5 successes and deliver more support than ever
6 to New York's veterans and their families.
7 And while we as a division do an immense
8 amount of work to serve our veterans and
9 their families, we could not do it without
10 the tremendous support and work done by our
11 local partners. It is why we are grateful
12 Governor Hochul's proposed budget would
13 increase county and city veteran service
14 agencies' annual funding from a minimum of
15 \$10,000 apiece to a minimum of \$25,000
16 apiece. This represents a 150 percent
17 increase in the annual allocation from
18 New York State to these agency that provide
19 vital services in their areas of operation.

20 But the efforts don't stop there.
21 Governor Hochul's agenda also provides for
22 expanded support for servicemembers
23 transitioning from military to civilian life,
24 additional resources to help connect more

1 veterans to their benefits, and increased
2 support for programs offering assistance to
3 struggling veterans. And DVS itself is
4 supported in the Governor's Executive Budget
5 with increased staffing and funding, to
6 ensure the agency continues providing the
7 highest quality of services to veterans
8 around the state.

9 DVS appreciates the continued support
10 of Governor Hochul and her administration in
11 addressing the needs faced by our veterans,
12 servicemembers and their families. Thank you
13 for the opportunity to discuss the Governor's
14 Executive Budget with this committee, and on
15 behalf of New York's veteran families, thank
16 you for your continued support of the
17 agency's mission. I look forward to
18 answering any questions you may have.

19 CHAIRWOMAN WEINSTEIN: Thank you.

20 We're going to go to our Veterans'
21 Affairs chair, Assemblywoman Didi Barrett.

22 ASSEMBLYWOMAN BARRETT: Thank you,
23 Director DeCohen. It's so wonderful to
24 finally meet you, even virtually, and to have

1 you with us. You know, we have been without
2 a director for way too long, and we're just
3 thrilled to have you. And congratulations on
4 your appointment.

5 DVS DIRECTOR DeCOHEN: Thank you very
6 much.

7 ASSEMBLYWOMAN BARRETT: I have a few
8 questions that I want to pose to you, but I
9 do want to say at the outset we're really
10 pleased -- it's the best budget in the four
11 years that I've been the chair of Veterans'
12 Services, and we really appreciate your
13 advocacy and always the division's
14 advocacy -- but also, of course, the
15 Governor's recognition that veterans, from
16 the outset, need to be supported and funded.

17 It always was this kind of, you know,
18 bargaining chip where the Legislature would
19 put back funding for veterans, and it just
20 was so inappropriate and just such a
21 frustrating experience.

22 So I'm really pleased that we've
23 entered a new phase of cooperation, as you
24 say, and very happy about the funding for

1 Dwyer. As you know, that doesn't go through
2 your division, it goes through Office of
3 Mental Health, but that's another topic to
4 talk about. But her recognition that it
5 should be statewide, as it should -- this is
6 truly a program that saves lives and has made
7 a difference in veterans and their families,
8 and I'm really happy to see it be part of her
9 Executive Budget.

10 So let me start with a couple of
11 questions. The Executive Budget includes an
12 increase in 17 FTEs. I think you mentioned
13 that. Could you just share with us where
14 those benefit advisors are going to be
15 posted?

16 DVS DIRECTOR DeCOHEN: Yes, thank you
17 for that question. I would also like to say
18 thank you again for welcoming me aboard.

19 And I'd also like to thank all of you
20 for supporting our deputy executive director,
21 Joel Evans, who I think has done an
22 outstanding job. You know, he is a veteran
23 himself, so I think that he grabbed the bull
24 by the horns and has continued to take this

1 to the level where it is today. You know,
2 just wanted to be able to say that and say
3 thank you.

4 Just to answer that question, the
5 initiatives throughout the state are going to
6 be in the area of outreach. This is
7 something that I'm very passionate about
8 because having served as the former
9 commissioner of the Veterans Service Agency
10 in Mount Vernon, I learned of the importance
11 of not only bringing outside services in, but
12 also taking the services outdoors. And it
13 was through outreach that we were able to
14 assist many of the veterans that this
15 department, DVS, had given me the tools to be
16 able to work with to be able to reach those
17 not only that had technological prowess, but
18 those that did not, by utilizing simple
19 methods of going into communities and going
20 into places that they would frequent, like
21 our supermarkets. So that's going to be huge
22 as far as the outreach.

23 You know, we need to get creative on
24 reaching veterans that do not identify -- and

1 this was one of the expertise areas that I
2 was able to make headway in Mount Vernon, in
3 a place where 25 veterans were coming every
4 other month, and now 100-plus are coming in
5 there and receiving those services that,
6 again, our partners, who did not hesitate to
7 come into the field with me, are now making
8 the home visits for our elderly -- because we
9 often forget them -- and going to places that
10 most people would not want to go. So
11 outreach is huge. And we're very excited
12 about that.

13 ASSEMBLYWOMAN BARRETT: Great. Well,
14 thank you, that sounds like a good use of
15 those full-time employees.

16 I think you know that I sponsor, with
17 my colleague Senator Brooks, who I think just
18 joined us, legislation to elevate the
19 division to a one-stop veterans department,
20 to better serve our veterans and our military
21 families. For example, I always use the
22 example that a Vietnam veteran who's
23 struggling with PTSD and substance abuse, and
24 is homeless, must go to five different state

1 agencies to access services.

2 So a major incentive for this
3 legislation was recognizing that we really
4 need to better serve our veterans and
5 military families. But in addition to that,
6 we held a hearing in October where the
7 testimony overwhelmingly supported this.

8 But more compelling to me, even so,
9 has been the statistic that only 17 percent
10 of the overall veterans' population in
11 New York State are accessing these earned
12 benefits. Is that statistic still current?

13 DVS DIRECTOR DeCOHEN: No, actually
14 the statistic is 24 -- 24 percent.

15 But I would like to give you some
16 information, because this is how I am sitting
17 in this seat today. You know, every day DVS
18 establishes ourselves with the spirit of
19 excellence, integrity, strength, but also
20 leadership. And I have been the veterans
21 commissioner in a one-person office, and the
22 training from this body -- that taught me how
23 to ensure that the veteran is being serviced
24 from A to Z -- not only allowed me to

1 recreate and turn my office into the
2 first-ever veterans' resource closet, that
3 partners gave us brand-new clothing, food,
4 hygiene products, but also allowed me to know
5 that I had to bring the services outside in.

6 In other words, I brought in mental
7 health counseling twice a month into my
8 office, and the veterans were there. We even
9 brought in the realtors who were savvy in the
10 VA loans to assist our veterans. We brought
11 in education, and it was DVS that I called,
12 and those counselors came right to the
13 office. I created a one-stop shop.

14 And I'm so glad to also share with you
15 that in just the six weeks that I've been
16 here, and going out to our various veteran
17 services, they're doing the same thing.
18 They've gotten it. They understand that we
19 as veterans cannot go from place to place to
20 place. Some of them are even setting up
21 transportation services, as I did, to be able
22 to transport our veterans back and forth.

23 You know, we did this in Mount Vernon
24 and I'm so happy to tell you that I'm finding

1 that throughout the state -- I've already
2 traveled, started traveling from New York
3 City through Brooklyn, Albany, the various
4 counties -- they're beginning to set up the
5 same services. And so I'm so happy to be
6 able to report that to you, because I know
7 that you're so passionate about that. And it
8 makes absolute sense.

9 ASSEMBLYWOMAN BARRETT: That's great.
10 You're clearly already leading by example,
11 and that's great to hear.

12 Let me ask you another question,
13 because I have so few minutes here to talk.
14 And hopefully we'll have a chance to meet
15 together and talk, but also that you'll come
16 to our committee meeting. I know people
17 would love to meet you and hear from you.

18 But let me ask you about our -- we
19 passed the first State Veterans Cemetery last
20 year, and the Governor puts in the budget
21 4.9 million. But it wasn't included in the
22 federal government's list of approved
23 cemetery sites. So I'm wondering what your
24 thinking is. Are you planning to go forward

1 with funding or other steps while the federal
2 funding approval is pending? And what's your
3 expected timeline on that?

4 DVS DIRECTOR DeCOHEN: Well, you know,
5 last year our state-appointed committee
6 selected the Sampson Veterans Memorial
7 Cemetery, that some of you may be familiar
8 with, in Seneca County as the location for
9 our first State Veterans Cemetery.

10 DVS then applied to the NCA, the
11 National Cemetery Administration, for the
12 federal funding to establish that. The NCA
13 grant funding had a list that was published
14 in October of last year -- they had some
15 funding cuts. The NCA could only fund the
16 first 12 items. We remain today No. 14 on
17 that list. So a grant has not been offered
18 at this time. You know, the grant comes from
19 them.

20 But the funding opportunity, that
21 we're hoping will be available this year.
22 Governor Hochul's Executive Budget includes
23 appropriations to support the cemetery. So
24 we're hoping -- you know, we're hopeful for

1 the funds at some point, but we'll have to
2 reassess, you know, at that time. The
3 current money in the budget is that -- just
4 to support the cemetery.

5 But we are reapplying this year again
6 for the grant in August. And right now, you
7 know, we've already moved up to the list on
8 No. 2. So we're very hopeful.

9 ASSEMBLYWOMAN BARRETT: Okay. Well,
10 that's good to know. Thank you.

11 One more question, then. In 2019 the
12 Restoration of Honor Act was signed into law,
13 very proud to have sponsored that. How many
14 veterans has the division assisted through
15 this program?

16 DVS DIRECTOR DeCOHEN: I'm sorry, you
17 froze. Could you repeat the question?

18 ASSEMBLYWOMAN BARRETT: The
19 restoration of honor, where we made it so
20 that other-than-honorable-discharge veterans
21 had access to New York State benefits, even
22 though not necessarily federal benefits,
23 through our Restoration of Honor Act. Are
24 you familiar with that?

1 DVS DIRECTOR DeCOHEN: Yes. And
2 actually, you know, when I was the
3 commissioner we had more than a few people,
4 especially we're going to find a lot of our
5 senior veterans who have those issues because
6 they had entered service when they were quite
7 young and had a few errors.

8 Right now, you know, this program is
9 doing wonderfully and we're happy in the
10 direction where it's going. We were able to
11 service quite a few. I believe the first few
12 days that I was here, I was given information
13 that we had honorably restored -- my first
14 day on the job, I think I approved my first
15 one, with 31 current. So that's a great
16 thing.

17 And as we continue to get the
18 information out to our veterans and assuring
19 them that we are here to restore their honor
20 and dignity -- so many people don't realize
21 that for us as veterans, service never ends.
22 you know: God, country, family and then
23 community. So it's so important for us to be
24 able to go back and capture those who may

1 have felt that they lost their dignity
2 because of that stigma on their discharge
3 papers. And so, we're very happy for where
4 we're moving, and the direction. There's
5 more to do, but we're right here to do it
6 with you.

7 CHAIRWOMAN WEINSTEIN: Thank you,
8 Director.

9 Senator Krueger, do you have --

10 CHAIRWOMAN KRUEGER: Thank you, I do.
11 I have our chair of Veterans Affairs,
12 Senator John Brooks.

13 SENATOR BROOKS: Good afternoon,
14 everyone.

15 And I want to pick up where Didi was.
16 I think we're really on an upswing with the
17 veterans programs. I think it's critical to
18 elevate the agency more and get the
19 attention. I think in many ways we've gotten
20 the message out to the veterans that we care,
21 and these programs are expanding and growing,
22 the Dwyer program and all the rest. I think
23 the kiosk program is a great way to reach
24 out.

1 I would really -- one thing I'd love
2 to try to do is see if we couldn't get, say,
3 a bimonthly newsletter to all the veterans of
4 the state -- an electronic one, so we don't
5 have a big expense -- so we could keep them
6 up-to-date with what we're doing.

7 But I think the cemetery's great, I
8 think we have to get the funding there, the
9 last complete -- but it was shameful that the
10 state was so far behind in doing that. I
11 just think it's a great, great, great
12 situation here.

13 The additional funding you're
14 providing to the local agencies I think is
15 critically important, that they can expand
16 that stuff. One of the things we'd like to
17 try to do on Long Island is to see if we
18 couldn't take the daycare program, as it's
19 referred to, at the Suffolk County facility
20 of Stony Brook, and bring that kind of
21 program maybe to the Nassau County Medical
22 Center to have a program during the day. The
23 Island is truly an island, but it's 120 miles
24 long and the location in Stony Brook, from

1 Nassau County, is quite a trip.

2 So if we could expand that program.

3 The folks at that agency have had some
4 discussions with the folks at the VA that
5 they might allow, if you will, some
6 co-licensing there. I'd love to do that.

7 But I really want to say -- and I
8 think both houses' committees, the folks
9 involved in veterans services, their hearts
10 are in it. I think the increased penetration
11 is reflective of the fact that not only are
12 we providing good programs and showing
13 interest, but they're responding to those
14 programs. So I think, you know, we've got to
15 keep at it.

16 I'm really excited with you joining
17 the program, and I just feel so positive of
18 where we are. And I think in the last two,
19 three years in particular, we've gotten a lot
20 of great stuff done. I think Didi's done an
21 outstanding job in her house getting stuff
22 done. And I think, you know, veterans know
23 they're respected by our state again. And I
24 think we just have to keep on building that.

1 So I don't have a lot of questions for
2 today. I wanted to say that I'm really
3 pleased with what I saw in terms of the
4 budget. I'm really pleased with what I just
5 heard. And I'm really optimistic with where
6 we can go, and I think to elevate your
7 department is a critical, important step that
8 we do that.

9 So I thank you, and Didi, I thank you
10 for everything you're doing too.

11 CHAIRWOMAN WEINSTEIN: Assemblyman
12 Ashby for five minutes, ranker on Assembly
13 Veterans' Affairs.

14 ASSEMBLYMAN ASHBY: Thank you,
15 Madam Chair.

16 And thank you, Didi. The work that
17 you're doing is incredible, and I'm very
18 grateful for the support and everything that
19 you've done on behalf of our veterans.

20 And thank you, Director. It's great
21 to meet you virtually, hopefully in person
22 sometime soon. I've read a lot about you,
23 and I'm so impressed with your story and the
24 work that you've done downstate and for

1 veterans all over the place. And I agree
2 wholeheartedly with you that the service
3 really never ends. And I'm very grateful
4 that you've continued to demonstrate that.

5 And I think Chair Brooks is right as
6 well, in that I feel like we are on an
7 upswing here, that there are several pieces
8 of veterans legislation that seem to be
9 gaining traction, and there's a lot of
10 bipartisan support for them. And it's great
11 to have you on board and a part of this team
12 and really moving them forward.

13 I really appreciated your testimony.
14 And I did have some questions, because I too
15 am very happy with what's been included in
16 the Governor's budget, but there are still
17 some things that are excluded in it, in
18 particular 20 programs that, for whatever
19 reason, just seem to be left off the chart
20 for whatever reason, seemingly every year.

21 And I was wondering if you were
22 familiar with these programs. I know that
23 you're new, kind of coming in, but I know
24 that you have a lot of history with veterans

1 groups around the state, and if you've
2 managed to contact, or if these groups have
3 contacted you at all -- I'm sure you are
4 tracking the 20 that have been left out: The
5 SAGE veterans project, Clear Path for
6 Veterans, New York State Defenders
7 Association Veterans Defense Program. They
8 provide a variety of services, whether it's
9 legal, rehabilitation-type programs.

10 Have you heard from them, or have they
11 reached out to you or have you been in
12 contact with them?

13 DVS DIRECTOR DeCOHEN: I'm going to
14 ask you, if you don't mind -- because you
15 froze for me, and I missed a portion of what
16 you said after "programs." If you listed
17 them, I did not -- I heard maybe two of them.

18 ASSEMBLYMAN ASHBY: I don't want to
19 list all of them, because that would --
20 that's not a good use of my time. I can
21 certainly -- I can send you the list. But
22 some of the ones that have been out there for
23 a while, Clear Path for veterans, which is
24 out of Central New York, SAGE veterans

1 program, New York State Defenders
2 Association's Veterans Defense Program, Legal
3 Services of the Hudson Valley Veterans and
4 Military Advocacy Project. Those are just a
5 few. And they're included on a list that I'm
6 sure you've seen.

7 Have you heard from them or have they
8 reached out to you on anything?

9 DVS DIRECTOR DeCOHEN: Well, as you
10 know, the budget is not final. I can look
11 into some of these further. Some of them I
12 actually am familiar with because we have
13 utilized these services for our veterans.
14 some of these services, we've been utilizing
15 them since I was working with them as
16 students, so I'm certainly familiar with
17 them. I haven't heard from all of them, but
18 I will certainly look into them.

19 I plan on being the boots on the
20 ground, you know, working with our partners.
21 Our outside partners have just been so
22 tremendous. And, you know, thank you for
23 speaking of the work downstate. I want you
24 to know that in the year that we were able to

1 serve veterans, those 3,000 veterans -- we
2 served them the one year -- were from the
3 Bronx all the way to Rockland County. And so
4 we had to utilize these partners for them,
5 especially those that needed the legal
6 issues -- you know, you mentioned Hudson
7 Valley, who's very familiar, and some of the
8 others that you touched upon.

9 These are integral partnerships that
10 we've forged and that we look forward to
11 continue to establishing our relationships,
12 and strengthening, on behalf of our veterans.

13 ASSEMBLYMAN ASHBY: I'm happy to hear
14 that.

15 And, you know, what we can do --
16 because I know that each year it seems to be
17 an advocacy race and tremendous effort to
18 kind of push these programs over the goal
19 line. And whether they're being used as
20 bargaining chips or for whatever reason --
21 I'm not sure. But I think on behalf of your
22 office and your new leadership post, I think
23 you can -- I think you can make a strong,
24 concerted effort and, you know, find a

1 victory here.

2 And, you know, I know many, many of
3 these organizations would greatly appreciate
4 your effort and leadership on here. And I
5 know that you will. Marines tend to be
6 driven.

7 DVS DIRECTOR DeCOHEN: (Laughing.)
8 Thank you. Well, that's why they call me
9 Mama V. The V is not for Viviana, it's for
10 Victory.

11 ASSEMBLYMAN ASHBY: That's great.
12 Thank you, Director.

13 DVS DIRECTOR DeCOHEN: Thank you, sir.

14 CHAIRWOMAN WEINSTEIN: Thank you.

15 Senator Krueger, I don't see any --

16 CHAIRWOMAN KRUEGER: Other Senators,
17 no. Apparently we were very happy with this
18 budget section.

19 CHAIRWOMAN WEINSTEIN: So why don't we
20 go first to our ranker on Ways and Means,
21 Assemblyman Ra, and then we will pick up with
22 several other Assemblymembers.

23 ASSEMBLYMAN RA: Thank you, Chair.

24 Acting Director, good to meet you

1 virtually here. Thank you for your service
2 and thank you for what you do on behalf of
3 our veterans. And, you know, I can feel the
4 passion you have for serving our veterans
5 coming across in this forum, so thank you.

6 I wanted to ask about -- the state had
7 unveiled this -- its first veterans kiosk in
8 the Capital Region in the new Welcome Center
9 off of I-87 last fall. And my understanding
10 is the Executive Budget is proposing an
11 expansion of this program. Do we know at
12 this point how many other kiosks there will
13 be and where they're going to be placed?

14 DVS DIRECTOR DeCOHEN: Yes. First of
15 all, I've seen the kiosk. I hope you've seen
16 it. And we're very grateful for the \$50,000
17 that is going to be moved towards these
18 digital kiosks. There's one right now that
19 you can visit at the Welcome Center at the
20 Capital Region. If you've not seen it, it's
21 an interactive service that the veterans will
22 be able to access.

23 You know, we started with just one.
24 The hope is to have them across New York

1 State at our major hubs -- the airports, our
2 welcome centers, train stations. You know, I
3 want this to be something that's going to be
4 the norm, you know. Imagine veterans that
5 are traveling or that have no time or have no
6 desire to walk into a building for help --
7 that in the midst of traveling, that all they
8 have to do is tap on it.

9 You know, user-friendly -- I tried it
10 out myself, you know. And we can have the
11 ability to upgrade it, you know, like the
12 credit cards where you can just tap your VA
13 ID on it, make changes to your address. The
14 family members and veteran service dependents
15 can get information, you know, on that.

16 You know, I want to give kudos again
17 to this wonderful division, to Deputy
18 Executive Director Joel Evans. You know,
19 this came under his tenure. And this is
20 going to be something that's very pivotal.

21 So, you know, we're very grateful for
22 this \$50,000 budget that our Governor is
23 putting into this program for our veterans
24 across New York State. We're very excited

1 about that.

2 ASSEMBLYMAN RA: So with the little
3 time I have left, do we -- have you been able
4 to, you know, evaluate any type of statistics
5 in terms of how much usage it has gotten so
6 far at the one location?

7 DVS DIRECTOR DeCOHEN: Well, you know,
8 we're still rolling out the kiosks and we're
9 still gathering the information.

10 But I can tell you, while I was there,
11 the veterans that I did bring with me, it was
12 important -- you know, I'm a gerontologist.
13 This time next year, hopefully you'll call me
14 Dr. Mama V. So it was important for me that
15 I brought some of our Vietnam -- and I
16 brought with me a Korean veteran to the
17 kiosk. There was absolutely no issues
18 utilizing it. So it's user-friendly for
19 everyone.

20 So, you know, we're still tracking the
21 numbers, but I want to share that let's not
22 just look at the quantitative measure, let's
23 look at also -- and listen to the veterans on
24 the phenomenological experience that they're

1 going to be gaining with this and what it's
2 going to mean for them to be able to come
3 from traveling hubs and have the assistance,
4 even if they're traveling with their family,
5 to be able to gain access, some of them for
6 the very first time.

7 ASSEMBLYMAN RA: Thank you.

8 CHAIRWOMAN WEINSTEIN: Thank you.

9 We're going to move on to -- for three
10 minutes for each of the next Assemblymembers.
11 That's for them to ask the question and for
12 you, Director, to give your response.

13 So we go first to Assemblyman Mamdani.

14 ASSEMBLYMAN MAMDANI: Thank you, Chair
15 Weinstein.

16 Thank you, Director DeCohen. I'm just
17 going to jump in. I wanted to follow up on
18 Assemblyman Ashby's question. Earlier you
19 stated that, quote, While we as a division do
20 an immense amount of work to serve our
21 veterans and their families, we could not do
22 it without the tremendous support and work
23 done by our local partners. And that, quote,
24 Governor Hochul's Executive Budget will

1 provide DVS with the resources to build upon
2 these successes and deliver more support than
3 ever to New York's veterans and their
4 families.

5 Yet when I take a look at her
6 Executive Budget, I saw a proposal to
7 eliminate 4.2 million in funding for various
8 veterans' programs, including the ones that
9 Assemblyman Ashby cited, as well as a
10 \$200,000 cut to Helmets to Hard Hats, a
11 \$25,000 cut to the Vietnam Veterans Memorial
12 Fund, and a \$2 million cut from various
13 grants to municipalities and nonprofit
14 organizations.

15 How does your statement fit with the
16 Governor's proposed cuts?

17 DVS DIRECTOR DeCOHEN: You know,
18 there's a story, sir, of a gentleman that had
19 two baskets in front of a multitude of people
20 to serve, and inside those baskets one had
21 two fish and the other had five loaves. And
22 when the baskets were passed around -- and
23 I'm talking about partnerships here, the same
24 partnerships that came to my one-man office

1 that provided brand-new food and items of
2 clothing in an urban and rural community
3 where funds are little to none.

4 By the time those baskets came around
5 and each partner had poured into those
6 baskets, not only was there enough to feed
7 the multitude, but there was an overflow.

8 We are so proud of this Governor, who
9 for the first time in a dozen years gave an
10 increase to small veteran agencies that I
11 just came out of -- like the one I came out
12 of in Mount Vernon, increasing the 10,000 to
13 \$25,000. Never before in 12 years had --

14 ASSEMBLYMAN MAMDANI: Director
15 DeCohen, I'm sorry to jump in, but just in
16 the interests of time -- there's only a
17 minute left -- how does it -- I understand
18 that there's been an increase in funding in
19 certain aspects of DVS. But how does -- for
20 me what is very difficult to come to terms
21 with is a cut to these specific services.
22 Meanwhile, we have a multi-billion-dollar
23 surplus and better-than-expected tax revenue.
24 And it just doesn't -- one and one just

1 doesn't come to two in this scenario for me.

2 DVS DIRECTOR DeCOHEN: Well, you know,
3 sir, this is not the final budget. But I'm
4 going to leave that for you to discuss with
5 the Governor in your budget negotiations.

6 And listen, we look forward to what we
7 have coming. We're so grateful. We're so
8 grateful.

9 ASSEMBLYMAN MAMDANI: Thank you,
10 Director DeCohen. And I think, just to end,
11 I would say that the Governor's vision for
12 the budget of this state should start at a
13 point where veterans' services are not being
14 defunded. And I hope that we can get there
15 with the work that we do as a Legislature.

16 But thank you very much for your time.

17 DVS DIRECTOR DeCOHEN: Thank you, sir.

18 CHAIRWOMAN WEINSTEIN: Thank you.

19 We go now to Assemblymember Rajkumar.

20 ASSEMBLYWOMAN RAJKUMAR: Thank you,
21 Director Reverend DeCohen, for your service
22 to our country. And thank you also for your
23 leadership for the veterans of our state.

24 I am a member of the Veterans' Affairs

1 Committee. I represent the Borough of
2 Queens, home to the most veterans in New York
3 City. I have two questions.

4 The first is about services for
5 younger veterans from the recent Iraq and
6 Afghanistan wars. What steps are we taking
7 to address the needs of this younger veterans
8 population? I recently introduced a bill in
9 the Assembly to extend the public housing
10 benefits offered to Vietnam veterans to
11 veterans of the more recent wars in Iraq and
12 Afghanistan. So what else can be done to
13 serve our younger, more recent veterans?

14 And second, I'd like to go back to the
15 Barrett-Brooks legislation to elevate the
16 Division of Veterans' Services to an
17 Executive department, legislation that I have
18 cosponsored. I know Chair Barrett asked you
19 about it, and it's excellent to hear that you
20 are already creating the one-stop shop
21 through your own initiative. Currently
22 veterans in New York State have to navigate
23 multiple agencies to access benefits to which
24 they are entitled.

1 Perhaps this helps explain why only
2 17 percent -- and I know you have corrected
3 that figure to 24 percent today -- 24 percent
4 of New York State veterans and their families
5 receive VA disability or pension benefits,
6 compared to 29 percent in Texas. And
7 veterans who are disabled or are low-income
8 in Florida receive \$6.3 billion annually,
9 whereas here in New York they receive less
10 than half of that, at 2.6 billion.

11 So do you believe that elevating your
12 division to an Executive department could
13 provide veterans with the level of service
14 they deserve and help them cut through the
15 bureaucratic hurdles to access critical
16 benefits? And if so, could you walk us
17 through how that might look?

18 DVS DIRECTOR DeCOHEN: I want to say
19 that regardless of the nomenclature or who
20 we're under, you know, our job is to do what
21 we do with excellence every day, which is,
22 again, establishing ourselves in the spirit
23 of excellence, integrity, strength, you know,
24 to ensure that those who served us will

1 receive the highest level of service.

2 Whatever your decision is from the
3 Legislature, we are on board, we are ready to
4 grab the bull by the horns each and every day
5 to ensure that those who have served us will
6 receive the highest care.

7 We're also so glad for the New York
8 housing increase for affordable housing for
9 the next three years for veterans and their
10 families, and the wonderful new program that
11 was rolled out, the Expiration of Term, or
12 the ETS program, that's going to be able to
13 link those who are coming home within six to
14 10 months, that for the first time -- I'm
15 clapping -- we are going to be able to
16 capture veterans -- unlike the opportunity
17 that I had when I was discharged -- that
18 prior to discharge there is going to be
19 mentors, there are already 150 of them that
20 are trained and ready to -- where the
21 integration, the reintegration process is
22 going to be easier amidst the course of
23 accessing services for those who are coming
24 home.

1 So yes, we are ready. The budget
2 included additional staff. Governor Hochul
3 was excellent in supporting us with that. I
4 have to tell you, when she was Lieutenant
5 Governor she was already supporting us, she
6 had already supported me with the summer
7 programs that we have. So we are charged, we
8 are ready for those returning home, and we
9 are right here servicing the ones that are
10 here on a higher level. And we know that
11 with your assistance -- and thank you for
12 everything that you're doing, because it has
13 been so appreciated and it has been
14 ineffable, the service.

15 There's not too much that we can do.
16 There's never enough. For every 20 programs
17 you give me, I can think of a hundred more
18 that need service. And for everything that's
19 taken away, I can tell you the quality things
20 that have been put into this budget.
21 Quality, quality, quality for our veterans
22 and their family members means so much.

23 CHAIRWOMAN WEINSTEIN: Thank you.

24 We're going to move on to

1 Assemblywoman Buttenschon.

2 ASSEMBLYWOMAN BUTTENSCHON: Good
3 afternoon. Thank you to our chairs as well
4 as Director, thank you so much for your
5 leadership as well as your service to this
6 country.

7 I too support and cosponsor the bill
8 that our chair carries upgrading the
9 division, as I see it as imperative and will
10 help in assisting you.

11 I also echo the concerns of my
12 colleagues that they have addressed that you
13 do not possibly have enough resources at this
14 time to support all those great programs out
15 there.

16 My colleagues discussed the state
17 cemetery. I have a district that has spent
18 years preparing, is located in Central
19 New York and is minutes off the New York
20 State Thruway. So I would be interested in
21 you keeping me apprised of what will be
22 moving forward.

23 And the question I hear from many of
24 my American Legion posts and VFWs that are

1 struggling at this point -- I just wondered
2 what your plans were to work with them, as
3 many of our veterans utilize that as a first
4 step to seeking help.

5 DVS DIRECTOR DeCOHEN: For the -- as
6 you know, for the Joseph Dwyer Program, which
7 is such an important program, I've sent so
8 many of our veterans to that program. It's
9 been funded by OMH to be expanded statewide.

10 This is a wonderful opportunity where
11 now the county has the ability to establish
12 within it a chapter to focus on this
13 successful program.

14 They're also -- just so you know, I
15 went to visit one last week that's going the
16 inside-outside approach with the
17 reintegration of services that are right
18 there on-site. And as we speak, they have
19 clothing that's being delivered and racks
20 that are being put up to be able to have
21 services.

22 But also throughout the past few
23 years, improving our collaborations, you
24 know, with county and municipal veterans

1 service agencies as well as the
2 not-for-profit organizations, has been a top
3 priority. Our partnerships are important to
4 us. We value them.

5 In 2021, you know, we trained and
6 brought under our accreditation a total of
7 35 county and city veterans service agencies.
8 And we're open to engaging in this process
9 free of charge for any local government
10 veterans service agency that would like to be
11 accredited with us. We do not impose any
12 cost or quotas for our partners, or any other
13 strings attached for our local government
14 entities or not-for-profit veterans service
15 organizations, you know, that want to be
16 accredited.

17 Most county veterans agencies in
18 New York are accredited by the American
19 Legion, you know, our partners. We've signed
20 a memorandum of agreement with the American
21 Legion of the Department of New York to offer
22 the opportunity for any Legion-accredited
23 veterans service officer to receive the
24 agency's week-long annual training. I'm a

1 benefactor of that training.

2 You know, and we've opened up all of
3 the online training to the local-government
4 veterans service agencies in the state.
5 Again, I'm a benefactor. I'm sitting here
6 trained because of those services.

7 And in 2021 --

8 (Overtalk.)

9 ASSEMBLYWOMAN BUTTENSCHON: I don't
10 mean to interrupt you, but I know my time is
11 running.

12 DVS DIRECTOR DeCOHEN: -- routinely
13 attended.

14 ASSEMBLYWOMAN BUTTENSCHON: And I
15 appreciate that, as we do have, with the
16 assistance of the chair, a Dwyer program in
17 the county that I'm so excited about as it
18 moves forward.

19 But my question just refers to the
20 concerns that I'm hearing with our support
21 networks in the Legions, as well as the VFWs,
22 that are struggling at this point and looking
23 for those collaborations. So I will further
24 reach out and remind them of the

1 accreditation, but also would like to just
2 bear in mind that they consider that their
3 first stop for so many of them.

4 So thank you.

5 DVS DIRECTOR DeCOHEN: Well, you know,
6 we were just with them on Monday, with one of
7 the DAVs that just opened up, and we're doing
8 an interview with the American Legion for a
9 magazine this week. I happen to be a member
10 of the American Legion, I am a Legionnaire
11 for one of our posts. So I'm so happy to
12 support them and do --

13 ASSEMBLYWOMAN BUTTENSCHON: Thank you
14 very much.

15 DVS DIRECTOR DeCOHEN: Thank you.

16 CHAIRWOMAN WEINSTEIN: Thank you.

17 We go to Assemblyman Walczyk.

18 ASSEMBLYMAN WALCZYK: Thanks,
19 Madam Chair. Thank you, Director, for the
20 time and for your service, of course.

21 Just a couple of quick ones. I'm
22 wondering if the Governor put anything in
23 this budget that has to do with assistance
24 for veterans who served in or around burn

1 pits.

2 DVS DIRECTOR DeCOHEN: I have no
3 knowledge of that at this time.

4 ASSEMBLYMAN WALCZYK: I'm sorry?
5 You're coming in very quiet for me.

6 DVS DIRECTOR DeCOHEN: Oh, I'm sorry.
7 I said unfortunately I have no knowledge of
8 that at this particular time. But I'd be
9 happy to get back to you with that.

10 ASSEMBLYMAN WALCZYK: Okay, great.

11 Yeah, I think that's a pretty
12 important issue, and I think most legislators
13 understand the importance there and would be
14 open to hearing your policy ideas as well on
15 ways that we can assist those. I kind of see
16 that as the next Agent Orange wave that --
17 you know, it took us a long time to take care
18 of our Vietnam veterans, and I think we have
19 the opportunity to do so for a lot of those
20 returning from the conflicts in Afghanistan
21 and Iraq.

22 Another sort of off-the-wall one that
23 I want to bring up, actually, is the New York
24 State Police recently talked to me about --

1 you know, they have a test coming up and they
2 were talking to me about the standards for
3 the academy. And I was just wondering if you
4 would be interested or willing to reach out
5 to the superintendent of the State Police and
6 start a dialogue about the tattoo policy for
7 our State Police. It's not in line with the
8 Department of Defense or the Army's tattoo
9 policy currently, and I think what's
10 happening is we're inadvertently eliminating
11 a lot of really great candidates that would
12 be excellent state troopers just based on
13 some of those things.

14 Is that something that you'd be
15 willing to do?

16 DVS DIRECTOR DeCOHEN: Absolutely.

17 In fact, when I was a veteran mentor,
18 you know, at the colleges, I used to work
19 with the police and those who were on our
20 front line to bring them into some of our
21 veterans' meetings that we were having.
22 Because, you know, listen, they serve as
23 well. And so I have quite a few patrolmen
24 and state troopers that are under Mama V's

1 belt as former students.

2 So, you know, I've always worked with
3 our local police, absolutely.

4 ASSEMBLYMAN WALCZYK: That's great. I
5 appreciate it.

6 And I will yield back the rest of my
7 time. I just want to echo, Helmets to Hard
8 Hats, Clear Path for Veterans, and a lot of
9 the other programs that were brought up by
10 Jake Ashby today -- really encourage the
11 Governor to take a re-look at those, and as
12 well as the leadership here.

13 Thank you, Madam Chair. Thank you,
14 Director.

15 CHAIRWOMAN WEINSTEIN: Thank you.

16 And thank you, Director. Obviously,
17 thank you for your service, and we look
18 forward to, now that you're with New York
19 State, to good things that you can bring to
20 our state that you brought to Mount Vernon.
21 So we're all very excited and happy that
22 you're here with us.

23 So there are no further -- oh, wait a
24 second. Assemblyman -- now that I said

1 goodbye, Assemblyman Manktelow had raised
2 his -- no, put down his hand. Okay, thank
3 you. Thank you again.

4 So we're going to have -- oh. Did you
5 want to speak, Assemblyman? Fine. Let's let
6 Brian Manktelow in. Your hand went up and
7 went down, so if you were there to speak --
8 there you are. Okay.

9 ASSEMBLYMAN MANKTELOW: Thank you,
10 Madam Chair. And I apologize. I got on a
11 little late.

12 Did we talk about veterans' courts at
13 all?

14 DVS DIRECTOR DeCOHEN: We did.

15 ASSEMBLYMAN MANKTELOW: You did?
16 Okay. I will touch base with you then later
17 on about that. I'd like to share a few
18 things with you, if you're open to that.

19 DVS DIRECTOR DeCOHEN: Yes, sir.

20 ASSEMBLYMAN MANKTELOW: All right.
21 And thank you for your service.

22 Thank you, Madam Chair.

23 ASSEMBLYWOMAN BARRETT: Thank you,
24 Mama V. Wonderful to meet you.

1 CHAIRWOMAN WEINSTEIN: Yes.

2 DVS DIRECTOR DeCOHEN: Listen, thank
3 you, thank all of you for your invaluable and
4 ineffable service to those who've served God,
5 country, family, and still serving in our
6 community. And I hope to highlight them as
7 the volunteers that they are one day.

8 ASSEMBLYWOMAN BARRETT: And to you,
9 your ongoing service and your service in the
10 military, thank you.

11 DVS DIRECTOR DeCOHEN: Thank you.

12 ASSEMBLYWOMAN BARRETT: Thank you.

13 Thank you, Liz. Thank you, Helene.

14 CHAIRWOMAN WEINSTEIN: This ends the
15 governmental portion of the hearing. We now
16 are going to go to the public portion of the
17 hearing. These are people who have asked to
18 speak on the Human Services budget.

19 And for the members' edification, we
20 have people grouped together in panels.
21 Generally, people in each panel are speaking
22 on a similar subject so that it will be --
23 they'll all be together, and then any
24 Assemblymember who so chooses to ask a

1 question.

2 Each member of the panel will have
3 three minutes to speak. When the panel is
4 finished, Assemblymembers if they wish to ask
5 a question, will be called upon for three
6 minutes to ask a question of the panel as a
7 whole, not each individual member of the
8 panel.

9 CHAIRWOMAN KRUEGER: And I know Helene
10 really meant to say members of the Senate or
11 the Assembly who wish to ask questions.

12 CHAIRWOMAN WEINSTEIN: Oh, right, I
13 keep saying members. Yes, Senators and
14 Assemblymembers.

15 CHAIRWOMAN KRUEGER: Thank you.

16 CHAIRWOMAN WEINSTEIN: So our first
17 panel, we have AARP, Beth Finkel, state
18 director; Disabled in Action of Greater
19 Syracuse, Sally Johnston, president; and
20 New York Caring Majority, Kendra Scalia,
21 Hudson Valley leader.

22 So if we can bring those people into
23 the gallery -- I believe they are, they're
24 all here. So why don't we go in that order,

1 and Beth Finkel, if you can begin.

2 MS. FINKEL: Thank you very much.

3 I want to thank all of you for being
4 on, and I particularly want to think the
5 leadership, Helene Weinstein and Liz Krueger,
6 and I also want to call out Ron Kim and
7 Rachel May for being incredible supporters,
8 all four of you. It's most important for
9 New York State's aging.

10 On behalf of AARP's 2.5 million
11 members in New York State, I'm really happy
12 to be here today to talk to you about how
13 older adults have been more seriously
14 impacted and burdened by the pandemic that we
15 are continuing to go through. Ninety-five
16 percent of the COVID deaths in New York have
17 been among people 50 and older, and in this
18 year's budget we really must confront the
19 struggling of older New Yorkers and what
20 they're feeling right now.

21 So here is a quick list -- I know you
22 have my testimony -- 20 million for the
23 Long Term Care Ombudsman Program. You heard
24 about this before; they are the frontline of

1 investigating nursing homes.

2 CHAIRWOMAN WEINSTEIN: Sorry to
3 interrupt -- I have to interrupt. Someone
4 has their -- if people can mute themselves --
5 I think Didi Barrett. Thank you.

6 I'm sorry. You were getting a voice
7 over --

8 MS. FINKEL: Can you go back for me?
9 Because I never can talk fast enough.

10 CHAIRWOMAN WEINSTEIN: That's okay.

11 MS. FINKEL: I'm a fast New York
12 talker, but --

13 (Laughter.)

14 CHAIRWOMAN WEINSTEIN: You're back. I
15 just didn't want to --

16 MS. FINKEL: We talked about the
17 Long Term Care Ombudsman Program, which is so
18 important: 15,000 deaths in nursing homes,
19 and people feeling like there was no one
20 there to advocate and look after them because
21 the long-term-care ombudsmen were basically
22 volunteers who couldn't go into the settings.

23 We really feel we need the \$20 million
24 that was stated before. We're, I think, 39th

1 in the average of other states. In fact,
2 California spends three times more per
3 resident than New York does. They spend \$22
4 per person; New York spends \$7 per person.

5 We need to better support our home
6 care workforce. We believe that older
7 New Yorkers who need long-term care must be
8 able to stay in their homes. That's what
9 they want, it's less expensive.

10 But we have the biggest shortage of
11 home care workers in the entire nation. We
12 need to do something about that. So AARP
13 supports May S5374 and Gottfried A6329 to
14 help ensure that we have adequate pay for
15 home care workers.

16 I want to address parts of what we see
17 as the unmet need, and this has been talked
18 about before. We really appreciate the
19 investment that is being made in community
20 and home-based support, but we also need to
21 look at the Meals on Wheels. Thank you, Liz,
22 for pointing that out earlier. We are asking
23 for an additional \$14.1 million for
24 home-delivered meals.

1 AARP also requests an additional
2 6 million for SOFA to address the nearly
3 8,000 older New Yorkers that are still in
4 need of ongoing case management. We need to
5 have transparency where these waitlists
6 are -- I think we just heard that in the
7 testimony earlier. We need to understand
8 where the shortages are and why they're
9 there. And so that's why we support the
10 legislation from Eichenstein, A2590, which
11 will give us the transparency that we need,
12 requiring county aging offices to keep
13 records. We need the state to identify
14 additional investments, and they can't do
15 that unless they get the transparency of the
16 data. It passed the Assembly. We need the
17 Senate to pass it, and then we need the
18 Governor to sign it.

19 We need financial relief for unpaid
20 family caregivers. I really appreciate May
21 and Kim talking about the Caregiver Tax
22 Credit. That is so incredibly important.

23 The average family caregiver in
24 New York is spending \$8,200 personally out of

1 their own pocket to help keep a loved one at
2 home. There are over 2.6 million family
3 caregivers in New York State, and they are
4 supplying 31 billion, with a B, to help keep
5 people at home.

6 We need to make sure that keeps
7 happening, because if all those people go
8 into a nursing home -- you heard Greg Olsen
9 say it's 150,000 a year, and Medicaid is
10 paying for that. So we're all paying for
11 that, okay?

12 And then, finally, we also want to see
13 more money going into the tax credit bills,
14 which is S620, May, and A6932, Kim. And then
15 the additional support for kinship
16 caregivers, that's non-parent family
17 members -- aunts, uncles, grandparents -- who
18 are raising nearly 200,000 children across
19 New York State. They need more help.

20 If we don't give them that help, those
21 kids are going to end up in foster care. And
22 again, they're not going to be in their own
23 loving homes with relatives that really love
24 them, and also it's going to cost the state

1 so much more money.

2 Finally, we need to put money back
3 into the fund for elder abuse, 125,000 in
4 funding for Lifespan. And then one more
5 shout-out to the Governor doing the Master
6 Plan for Aging. We're thrilled with that,
7 and I know Greg filled you in on that -- one
8 of those pieces.

9 CHAIRWOMAN WEINSTEIN: Thank you.

10 Now we move on to Sally Johnston from
11 Syracuse.

12 THE MODERATOR: You're on.

13 CHAIRWOMAN WEINSTEIN: Yes, we can
14 hear you.

15 MS. JOHNSTON: Can you hear me okay?

16 CHAIRWOMAN WEINSTEIN: Yes.

17 MS. JOHNSTON: Good afternoon. Thank
18 you very much for this opportunity to speak
19 today.

20 My name is Sally Johnston. I'm with
21 Disabled in Action, and I am speaking on
22 behalf of myself, members of our
23 organization, and thousands of people with
24 disabilities and seniors in New York State.

1 And we are in support of the Fair Pay
2 for Home Care that we desperately need. I am
3 struggling, like everyone else, to keep a
4 home care worker that only gets paid \$13.20
5 an hour, and that's not a living wage for
6 anyone. And we need that support of
7 additional money to give these home care
8 workers an increase.

9 I am 79 years old. I've been married
10 for 52 years. I raised a son. I was born
11 with a disability, by the way. I raised a
12 son, I have three grandkids, and I want to
13 remain in my home. But I need therapy for
14 home care in order to let -- in order for
15 that to happen.

16 You can't do a one-payment bonus.
17 That's just not going to do it at all. These
18 people need an increase -- you know, \$13.20
19 an hour and you can go to Burger King or
20 McDonald's and get \$17, \$18 an hour. You see
21 how hard it is to get an aide?

22 I worked for over 40 years in human
23 services in a managing position, and I don't
24 think I ever interviewed as many people in my

1 work history as I have in the last two years.
2 My husband died in 2016, and I had to spend
3 down our small savings. And then in 2020, I
4 had to go on Medicaid. And since then it has
5 been a real nightmare just trying to keep
6 home care workers to work for me.

7 I'm on a fixed income. I only have
8 \$800 a month to live on. And I try to --
9 I've got to pay my bills, get my groceries,
10 and I try to supplement them to keep them
11 with me, because it's that hard to get by.

12 So we really need our state elected
13 officials to stand strong on this, to really
14 speak out on this and tell -- to ensure that
15 the Fair Pay for Home Care is in the state
16 budget. We must do this in order to -- for
17 people to survive.

18 I don't want to go to a nursing home.
19 I know thousands of other people that don't
20 want to go to nursing homes. The care is
21 poor, and COVID runs rampant. We're capable
22 of living in our homes, we want to live in
23 our homes and be independent as long as we
24 can.

1 I really, really, truly hope that you
2 will consider my plea and that you will
3 fight, all of the legislators will fight to
4 make sure that this is in the state budget.

5 I thank you very much for this time.

6 CHAIRWOMAN WEINSTEIN: Thank you for
7 being with us today, Sally.

8 And now, Kendra Scalia.

9 MS. SCALIA: Good afternoon. My name
10 is Kendra Scalia, and I'm a Hudson Valley
11 leader with the New York Caring Majority, and
12 a disabled woman using the Consumer-Directed
13 Personal Assistance, CDPA, home care
14 services.

15 Last year at this time I submitted
16 testimony to this Legislature regarding the
17 home care crisis that our state continues to
18 ignore. I told you about my experience
19 losing three personal assistants, or PAs,
20 during the start of COVID and how I had just
21 one PA working seven days per week. I
22 expressed the importance of fair pay for home
23 care workers to make it possible to recruit
24 new workers to this field. And I also let

1 you all know that, quote, I live in constant
2 fear that should something happen to my
3 personal assistant, or should he find a
4 better-paying job, my literal independence
5 and freedom will be taken from me overnight.

6 I wish I could sit here today and tell
7 you that I've hired workers, that I'm able to
8 eat a hot meal every day, and that my fears
9 of institutionalization are quieted. But
10 this body failed to provide the bare minimum
11 attention to slow down the home care
12 workforce crisis last year, and so today my
13 fears are being realized.

14 My one PA cut back his hours because
15 he found that better-paying job. And not a
16 single candidate in 18 months has accepted a
17 job offer with me for \$13.20 per hour. Parts
18 of my independence have been lost as entire
19 areas of my life I simply can't engage in any
20 longer.

21 Because my one PA can only work four
22 hours at night, I'm forced to go without the
23 toilet all day long. I stay in the same
24 position in my wheelchair for 20 hours at a

1 time. I sleep in my wheelchair five nights
2 per week because I have no one to get me out
3 of the bed in the morning.

4 The limited help I receive is packed
5 with bare essentials of survival such that
6 therapies and treatments are skipped more
7 frequently than they are provided. Medical
8 appointments are all but impossible to attend
9 in person, and I've developed additional
10 medical conditions that could have been
11 wholly prevented were home care worker wages
12 raised because home care is healthcare.

13 If you visited my home today, you
14 would find plastic bins holding items like
15 remote controls and Ziploc baggies of cashews
16 and Cheerios. A dozen water bottles with
17 straws line my kitchen table from one corner
18 to the other, allowing me the ability to at
19 least stay hydrated while I spend more than
20 80 percent of each day without the care that
21 I need.

22 We need Fair Pay for Home Care in the
23 budget. Governor Hochul missed this
24 opportunity in the Executive Budget,

1 proposing just a one-time bonus that will not
2 come close to solving the home care workforce
3 shortage. The solution is fair pay for home
4 care, and we're relying on you, our state
5 legislators, to make this happen in the
6 budget. Because when our workers are paid
7 well, disabled and senior New Yorkers who
8 rely on these skilled workers to live
9 independently are able to fill these
10 positions. We're able to receive the
11 healthcare we need to be safe and stay
12 healthy.

13 The time is now to address the crisis
14 of long-term care. And I hope that next year
15 I find myself back at this budget hearing to
16 tell you all about the fabulous personal
17 assistants I was able to hire after you
18 passed Fair Pay for Home Care in this year's
19 budget, how my health improved and I no
20 longer need these additional medications, and
21 how comfortable my body will feel when I'm
22 finally able to lay it down to rest on my
23 soft warm bed every night once again, just
24 like all of you.

1 Thank you.

2 CHAIRWOMAN WEINSTEIN: I want to thank
3 all of the panel for being here -- there will
4 be a question or two -- and particularly the
5 individuals who are receiving care and
6 looking for care, because I think it's
7 important that there is a face put on these
8 issues of home care.

9 You know, on paper it sounds like one
10 thing, but when you hear your personal
11 stories, it certainly rings true. And there
12 are a lot of members who are listening. They
13 may not be speaking, but you're being heard
14 by a large number of members from the
15 Assembly and Senate.

16 So I wanted to go to Assemblyman
17 Mamdami {sic} for three minutes.

18 ASSEMBLYMAN MAMDANI: Thank you so
19 much, Chair. It's actually Mamdani, with an
20 N at the end. But thank you very much.

21 Thank you all for your testimonies.

22 Kendra, I just wanted to ask to follow
23 up on your statement. Can you speak a little
24 bit to whether you think that the one-time

1 bonus is sufficient? And if not, why does it
2 need to be permanent wage increases? And
3 what will the fallout be if it's not
4 permanent wage increases?

5 MS. SCALIA: Thank you for the
6 question.

7 Yeah, the one-time bonus is absolutely
8 not sufficient. And the major reason for
9 that is that a bonus for workers who are
10 already in these positions does nothing to
11 recruit new workers to this field. And
12 that's what we need.

13 We have a severe workforce crisis.
14 There's a severe shortage going on in this
15 state. We need to incentivize new workers
16 into this field in the hundreds of thousands
17 to become home care workers.

18 So one-time bonuses are not going to
19 keep the folks that I have around either.
20 They need a permanent wage increase, and what
21 that's going to look like should we not have
22 a permanent wage increase for home care are
23 more and more disabled and senior New Yorkers
24 being pushed into institutional settings like

1 nursing homes at significantly higher rates
2 to the state, a loss of independence and
3 dignity to these individuals and, honestly,
4 to just not provide folks with the services
5 that they need, the healthcare that they
6 need. Nursing homes are not providing
7 healthcare at the most basic entry point to
8 our healthcare system. It's home care that
9 provides those services.

10 MS. JOHNSTON: Can I answer that?

11 ASSEMBLYMAN MAMDANI: At this time --

12 MS. JOHNSTON: Can I?

13 ASSEMBLYMAN MAMDANI: Yes, please,
14 Sally.

15 MS. JOHNSTON: I just want to say I'm
16 very much in the same situation as many
17 others. I can't get out of bed in the
18 morning unless there's somebody there to help
19 me get out of bed.

20 If there's no one there, my aide
21 doesn't show up, then I have to scramble and
22 try to figure out where I can get help or
23 just lay there until I can get ahold of my
24 son and maybe he can come and help me. And

1 that's not something either of us want. And
2 it doesn't always work.

3 I would like to ask you, all of you
4 Senators, what you would feel like if you
5 suddenly developed an illness or a disability
6 and you couldn't -- and you needed help
7 getting out of bed, you needed help with
8 going to the bathroom, you needed help with
9 hydrating -- hydration and getting some food,
10 nutrition into you. How would you feel if
11 your aide didn't show or you couldn't pay an
12 aide a reasonable hourly wage?

13 That bonus is nothing. These people
14 need a real hourly raise in order for us all
15 to survive. I'm on the edge of going into a
16 nursing home also, and I don't want that to
17 happen. I want to stay in my home.

18 ASSEMBLYMAN MAMDANI: Thank you so
19 much, Sally. And thank you, Kendra.

20 I fully agree with the both of you.
21 This is the year for Fair Pay for Home Care.
22 We need to have it happen now, and the
23 consequences are too great to allow another
24 year to pass while we propose a one-time

1 bonus.

2 Thank you so much for your courage,
3 for your work. Thank you as well, Beth.

4 CHAIRWOMAN WEINSTEIN: We go to the
5 Senate.

6 CHAIRWOMAN KRUEGER: So far it is just
7 me.

8 CHAIRWOMAN WEINSTEIN: I see Senator
9 Serino.

10 CHAIRWOMAN KRUEGER: Oh, I'm sorry,
11 Senator Serino. No, Senator Serino, I
12 apologize.

13 Please go to Senator Serino.

14 SENATOR SERINO: Thank you.

15 CHAIRWOMAN KRUEGER: And also Senator
16 Mike Martucci showed up, excuse me.

17 All right, we're active. Yes.

18 SENATOR SERINO: Thank you,
19 Madam Chair.

20 And I just want to say to Kendra and
21 Sally, oh, my God, your stories just really
22 touched me. And I'm sure it's so good for
23 people to hear what you're talking about. I
24 cosponsored the Fair Pay for Home Care Act,

1 and it's just -- we need it today, more than
2 ever.

3 As for me, I just recently had to take
4 care of my mom and mother-in-law -- they both
5 had failing health, and for the past month
6 and a half I saw firsthand the lack of
7 services, and I've been doing this for, what,
8 eight years now? So thank you so much for
9 sharing your stories. We do have to
10 incentivize and make a living wage that's
11 sustainable.

12 But I would like to go to Beth, if I
13 could, to ask you to talk about the -- nice
14 to see you. I want to say thank you so much
15 for putting focus on the funding needed to
16 bolster caregiving, as we're hearing these
17 stories today, and we really need to fund and
18 professionalize the ombudsman program.

19 You know, it's something I absolutely
20 love. One thing that doesn't get as much
21 attention is the middle-class Fair Family
22 Caregiver tax credit, and that's something
23 that AARP has been pushing for quite some
24 time, and I know it would be a great benefit

1 to many families that we all serve. So can
2 you just elaborate on what passing that tax
3 credit would mean for New York families?

4 MS. FINKEL: Yeah, it would -- so
5 basically, as I said before, the average
6 family caregiver pays out in New York \$8200 a
7 year out of their own pocket. And that might
8 be because they're helping to pay for chore
9 services, they might be paying for medicine,
10 they might be paying for supplies, they might
11 be doing renovations on the home to make them
12 more remodeled and -- it's a myriad of --
13 they might be paying for respite services,
14 et cetera, or caregiving.

15 And what we're -- what we're seeing is
16 that this money would then be able to -- this
17 tax credit would be for people who have up to
18 \$75,000 a year in income, so it's very
19 middle class -- and thank you, Senator, for
20 pointing that out. And that's the whole
21 point, is that we have to help the
22 middle class because they're really not
23 getting enough help and if we don't, then
24 what are they going to do? They are the

1 backbone of our long-term-care system. So
2 this would allow them a tax credit of \$3500 a
3 year, which is -- which would be wonderful.

4 And by the way, it's a pilot program.
5 We can see how it works and then we can go
6 from there on it. So I think this would be
7 really great -- good government. Thank you
8 for saying that.

9 SENATOR SERINO: Absolutely, Beth.
10 You know, and that 3,500 means so much to
11 middle-class families or anybody right now
12 with the rising cost of everything. It
13 really will be very helpful.

14 So thank you so much for your
15 advocacy. And once again, thanks to Sally
16 and Kendra for really telling your heartfelt
17 stories. Thank you. We all needed to hear
18 that today. Thank you.

19 CHAIRWOMAN KRUEGER: Thank you.

20 Back to the Assembly.

21 CHAIRWOMAN WEINSTEIN: We go to
22 Assemblywoman Rosenthal.

23 ASSEMBLYWOMAN ROSENTHAL: Hi. Thank
24 you. Hi, Beth. Good to see you, and thank

1 you for your testimony and your proposal.

2 You know, the state gives away a lot
3 of tax credits, for example, to developers to
4 build mostly luxury housing. That's a place
5 we could use a tax credit -- move it from
6 there to your proposal.

7 To Sally, I want to keep seeing you on
8 the screen with that bookcase behind you. I
9 don't want to see you in a different
10 setting -- and Kendra, while you're
11 blurred -- but I want to see you in your
12 home.

13 So let me ask you, what did you feel
14 when the budget director said all care
15 workers were taken care of with the minimum
16 wage? What did that make you feel and think
17 about what the state thinks of home care
18 workers?

19 MS. SCALIA: When I first heard that,
20 I was really dismayed and disappointed and
21 angry because it sends a clear message that
22 he does not understand the state of long-term
23 care in New York State. And if he does, he
24 is wholly ignoring the cries of the

1 disability and senior communities as well as
2 our providers who have been talking and
3 elevating this issue for a number of years
4 now.

5 ASSEMBLYWOMAN ROSENTHAL: Thank you.

6 Sally?

7 MS. JOHNSTON: I felt the same way. I
8 couldn't believe it. You know, how can you
9 get somebody like this to understand what
10 it's really like to have a disability and to
11 be stuck, to have no care, you know, to just
12 maybe lay in bed and defecate all over
13 yourself because somebody didn't come, and
14 you've got to wait and wait and wait until
15 someone does come.

16 I just don't understand where he's
17 coming from, and I didn't like it at all. It
18 was just so unfair and unthoughtful.

19 ASSEMBLYWOMAN ROSENTHAL: You know, I
20 agree with you. And I don't know how anyone
21 can listen to your stories and say "You're
22 wrong." And so I think perhaps we need to
23 summon or have a meeting with Sally and
24 Kendra and someone from the administration so

1 they -- you can tell them directly your story
2 and your wide experience and years-long
3 experience struggling to hire people who can
4 assist you in maintaining your lives the way
5 you want to.

6 So this is an official call-out to the
7 administration: Please have someone meet
8 with Kendra and Sally -- and I don't know if
9 they want to add anyone to this -- so you can
10 feel and see them, hear them, and do
11 something about it.

12 We need Fair Pay for Home Care, and
13 it's not just a phrase. It is a necessity.
14 And I will continue to work to advance this
15 cause. Thank you.

16 MS. JOHNSTON: Thank you.

17 CHAIRWOMAN WEINSTEIN: Thank you.

18 To the Senate.

19 CHAIRWOMAN KRUEGER: Yes, we have
20 Senator Mike Martucci.

21 SENATOR MARTUCCI: Thank you,
22 Chairwoman. Great to see you, as always.

23 My question is for Kendra. Kendra,
24 like Senator Serino and so many others on

1 this call, I too am very proud to be a
2 cosponsor of Fair Pay for Home Care. One of
3 the things that I've heard has been a
4 struggle is obviously not only finding
5 someone to serve regularly in a role, but
6 sort of what happens if, over the last year
7 with things like quarantine and illness and
8 sickness, if your regular caregivers are not
9 available, are there any substitute folks?
10 Or is there sort of like no substitute pool?
11 What does that look like?

12 MS. SCALIA: Yeah, when there are no
13 home care workers to come, there's no one.
14 So unless you have family, friends, or
15 neighbors who are willing to leave their job
16 for the day, go without pay for the day, and
17 spend their time doing really tough, physical
18 work -- this is not companionship work, this
19 is a physical, labor-intensive job -- you
20 don't have anyone.

21 And the sad state is that many, many
22 disabled and senior New Yorkers do not have
23 that network. They don't have those
24 neighbors and family members around them who

1 are able or willing to do this work for them.

2 So to answer your question, there is
3 no support. There is no network to fall back
4 on. When a home care worker calls out sick,
5 there is no one to replace them when other
6 home care workers are saying, I can't come
7 in, it's too risky because of the pandemic.

8 SENATOR MARTUCCI: Understood, Kendra.

9 And thank you for your perspective and
10 being here and continuing your advocacy on
11 this. What I want you to know, certainly,
12 is -- as well as several others that are part
13 of this hearing -- I look forward to doing
14 everything I can to support this initiative,
15 see it done in our budget. It's long, long
16 overdue.

17 Thank you, Chairwoman Krueger.

18 CHAIRWOMAN KRUEGER: Thank you very
19 much, Senator.

20 Back to you, Assemblywoman.

21 CHAIRWOMAN WEINSTEIN: Do you have --
22 did you want to speak, Senator Krueger?

23 CHAIRWOMAN KRUEGER: I just wanted
24 to -- actually, I wanted to do exactly what

1 Linda Rosenthal already did, which was to
2 highlight that we give out a huge number of
3 tax credits for seriously questionable
4 activities. We spend \$1.6 billion on tax
5 credits for the fossil fuel industry at the
6 same time as we're trying to get everybody
7 off of fossil fuels, and we spend -- Helene
8 and I sat through all the hearings -- we
9 spend billions and billions on
10 mega-economic-development deals that we're
11 never sure whether they created a job at all.

12 And yet here we have a huge number of
13 New Yorkers who need to have a reasonable
14 wage for home care in order to be able to
15 live their lives in dignity and stay in their
16 homes. They are proven jobs with economic
17 wins. When people who are low-income earn a
18 little bit more money and can go to work,
19 they immediately spend that money in their
20 local economy, as opposed to some of these
21 megadeals that never deliver anything for
22 anybody's communities.

23 So I do believe not only that it is
24 time or beyond time for us to address these

1 issues, but that we actually have money that
2 we can redirect to take care of these needs.

3 So I want to thank both women for
4 coming and telling their stories, and
5 Beth Finkel from AARP, who is a long-time
6 friend and advocate on behalf of older
7 New Yorkers.

8 Thank you very much, Helene.

9 CHAIRWOMAN WEINSTEIN: Thank you.

10 Ditto to Senator Krueger. And to
11 answer Senator Martucci, when your home
12 attendant doesn't come, my sister and I are
13 the ones who are taking care of my mom. It's
14 something that so many of us legislators
15 ourselves are dealing with on a daily basis.

16 So I want to thank this panel and then
17 move on to Panel B. We're -- you will notice
18 as the speakers -- as the panel goes on, it's
19 mostly going to be on the daycare issue.

20 Schuyler Center for Analysis and
21 Advocacy, Crystal Charles, policy analyst;
22 Early Care & Learning Council, Jessica Klos
23 Shapiro, director of policy and community
24 education; The Children's Agenda, Pete

1 Nabozny, director of policy; All Our Kin,
2 Steve Morales, New York policy director;
3 ECE On The Move, Gladys Jones, CEO/founder;
4 New York Association for the Education of
5 Young Children, Katie Albitz, public policy
6 and advocacy coordinator; and Day Care
7 Council of New York, Gregory Brender,
8 director of public policy.

9 The advantage of being virtual is we
10 can have a lot of people on the same subject
11 together. We couldn't fit you around the
12 table, but we can fit you on our computer
13 screens.

14 So just a reminder to the panel, each
15 of you has up to three minutes to make a
16 presentation. We have all of your written
17 testimony; it's been circulated to all of the
18 members who are present here. After all of
19 the panel speaks, any member who wishes to
20 ask a question of the panel will have three
21 minutes to ask a question of the panel, not
22 each individual panelist.

23 So with that, if we can go in the
24 order that I called people and start with the

1 Schuyler Center, Crystal Charles.

2 MS. CHARLES: Thank you. Good
3 afternoon, everyone. I'm policy analyst at
4 the Schuyler Center for Analysis and
5 Advocacy.

6 This year the Schuyler Center
7 celebrates our 150th anniversary as a
8 nonprofit organization dedicated to policy
9 analysis and advocacy in support of public
10 systems that meet the needs of
11 disenfranchised populations and people living
12 in poverty.

13 We are entering the third year of the
14 pandemic. New York children and families
15 need robust support as they recover from the
16 severe impacts on their well-being. New York
17 State enacted the Child Poverty Reduction Act
18 in 2021, committing the state to reducing
19 child poverty by 50 percent in the coming
20 decade with attention to racial equity. In
21 order to achieve this goal, we must
22 systemically evaluate state budget decisions
23 for their impact on child poverty.

24 To that end, we support the Children

1 and Families Reinvestment Act proposed by
2 Assemblymember Hevesi and Senator Brisport,
3 supported by over 50 Assembly and Senate
4 members and many of our fellow advocates.
5 The act would infuse chronically underfunded
6 child welfare programs with new funds and
7 move New York to a universal childcare
8 system.

9 This is an important year for child
10 welfare funding in New York State. The child
11 welfare funding statute, which funds
12 preventive services that help keep families
13 together in times of crisis, would expire
14 this year without the reauthorization for
15 five more years of funding proposed in the
16 Executive Budget. However, the Executive
17 Budget does not restore the state share of
18 funding for preventive services to the
19 65 percent written in statute.

20 New York's childcare landscape is in
21 dire straits. For families, childcare is
22 their largest monthly bill -- that is, if
23 they can find and afford childcare in their
24 area. For childcare providers, the sector is

1 on the edge of collapse, with stabilization
2 payments set to end early this year, low
3 wages, and many providers having to reduce
4 staff or shut down during the pandemic.

5 In order to reach universal childcare
6 in New York, robust funding -- \$5 billion --
7 is needed for family subsidies, workforce
8 supports, and provider reimbursement rates.
9 We urge the Legislature to repair over a
10 decade of underfunding child welfare programs
11 with new funds, including restoring child
12 welfare preventive services funding to the
13 65 percent state share and fully funding
14 universal childcare in the final state
15 budget.

16 Thank you for the opportunity.

17 CHAIRWOMAN WEINSTEIN: Thank you.

18 Now, Early Care & Learning Council.

19 MS. KLOS SHAPIRO: Good afternoon. My
20 name is Jessica Klos Shapiro. I'm the
21 director of policy and community education
22 for Early Care & Learning Council.

23 ECLC and our network of 35 Child Care
24 Resource and Referral agencies, or CCR&Rs,

1 provide direct assistance and support to
2 parents, childcare providers and employers in
3 all 62 counties.

4 While the childcare system itself is
5 fractured, underresourced, and overwhelmed,
6 they all focus on the critical support that
7 CCR&Rs provide to families, providers, and
8 communities to bolster the success of young
9 children.

10 The ECLC and our network has
11 experienced, knowledgeable, and dedicated
12 professional development staff who provide
13 training, best practices, and support to
14 childcare providers. The network is
15 connected to the local providers,
16 knowledgeable about the communities they
17 serve and the obstacles facing families.

18 CCR&Rs are a key component to the
19 complex childcare delivery system. And over
20 the last two years, they have continued to
21 step up to serve their communities on the
22 front line. They distributed PPE and
23 cleaning supplies, went into programs to work
24 with educators to set up their classrooms to

1 accommodate changing regulations, and created
2 new trainings on how to navigate challenges
3 with the social distancing in the classroom
4 and remote learning for children.

5 CCR&R also administered various grants
6 in partnership with OCFS, such as the
7 Essential Worker Scholarship and the CARES
8 grants, which totaled nearly \$185 million.
9 As Commissioner Poole stated this morning,
10 the network and ECLC recently delivered
11 technical assistance for childcare providers
12 to gain access to \$901 million in
13 stabilization grants. Fifteen thousand
14 childcare programs were helped.

15 At points the adaptability of the
16 CCR&R network was in the pivotal role that we
17 played in helping childcare programs succeed.
18 It does not come without a struggle, though.
19 If qualified staff have the skills to do
20 training and stabilization grant
21 administration, they require competitive
22 wages.

23 CCR&Rs are largely funded by state
24 contracts, contracts that have been

1 flat-funded for many years. The increases
2 that do come are often sporadic, and
3 therefore it becomes hard to staff up for a
4 project quickly. Planned-for and sustained
5 funded is needed. An hourly rate for a CCR&R
6 employee statewide can range from \$15 an hour
7 upstate to the low 20s in the suburbs of
8 New York City. Childcare is a strongly
9 female-dominated occupation, and that is no
10 different in the CCR&R. So if we want to
11 reach real pay equity, professionalize the
12 necessary work of a CCR&R, it needs to be
13 compensated.

14 In this year's Executive Budget
15 proposal it has an increased role for CCR&Rs.
16 If this is envisioned as a navigator role, we
17 need to fund this so it can be done in a
18 systematic, cohesive way.

19 We are also a member of the Empire
20 State Campaign for Childcare, so we are in
21 favor of Child Care for All by 2025.

22 So we thank you for the opportunity to
23 provide comments today.

24 CHAIRWOMAN WEINSTEIN: Thank you.

MR. NABOZNY: Hi. Thank you. My name is Pete Nabozny. I'm director of policy at The Children's Agenda, which is located in Rochester, New York.

We're here also in support of the Empire State Campaign for Childcare's budget recommendation of \$5 billion this year. That's what's needed to really transform the childcare system in New York, not just to help us recover from the pandemic but to build a better childcare system for families of children throughout this state.

I'm just going to touch on a couple of things quickly. First of all, we have a real lack of high-quality childcare throughout the state. The recent request for applications from OCFS revealed that 62 percent of census tracts in the state qualify as childcare

1 deserts. The pandemic only made things
2 worse.

3 Across this pandemic we have lost
4 about 10,000 regulated slots across the
5 state. Those losses are primarily found in
6 Family and Group Family Child Care settings,
7 which are generally more affordable for a lot
8 of families. They're also more likely to be
9 located in our state's urban areas, and are
10 much more likely to be owned by women and
11 women of color than childcare centers.

12 And since it is important to kind of
13 call out the disparate impact of those losses
14 over the course of the year, childcare is
15 also really unaffordable for families. If a
16 family is making \$75,000 a year and they have
17 \$15,000 in infant childcare costs -- which is
18 what it costs across the state, higher in
19 some parts, lower in others -- that is just
20 impossible for them to afford, given
21 mortgages, rent payments and other things
22 like that.

23 So a lot of those families that are
24 just above our income thresholds really

1 can't participate in that market. That is
2 driving people out.

3 And even among those who do qualify,
4 there's very little information available
5 about the childcare subsidy system across the
6 state. So many families don't know that they
7 qualify.

8 And the way this is navigated is so
9 byzantine that people get excluded just
10 through the bureaucracy. We need to change
11 that.

12 And finally, childcare workers are
13 dramatically underpaid. Where I live in
14 Rochester, they make at the third percentile
15 of all the different job types in our region.
16 So the average childcare worker here makes
17 about \$26,000 a year. That's about as
18 low-paying as any job, and that is not
19 recognizing the incredibly critical work that
20 they do nurturing and developing young
21 people.

22 So what do we need? We need
23 \$5 billion this year, really, to push on
24 three major areas. One is to expand access

1 to every New Yorker who seeks childcare. The
2 second piece is to improve worker
3 compensation to recognize the importance of
4 the work these folks do and to reward that
5 through greater support from the state. And
6 third, we need to raise rates so that the
7 childcare business is a sustainable business
8 model. And this \$5 billion proposal would
9 achieve that.

10 Thank you.

11 CHAIRWOMAN WEINSTEIN: Thank you.

12 We move on to All Our Kin.

13 MR. MORALES: Thank you, honorable
14 Senators, members of the Assembly. My name
15 is Steven Morales. I'm the New York policy
16 director at All Our Kin.

17 All Our Kin is a national nonprofit
18 organization that trains, supports, and
19 sustains home-based family childcare
20 educators, including nearly 300 family
21 childcare educators in the Bronx. We're also
22 proud members of Empire State Campaign for
23 Childcare.

24 And I'm here today to talk to you

1 about the need to invest \$5 billion in state
2 funding in childcare, including licensed
3 home-based family childcare in the upcoming
4 budget.

5 Parents across the state rely on
6 licensed home-based family childcare for
7 high-quality, flexible, culturally responsive
8 care. In my written testimony I have
9 included statistics about family childcare,
10 but the need to fund childcare goes beyond
11 statistics. So I want to use my time now to
12 share some stories that I have heard from
13 family childcare educators which I think
14 speak to the urgency of making these
15 investments at the state level.

16 First, Beatriz, who owns a group
17 family childcare program in the Bronx, told
18 me that there are families in her program who
19 have either failed to qualify for subsidies
20 or who have spent months waiting to receive a
21 voucher. So Beatriz has several times had to
22 make the gut-wrenching decision to take money
23 out of her own pocket in order to provide
24 free care to these families because she was

1 not going to turn away a family who could not
2 afford to pay.

3 No educator should have to decide
4 between her own livelihood and serving a
5 family in her community. We need to fund
6 universal childcare so that no family or
7 educator in New York is ever faced with this
8 type of decision again.

9 Another educator I have spoken to,
10 Isaura, she owns and leads Little Giant's
11 Group Family Day Care in Williamsbridge, and
12 she talked about, despite having a full
13 program, that she's unable to pay her staff
14 the wages they deserve.

15 Isaura spoke of staff members who,
16 despite their love for children, decided to
17 take jobs in retail or fast food so they
18 could earn higher wages and benefits. Isaura
19 wants to be able to offer healthcare and
20 retirement benefits to her employees,
21 including to her own aging mother, who works
22 in her program, but she simply financially is
23 unable to do so with the rates that she
24 currently receives from the state.

1 No childcare educator should have to
2 choose between poverty and leaving their
3 profession. Unfortunately, these stories are
4 not unique. This is a crisis that is
5 devastating our entire childcare sector and
6 threatening our state's economy.

7 We all know the cliché that our budget
8 is a reflection of our values, and we cannot
9 afford to wait for federal action. I urge
10 you to show that New York State values our
11 youngest children, and the educators who
12 teach and care for them, by investing
13 \$5 billion in free and available childcare
14 for every family who wants it, and in raising
15 compensation for educators so they can
16 sustain their businesses, receive ample
17 take-home pay and benefits, and provide
18 high-quality care for the long term.

19 Thank you for the opportunity to share
20 today.

21 CHAIRWOMAN WEINSTEIN: Thank you.

22 Next, ECE On The Move.

23 MS. JONES: Thank you for the
24 opportunity to testify today. I was going to

1 do this rehearsed testimony, but being here
2 today I have to say this. The connection of
3 children, seniors, and disability -- it is
4 very sad to me. That we all are in the same
5 boat, it is very sad.

6 My name is Gladys Jones, and along
7 with my fellow providers I founded ECE On
8 The Move three years ago to address the
9 system of policy needs of family childcare
10 providers in New York city. I am an early
11 childhood educator in a residential setting
12 in Staten Island and have worked in this
13 capacity in my community on behalf of
14 low-income children and their families for
15 18 years.

16 ECE On The Move is a provider-led and
17 provider-serving organization that seeks to
18 address the systemic barriers and challenges
19 facing family childcare providers. We have
20 over 600 provider members in New York City.
21 In addition to organizing providers and
22 parents, ECE On The Move supports providers
23 in understanding system requirements and
24 interacting with city and state

1 childcare-related agencies.

2 My testimony is informed by these
3 voices and experiences of the workforce and
4 the families who they serve. The realities
5 we face are dire. Providers are largely
6 living in poverty. The priority of ECE On
7 The Move is to ensure that childcare
8 providers and the families who rely on their
9 services are well-served by public systems,
10 earn living wages, and prioritize business
11 and social support services.

12 We are in a crisis. And without
13 immediate action, many childcare providers
14 will cease to operate, eliminating services
15 that working families rely on. These
16 services underpin an economy where working
17 parents can fully participate. We are far
18 from that today and face a future with even
19 less childcare availability. We will be
20 extinct.

21 This task ahead for New York is to
22 stabilize this shaky sector while reducing
23 childcare costs. I am on the same page as
24 Empire State Child Care's campaign -- I won't

1 quote the -- what we need, but I am here with
2 them, and we are in trouble.

3 I'm very emotional. I thought I was
4 going to be happy to be here, but it made me
5 sad to hear all this today. I see -- I give
6 up my time to someone else.

7 Thank you.

8 CHAIRWOMAN WEINSTEIN: We're happy
9 that you're here to be able to share your
10 experience, of yourself and other providers.

11 Next, the New York Association for the
12 Education of Young Children.

13 MS. ALBITZ: Hi. Thank you for the
14 opportunity to testify today.

15 My name is Katie Albitz, and I'm the
16 public policy and advocacy coordinator for
17 the New York Association for the Education of
18 Young Children.

19 As a statewide organization with over
20 3,000 members in the field of early education
21 and care, we work on behalf of the essential
22 workforce that has been the backbone of
23 New York's economy by supporting all other
24 essential workers through the course of the

1 pandemic.

2 As we hope to demonstrate through the
3 summary of our testimony, six months of
4 stabilization funds are not enough to correct
5 for a dysfunctional childcare system facing
6 decades of underfunding and neglect. We join
7 with our coalition partners in the
8 Empire State Campaign for Child Care to ask
9 for an investment of \$5 billion in this
10 year's budget to put New York on a path, a
11 clear path, to achieving universal childcare.

12 I cannot emphasize enough that the
13 \$75 million proposed in the Governor's budget
14 is not sufficient to improve the wages of
15 childcare providers in our state. Yesterday
16 the Washington, D.C., city council voted to
17 allocate \$75 million to improve the wages of
18 the zero-to-two workforce in a city of
19 700,000. This is the same amount the
20 Governor has allocated for a state of
21 19 million.

22 The reality of low pay as a childcare
23 provider is something I speak to from
24 experience. As a toddler teacher I earn

1 minimum wage while playing, soothing tears,
2 changing diapers, cleaning, and developing
3 lesson plans with 10 children under two and a
4 half years old.

5 I relied on my father's health
6 insurance and then on Medicaid. I could not
7 afford a car or my student loans. There is
8 no path to a living wage. Every day people
9 like me are leaving the work they love
10 because they have no way to make ends meet.
11 Every year that goes by without meaningful
12 investment in a commitment to wholly
13 transforming our system is one that weakens
14 what is left of New York's childcare and
15 takes advantage of the dedication of early
16 childhood educators.

17 For the remainder of my time, I will
18 share the words of childcare providers who
19 are unable to be here today because they are
20 currently taking care of children right now
21 across our state.

22 Tiffany Diaz, from the Bronx, shared
23 with us that stabilization grants, which are
24 now over, meant "survival of my program,

1 survival of the childcare industry, survival
2 for my staff, survival for my family."

3 An anonymous family childcare provider
4 told us that stabilization funds meant she
5 won't become homeless.

6 A provider in Croton-on-Hudson told me
7 that stabilization funds mean that she can
8 try to offer her staff an ethical wage for
9 the first time ever. Her staff had to go to
10 food pantries during the pandemic.

11 Danielle Wright, a director in Auburn,
12 shared that her local McDonald's is starting
13 staffs at \$18.50 an hour, and they can't
14 compete.

15 A family childcare provider told us
16 that she is able to pay down her debt with
17 stabilization funds because many providers
18 kept their programs afloat by using personal
19 debt and the stabilization allowed them to
20 pay that debt back. Now she can focus on
21 children and not that debt.

22 Another family childcare provider
23 shared with us that these funds give her hope
24 that they will be okay and that they will

1 survive this economic tragedy, but now those
2 stabilization funds are over.

3 What happens next is even more
4 important, and it is absolutely essential
5 that the State Legislature invest \$5 billion
6 this year.

7 Thank you.

8 CHAIRWOMAN WEINSTEIN: Thank you.

9 The final presenter on this panel,
10 Day Care Council of New York.

11 MR. BRENDER: Good afternoon. Thank
12 you so much for the opportunity to testify,
13 and for all of your work both listening to
14 folks and questioning the commissioners and
15 really fighting for childcare.

16 My name is Gregory Brender. I'm the
17 director of public policy at the Day Care
18 Council of New York. We are the membership
19 organization of early childhood providers in
20 New York City. Our member organizations
21 provide services in all five boroughs through
22 a variety of means, many of them with
23 contracts with the New York City Department
24 of Education -- which, as you know, are

1 partially state-funded.

2 We are, as my other fellow panelists
3 all said, part of the Empire State Campaign
4 for Child Care. As providers of early
5 childhood education, Day Care Council members
6 engage families at the crucial earliest
7 stages of children's development. The first
8 years of a child's life are the only
9 opportunity to provide them with the
10 social-emotional development and early skills
11 development that supports them throughout
12 their education and throughout their lives.

13 As such, Day Care Council and its
14 network of community early childhood
15 educators have long recognized that access to
16 strong and stable early childhood education
17 programs have profound effects on their later
18 learning and academic achievement.

19 Moreover, high-quality childcare is
20 indisputably essential for New York's
21 economy. As Governor Hochul has stated,
22 childcare is the backbone of our economy.
23 And this transformative investment is
24 critical to building our economic recovery.

1 Childcare makes it possible for working
2 parents to return to work, keeping businesses
3 open, fueling the economy's growth and the
4 state's recovery.

5 We believe that New York leaders can
6 and must include transformational proposals
7 and funding in this year's enacted budget.
8 Now is the time for New York to commit to
9 \$5 billion to move towards universal
10 childcare within four years.

11 There are three main components of the
12 Empire State Campaign for Child Care's budget
13 ask that we support. The first is that
14 New York provides universal guaranteed access
15 to childcare of a family's choice for all
16 children, regardless of parental work status
17 or income or immigration status, in Year 1.

18 That New York immediately raises
19 workforce wages by extending stabilization
20 grants and creating an early childhood
21 workforce compensation fund until payment
22 rates have increased.

23 And that New York transitions to a
24 payment rate model that is based on a cost

1 estimation model that accounts for geography,
2 quality, and assumes all childcare staff are
3 paid in parity with elementary school
4 teachers.

5 The Day Care Council of New York and
6 our partners in the Empire State Campaign for
7 Child Care strongly support the Universal
8 Child Care Act from Senator Brisport and
9 Assemblymember Hevesi, S7595/A8623, which is
10 built around the core principles for
11 universal childcare adopted by ESCC: No
12 means testing; truly universal access,
13 including for immigrant families, children
14 with disabilities, children from underserved
15 communities; without barriers such as work
16 and other activity requirements; care for
17 children throughout the continuum, birth
18 through 13; and strong work support.

19 We are thrilled that so many of
20 New York's legislative leaders are advancing
21 and supporting visionary proposals to
22 dramatically expand access to childcare in
23 New York. We believe that the Universal
24 Child Care Act could be further enhanced with

1 components of the Early Learning Child Care
2 Act from Senator Ramos and Assemblymember
3 Clark, such as including mandates and setting
4 up minimum salaries for early childhood
5 educators, and a strong role for CCR&Rs and
6 other nonprofits to bring together providers.

7 This year's enacted budget must
8 include a \$5 billion investment in childcare
9 to put New York on a short path to universal
10 childcare.

11 Thank you so much for the opportunity
12 to testify, and sorry that it looks like I
13 ran over. Thanks.

14 CHAIRWOMAN WEINSTEIN: That's fine. I
15 want to thank all the panelists.

16 Now we will go to some of our
17 colleagues for questions, three minutes each.

18 Assemblyman Hevesi first.

19 ASSEMBLYMAN HEVESI: Thank you,
20 Madam Chair, and thank you to that panel.
21 You guys -- let me just -- I'm so grateful to
22 you.

23 Let me just tell you what I heard so I
24 can compare notes with my colleagues as we go

1 into this budget negotiation. That there are
2 low wages; that the workforce is fractured
3 and overwhelmed; that the stabilization
4 grants are running out; that the contracts
5 were flat-funded for years; that there's
6 sporadic funding; that there's no pay equity;
7 that there's a lack of high-quality care;
8 that 62 percent of the tracts are deserts;
9 that we've lost 10,000 regulated slots in
10 family settings in urban areas that are
11 mostly owned by women of color; that families
12 don't know if they qualify; dramatically
13 underpaid, people have to decide between
14 their livelihood and caring; families fail to
15 qualify or months waiting to receive a
16 voucher; unable to pay staff wages; we're
17 losing people to retail and fast food; we
18 have workforces with no healthcare; we don't
19 have healthcare benefits or any other
20 benefits for the mother who is in the
21 program; we have to choose between poverty
22 and their profession; we have dire realities;
23 we have providers living in poverty; we're in
24 a crisis, many will cease to exist; we will

1 be extinct; we are in trouble; working
2 parents can't work; we have dysfunction,
3 decades of underfunding and neglect.

4 If we don't act, we're going to weaken
5 what is left of childcare providers. We have
6 staff at food pantries who are on poverty
7 wages. We have personal debt to pay down,
8 and we use personal debt to stay open.
9 There's no path to a living wage. The
10 stabilization grants meant someone couldn't
11 become homeless. The reality of low pay is
12 brutal -- I'm adding brutal. And minimum
13 wage while handling 10 kids.

14 That's pretty much what I've heard and
15 what I would like my colleagues to focus on
16 as we go into budget negotiations.

17 Thank you, Madam Chair, and thank you
18 to my colleagues on the panel.

19 CHAIRWOMAN WEINSTEIN: Thank you.

20 To Senator Krueger.

21 CHAIRWOMAN KRUEGER: Chair Hevesi can
22 take my notes for me whenever he wishes.
23 Thank you very much, Chair.

24 And I am going to turn it over to our

1 chair, Jabari Brisport.

2 SENATOR BRISPORT: Thank you,
3 Madam Chair. And hopefully maybe we can get
4 another -- we can get Andy's extra minute for
5 the panelists.

6 So I have three questions. My heart
7 is actually breaking from your testimonies,
8 but I wanted to get to Crystal first, and
9 your testimony.

10 You said with monthly payments set to
11 end for most providers in early 2022, the
12 need for a new source of sustained funding to
13 meet the true costs of providing high-quality
14 childcare is urgent. My question to you is,
15 does the Executive Budget seem sufficient to
16 you, or does it worry you?

17 Second, to Pete, the Executive Budget
18 predicts it can add approximately
19 100,000 children to be eligible for childcare
20 by increasing the criteria from 200 percent
21 of the FPL to 225 percent. Do you think
22 those estimates are accurate or not, and why?

23 And third, Gladys, I'm just curious;
24 if New York State continues on its current

1 path, what does that mean for you and for the
2 people you know who work as childcare
3 workers?

4 Thank you.

5 MS. CHARLES: Thanks. So the
6 Executive Budget investment in childcare is
7 nowhere near enough for what's needed to help
8 stabilize the sector and support the
9 workforce and the other pillars, such as the
10 family subsidies.

11 Each section of people who are part of
12 the childcare sector -- the families, the
13 workforce, and the employees -- are all
14 struggling right now, especially during the
15 pandemic. And the investment from the
16 Executive Budget is only a small piece of
17 what is actually needed.

18 As my colleagues mentioned, you know,
19 \$5 billion is much closer to what is needed
20 to help this sector move forward. Thank you.

21 SENATOR BRISPORT: Thank you.

22 Pete?

23 MR. NABOZNY: Yes, so the Executive
24 Budget included the mention that it would

1 cover 100,000 new children. That would
2 assume that all 100,000 of these children
3 would be enrolled in the childcare slots, and
4 we know that is not possible under state law
5 today.

6 For example, any household where all
7 parents are not in the workforce, if one
8 parent stays home, that family is not
9 eligible. That is about a quarter of that
10 100,000 families right there.

11 You have other families who their
12 children are enrolled in Head Start, families
13 that choose to have that child with grandma
14 or grandpa, or a variety of other factors --
15 people who work overnights and they kind of
16 trade off the childcare.

17 So no, it wouldn't cover anywhere
18 close to that number. The number would be
19 much closer to 25,000 to 30,000 children at
20 most.

21 SENATOR BRISPORT: Thank you.

22 Gladys?

23 MS. JONES: I'm trying to remember
24 what you asked me. I do know.

1 What would it mean? I mean, it's hard
2 for me to even answer that at times because
3 the nation is in a crisis. You see what's
4 happening, everyone sees what's happening.
5 And so I will answer that. We will no longer
6 be here, especially in New York City. This
7 is one of the -- family childcare is one of
8 the most used modalities of care, in New York
9 City, anyway.

10 And also I need to have a goal, and
11 what this taught me is that I need to stand
12 up and look for a goal. And I think right
13 now the only thing that is here for us is
14 universal childcare.

15 I have to have something. I have to
16 have hope, I have to have something. And I
17 believe that is our hope, to have universal
18 childcare, so I won't have to be here feeling
19 like I have to be begging to survive.

20 But it's not for me, it's for my
21 children, for my grandchildren. I want them
22 to be in a system that is going to work. So
23 I hope we can come together and listen,
24 because it's really bad. The economy is

1 going to fail, as we know. And so y'all
2 know, y'all are policy people. You know.

3 CHAIRWOMAN WEINSTEIN: Thank you.

4 We're going to go to Assemblywoman
5 Clark now, three minutes.

6 ASSEMBLYWOMAN CLARK: Hello. Thank
7 you all for presenting today. I'm not quite
8 sure -- I have a couple of questions, so I
9 guess a few people could answer.

10 But I just want to triple emphasize,
11 Gladys, what you said about listening to both
12 the crisis we have here in childcare but even
13 with our seniors and older Americans and our
14 New Yorkers living with disabilities. Our
15 care economy is in the biggest crisis we've
16 ever seen, and it is the fundamental block to
17 what we all care about every single day and
18 what keeps our economy moving, what keeps our
19 families moving, what keeps everything
20 moving.

21 And if we don't do something, this is
22 just going to crumble. And it is going to be
23 so devastating. So you are so correct,
24 unfortunately.

1 What I also heard was that
2 stabilization grants were such a success, but
3 they are running out or have run out already.
4 And yet even though they were successful, we
5 still had 2,000 providers close their doors
6 statewide, as we heard from the commissioner
7 this morning. So imagine what's going to
8 happen now. So we know that this is an
9 equation that doesn't work.

10 One of the questions I have, first and
11 foremost, is -- maybe Pete, you could answer,
12 or the Schuyler Center -- is we can't fix one
13 without the other. We can't get more people
14 eligible for subsidies on a subsidy that
15 doesn't pay our providers enough nor pays our
16 workforce enough. So we have to fix
17 everything at once.

18 So maybe you could just emphasize why
19 it's so critical that this huge investment of
20 money -- and we know the federal dollars are
21 not enough, even if they come back in in
22 Build Back Better. So maybe touch on that.

23 And then, second, to our home-based
24 providers, I'd love to hear your thoughts

1 about, as we talk about UPK expansion and EPK
2 expansion, we can't close our home provider
3 doors either. That is a choice families
4 want. So how can we make sure that that fits
5 into whatever we create as universal
6 childcare to say that there's options beyond
7 just a school-based UPK program?

8 Because in upstate, transportation,
9 work times, all these different things don't
10 always fit. Not to mention what someone here
11 earlier suggested, was that families choose
12 home-based providers because of -- whether
13 it's a cultural connection or just a desire
14 to have a smaller place, or something in
15 their neighborhood.

16 So those are my two questions.

17 MR. NABOZNY: Sure. So I'll jump in
18 first.

19 So I think the -- I mean, you hit the
20 nail on the head. You have to do it at the
21 same time. You have to expand access, ensure
22 that more families or all families can get
23 support affording care, and you need to raise
24 rates, move away from the market-rate-based

1 methodology, set it at some kind of true cost
2 of care so that you can raise worker pay
3 without putting that cost on families who
4 aren't covered under the system.

5 And that's really the challenge in
6 childcare, is that you can't do one without
7 the other. We'd all love to see childcare
8 workers get paid a lot more. I certainly
9 would for my children's workers. But it's
10 hard to place that cost on families that are
11 having a hard time affording care. So you
12 have to cover everyone and raise the pay at
13 the same time.

14 CHAIRWOMAN WEINSTEIN: Thank you.

15 I think we'll -- so we'll go to the
16 Senate.

17 CHAIRWOMAN KRUEGER: Thank you.

18 Senator George Borrello.

19 SENATOR BORRELLO: Thank you,
20 Madam Chair, appreciate it.

21 Let me just start off quickly by
22 saying that, you know, childcare is something
23 that I've been very supportive of, I've
24 worked with Assemblyman Hevesi and Senator

1 Brisport. You know, I actually sit on the
2 board of a not-for-profit childcare center
3 myself, and I know how difficult it is.

4 And as a business owner, I know how
5 challenging it is for people to just want to
6 have the dignity of having a job but not
7 being able to have childcare. And not even
8 necessarily even affording childcare. We
9 live in childcare deserts, particularly in
10 rural parts of upstate New York.

11 So I just want to ask, I guess, a
12 general question to Jessica Klos Shapiro and
13 anyone else who wants to jump in. You know,
14 what do you need from us in order to support
15 those providers? And also how do we bridge
16 the gap between businesses that need that
17 childcare for their employees and the
18 providers, you know, that can hopefully be
19 there to support them?

20 MS. KLOS SHAPIRO: Okay, Senator.

21 So I think one of the things we've
22 seen with the stabilization grant is that we
23 are working with them right now to try to use
24 the funding in a planful way to support them,

1 where we're doing some trainings to make sure
2 that this influx sustains them.

3 So I think with additional dollars we
4 definitely could add positions to the CCR&Rs
5 where we could have a business support
6 specialist and have ongoing supports and
7 training where we could really train
8 childcare providers to actually run their
9 small businesses as businesses.

10 I think one of the things is people go
11 into childcare because they want to be
12 nurturers and educators of children, not
13 because they're businesspeople. And I think
14 that that is something that we as CCR&Rs can
15 provide if we are adequately funded to do so.

16 SENATOR BORRELLO: First of all, I
17 will tell you that is a huge issue. Just
18 because you are good at something doesn't
19 mean you are good at running the business,
20 and that is an issue in the support there.

21 We talked a little bit about the tax
22 credits. And I think we all agree that we
23 are concerned about the questionable return
24 on those investments. What about the idea of

1 a tax credit for businesses that would look
2 to locate a childcare center within their
3 facility or fund a facility?

4 MS. KLOS SHAPIRO: I think that's
5 definitely a good idea within their facility,
6 but I think it's also looking within the
7 community. Because I think there is that
8 issue of choice.

9 I think not all parents want to
10 necessarily put their child in a center-based
11 facility within a business. So it's looking
12 at a mix. It's looking at locating within a
13 community, maybe close to the business.
14 It's -- so I think right now, with this
15 deserts funding, we're really going to see
16 developing the communities in ways where -- a
17 credit to possibly the sustainability of the
18 community, in a sense, where we look to see
19 if the childcare is on a bus line, if it's
20 accessible in a way.

21 So just the locations are really the
22 most important, whether it's in the business
23 but it's also somewhere that's easily
24 accessible for parents.

1 SENATOR BORRELLO: Thank you.

2 And just quickly, I'm going to say,
3 you know, this is clearly not a partisan
4 issue, and I think we've got a good -- wide
5 bipartisan support. So we're all here to
6 help. Thank you.

7 MS. KLOS SHAPIRO: Thank you, Senator.

8 CHAIRWOMAN WEINSTEIN: Thank you.

9 We go to Assemblyman Bronson.

10 ASSEMBLYMAN BRONSON: Thank you,
11 Chair. And thank you, panelists. Very
12 powerful testimony today.

13 I'm going to pose my questions to
14 The Children's Agenda and the Schuyler Center
15 and first thank each of you for being lead
16 agencies or organizations fighting for the
17 Child Poverty Reduction Act. And I noticed
18 in the written testimony that you both
19 touched on it.

20 Schuyler Center, my question to you is
21 if you could expand a little bit on lessons
22 learned from the Great Recession and the
23 really devastating impact on our families
24 after that, and what we should be doing as we

1 move forward, not only in this budget or
2 forward. And then to Pete at The Children's
3 Agenda, you too, if you could just talk about
4 the childcare component and how that will
5 help us move forward on reducing child
6 poverty in the state.

7 So Schuyler first, if you would.

8 MS. CHARLES: Yes, definitely.

9 So after the Great Recession it took
10 approximately 10 years for the poverty rates
11 to recover to pre-Great Recession levels.
12 And, you know, since the pandemic we've seen
13 a similar impact on poverty. Some of that
14 has been alleviated because of the different
15 stimulus packages that have come in from the
16 federal government.

17 But for New York State specifically,
18 it shouldn't take us 10 years to recover from
19 a temporary event. And the Child Poverty
20 Reduction Act is something that helps us be
21 more intentional, and it sets that target for
22 us to reach for. And it takes all of us to
23 implement policies that will reduce the
24 poverty rate in New York State.

1 ASSEMBLYMAN BRONSON: Thank you,
2 Crystal.

3 And Pete, a little bit about childcare
4 and how that will help us reduce child
5 poverty here in New York State.

6 MR. NABOZNY: Yes, thank you,
7 Assemblymember.

8 So in the -- I think it was 2012,
9 2013, there was a study done at the federal
10 level, I think by the Urban Institute, that
11 looked at the -- there's a really strong --
12 to cut to the chase, there's a really strong
13 relationship between increases in
14 affordability -- for every 10 percent that
15 childcare becomes more affordable, a
16 10 percent reduction in the cost to
17 families -- and a corresponding increase in
18 maternal employment.

19 And we know that most child poverty in
20 New York State is related to -- well, a lot
21 of it is single moms with young children.
22 And so getting childcare to be more
23 affordable for families has a direct impact
24 on reducing child poverty, and it has to be

1 part of any plan that we put together in the
2 future to cut child poverty in half in
3 10 years.

4 ASSEMBLYMAN BRONSON: Thank you. And
5 thank you to all the panelists for the good
6 work you are doing out there in our
7 neighborhoods.

8 CHAIRWOMAN WEINSTEIN: Thank you.
9 Seeing no further Senators, I am going
10 to go to Assemblywoman Lunsford.

11 ASSEMBLYWOMAN LUNSFORD: Thank you
12 very much to all the panelists, especially
13 those of you who are providing direct care.
14 We see you and we hear you, and we are
15 fighting to make things better.

16 I am going to direct my questions also
17 to The Children's Agenda, which is getting a
18 lot of heat because of how much Monroe County
19 is represented here on the Children and
20 Families Committee. But I would like to talk
21 a little about the conflict between expanding
22 universal pre-K and our childcare centers.

23 There is obviously a big push to
24 ensure that as many kids get access to pre-K

1 as possible, but that is causing a financial
2 issue in our daycares. If you could speak to
3 that a little bit, and if you have any
4 suggestions for how to rectify some of that
5 conflict.

6 I'm going to start with Pete, and then
7 people can move out from there if they have
8 other things to say.

9 MR. NABOZNY: Sure, yeah. I mean, I
10 think that's one of the key issues that has
11 driven a lot of the business challenges that
12 childcare providers have faced over the past
13 decade, is the fact that childcare, sort of,
14 you know, the -- it makes its money, from a
15 business sense, on slightly older children
16 and it loses it on younger children.

17 So if the older children are in a UPK
18 classroom where, you know, it's free to that
19 family, it makes it very hard for a childcare
20 provider to charge parents what it would cost
21 to actually provide the infant and toddler
22 care. As well as those kids who are in pre-K
23 are not in pre-K all the time. That's
24 180 days a year, and they still need care at

1 other times -- evenings, after school, school
2 breaks, things like that.

3 So we've got to -- there's definitely
4 some things that we can do. Part of it is
5 more public investment into the childcare
6 sector, treating it more like how we treat
7 education, with appropriate funding.

8 There's also things -- school
9 districts are required to allocate 10 percent
10 of their UPK slots to community-based
11 partners. You could increase that to really
12 shore up these community-based organizations,
13 these childcare centers.

14 You could also help family childcare
15 providers become certified as UPK providers,
16 which other states like Maryland have done,
17 to sort of bring -- some families want their
18 pre-K experience in that kind of setting.
19 And so we should recognize and honor that and
20 help providers get to that point.

21 So there's a lot of other things that
22 could be done, but it does fundamentally come
23 down to some policy changes, but a lot of it
24 is funding.

1 And I'll turn it over to whichever one
2 of my panelist colleagues wants to add to
3 that.

4 MR. MORALES: Can I just add in on
5 that from the family childcare perspective?

6 So, one, Pete 100 percent is right.
7 We need to find ways to meaningfully let
8 family childcare participate in all of the
9 public systems.

10 I also just want to mention, you know,
11 we have a tendency in the policy world to be
12 talking about early childhood and pre-K as
13 separate things, when in reality that is a
14 continuum. So even the setup of the system
15 right now is such that, you know, there is no
16 switch that goes off at 4 years old that
17 means a child now needs care. They need it
18 throughout that entire time. So we need to
19 be supporting it throughout that entire time.

20 ASSEMBLYWOMAN LUNSFORD: Thank you
21 very much.

22 MS. JONES: Can I say something real
23 quick?

24 CHAIRWOMAN WEINSTEIN: Yes.

1 PANELIST: You're muted, Gladys.

2 CHAIRWOMAN WEINSTEIN: Yes. Yeah.

3 Quickly, we still have another member. Yes.

4 MS. JONES: You need to let the
5 workforce speak for themselves and also
6 families speak for themselves. Let us talk.

7 CHAIRWOMAN WEINSTEIN: Thank you.

8 We have another Assembly -- still
9 no -- right, no one else from the Senate. We
10 have another Assemblymember, Assemblyman
11 Mamdani.

12 ASSEMBLYMAN MAMDANI: Thank you so
13 much, Chair Weinstein.

14 Thank you everyone for your testimony.
15 I was just wondering -- and this is open to
16 anyone on the panel -- if you can speak to
17 how means testing, like income eligibility or
18 work requirements, prevents families from
19 getting childcare. Thank you.

20 (Pause.)

21 MR. MORALES: Gladys, you don't have
22 any stories?

23 MS. ALBITZ: I'm happy to take it.
24 So means testing is fundamentally

1 something that makes it difficult both for
2 low-income families and every family. It is
3 harder to access the childcare they need when
4 we have means testing because, first of all,
5 that adds many layers of bureaucracy. Second
6 of all, when families do not speak English as
7 their first language, that adds an additional
8 barrier.

9 So having to constantly prove that
10 you're working, having to prove that your
11 income is, you know, little enough but not
12 too much, making sure that, you know, we have
13 12-month eligibility -- but what happens
14 after that?

15 Making sure that all children have
16 access to the early childhood education and
17 care that they deserve in high-quality
18 settings -- middle-class families cannot
19 afford this if we're actually paying
20 childcare providers what they deserve. So
21 means testing ends up harming all of us.

22 MR. BRENDER: And I would add the
23 combination of both means testing and work
24 requirements makes approving a family for

1 childcare a herculean task both for -- I'm in
2 New York City, so for the city -- but for the
3 counties and then for individual providers.
4 And it really leads to families waiting way
5 too long.

6 And these are families who are looking
7 to get childcare to go to work. These are
8 families who want to get their children
9 educated and not miss months of education
10 because there's a backlog at a local social
11 service district.

12 So you probably gathered we all have
13 moral reasons that we want to see means
14 testing done away with. Early childhood
15 should be a right. But even just
16 implementing it becomes an incredible problem
17 for families and for providers.

18 ASSEMBLYMAN MAMDANI: So would it be
19 correct to say, then, that the answer here is
20 not the expansion of eligibility to a certain
21 percentage of the federal poverty line, but
22 rather the implementation of a universal
23 childcare system?

24 MR. BRENDER: Yes.

1 MS. ALBITZ: Yes. Yes.

2 ASSEMBLYMAN MAMDANI: Okay. Thank you
3 so much. I just wanted to clarify that.

4 Thank you for your time, and thank you
5 for your work.

6 CHAIRWOMAN WEINSTEIN: Thank you.

7 We have no further questioners. I
8 want to just thank all of you for the work
9 you are doing on behalf of families in
10 New York State.

11 And at this point we will call the
12 next panel. This is Panel C. And we have
13 New York Statewide Senior Action Council,
14 Gail Myers, deputy director; Project
15 Guardianship, Kimberly George, president and
16 CEO; LiveOn New York, Briana Paden-Williams,
17 communications and policy associate;
18 Supportive Housing Network, Laura Mascuch,
19 executive director; Association on Aging in
20 New York, Rebecca Preve, executive director;
21 and SAGE-Advocacy and Services for LGBTQ+
22 Elders, MJ Okma, senior manager for advocacy
23 and government relations.

24 So if people can go in that order,

1 starting with our friend Gail.

2 MS. MYERS: Thanks for having me. And
3 I appreciate -- so much to say in so little
4 time.

5 Our testimony will focus on
6 transparency and accountability and improving
7 benefits, expansion of programs. And I will
8 start out with our contracts that are funded
9 by the state.

10 New York StateWide Senior Action
11 Council learns about problems in the aging
12 and healthcare delivery system from two
13 contracts, our help lines that we operate
14 through the New York State Office for Aging
15 budget funding that you put into the Aid for
16 Localities budget -- thank you.

17 The first is our Patients' Rights
18 Hotline and Advocacy Project. We've run this
19 since 1987. And we educate and empower
20 patients to uphold their healthcare consumer
21 rights. As you can be sure, we've spent a
22 lot of time on nursing home visitation in the
23 past year and nursing home quality of care,
24 among other things.

1 I call your attention to page 3 in our
2 testimony, which gives you a history of our
3 budget funding. The bottom line is the
4 Executive has funded this at 31,500. The
5 Legislature has added 200,000 as a
6 legislative appropriation in the past. We
7 need you to do that again, otherwise our
8 services are at very big risk for what is a
9 vital program to help people.

10 The second contract that we have is
11 the Managed Care Consumer Assistance Program.
12 And we have had flat funding in the
13 Governor's budget, so we're starting out with
14 the same level as last year. We have had
15 increased need, and there is increased need
16 to help people who are eligible for services
17 to get enrolled. So we'd like to ask you to
18 add another \$200,000 as a legislative add to
19 that. We want to increase our capacity to
20 reach more underserved and hard-to-reach
21 older residents and to get them enrolled.

22 I just want to also note that while we
23 are subcontractors of the New York State
24 Office for Aging -- or a contractor -- we

1 have not been earmarked for any human
2 services agency COLA, and so we're coming to
3 you to ask you for some additional support.

4 In focusing on the services offered by
5 the Office for Aging, I just want to stress
6 that there -- and when we talk about it,
7 there's a difference between unmet need and
8 waiting lists. And we ask you to really
9 examine both and to get to the existing
10 barriers to EISEP home care services.

11 Regarding home care, we support the
12 Fair Pay for Home Care Act. Regarding the
13 Long Term Care Ombudsman Program, we'd like
14 to see an increase in the budget to improve
15 the staffing but tie that to a report that
16 shows how the staffing was increased.

17 We are advocating for improvements to
18 the EPIC program that would also allow people
19 under the age of 65 to use the benefit and to
20 remove the onerous new EPIC application.
21 Thgere's a bill, S4603/A5422, that we bring
22 to your attention.

23 We are asking for an expansion of the
24 Medicare Savings Program. Right now it's up

1 to 135 percent of the federal poverty level.
2 We'd like to see that go up to 200 percent
3 and get more people benefits, including a
4 federally funded benefit for Part D extra
5 help.

6 And then the last is we salute the
7 Governor for including the Medicaid expansion
8 in her budget so that seniors and persons
9 with disabilities are not restricted to a
10 lower level of income eligibility. And she
11 removes the asset test as well. That's a
12 good thing. We'd ask you to address what
13 could be a devastating window between now and
14 January 1st when her bill, should you accept
15 it, goes into effect. And that's in Part N.

16 Thank you.

17 CHAIRWOMAN WEINSTEIN: Thank you.

18 Now we go to Early Care & Learning
19 Council. (Pause.) I'm sorry, Kimberly
20 George, Project Guardianship?

21 There you are. Okay.

22 MS. GEORGE: Hi, yes. Sorry. You
23 said a different name, so I was waiting.

24 CHAIRWOMAN WEINSTEIN: Yes.

1 MS. GEORGE: Hi. Thank you,
2 Chair Krueger, Chair Weinstein, and all of
3 the honorable members of the Legislature for
4 hearing from me today. I am Kimberly George,
5 president of Project Guardianship, which was
6 founded by the Vera Institute of Justice
7 17 years ago.

8 As we are all well aware, our
9 population is aging and we do not have enough
10 systems in place that treat older adults as
11 valuable members of our society. Add to that
12 the fact that older adults are facing greater
13 poverty in retirement than previous
14 generations, and older adults with
15 disabilities and cognitive disorders, such as
16 Alzheimer's and dementia, are living longer.

17 Unfortunately, there is a growing
18 subset of adults who are poor, alone -- which
19 means they have no one to be their power of
20 attorney or healthcare proxy -- who need help
21 making decisions in managing their affairs.
22 For this population, guardianship is
23 necessary to prevent neglect and abuse and to
24 provide the dignity that people deserve at

1 every stage of their life.

2 I must distinguish for you between two
3 types of guardianship in New York. There are
4 two statutes. One, Article 17-A, is for
5 children with intellectual and developmental
6 disabilities aging out of parental control.
7 This is intended to allow family members to
8 make decisions for that person after the age
9 of 18.

10 What I am focusing on is Article 81
11 guardianship, which is for adults who have
12 had an event or circumstances in their life
13 that makes it so they can no longer -- they
14 no longer have the ability to take care of
15 every aspect of their life. Under Article
16 81, the burden of proof that a person needs a
17 guardian is much higher than 17-A. The
18 guardianship also must be the tool of last
19 resort, and the powers of the guardian must
20 specifically be tailored to the person's
21 needs for support.

22 New York's current Article 81 system
23 includes a patchwork approach to who will
24 serve as guardian. There are family and

1 friends, often referred to as lay guardians.
2 And when there is no family or friend to
3 serve as private guardian, usually an
4 attorney can be paid out of the person's
5 resources. So if a person has no family or
6 friends that are able to do the job, and no
7 money to pay a private guardian, it can be
8 difficult to find a qualified guardian. This
9 is especially true if the person's case is
10 complex, requiring time and expertise to
11 untangle issues such as housing instability,
12 untreated mental illness, and property theft.

13 Nonprofit agency providers are trying
14 hard to fill a big gap, but there is no
15 designated funding stream in New York State's
16 budget for these services. These nonprofits,
17 including Project Guardianship, struggle to
18 cobble together the funds needed to meet the
19 high demand for our services.

20 As such, New York leaves unprotected a
21 population of largely low-income aging adults
22 and people with disabilities without skilled
23 guardians. This population is at risk for
24 losing their homes, unnecessary

1 institutionalizations, repeated
2 hospitalizations, increased poverty,
3 isolation, and exploitation.

4 Project Guardianship believes that
5 \$10 million will be needed on an annual basis
6 to meet the growing need for nonprofit
7 guardianship providers. Understanding that
8 this would be a new program, and given that
9 the appointments need to go through a timely
10 court process, we are requesting \$4 million
11 in this year's budget as a starting point.

12 And I thank you for your time and
13 consideration of our request.

14 CHAIRWOMAN WEINSTEIN: So we can go on
15 to LiveOn New York.

16 MS. PADEN-WILLIAMS: Hello. My name
17 is Brianna Paden-Williams. I am the
18 communications and policy associate at LiveOn
19 New York. Thank you to both the Senate and
20 the Assembly for the opportunity to testify
21 today.

22 LiveOn New York's members include more
23 than a hundred community-based nonprofits
24 that provide core services that allow all

1 New Yorkers to thrive in our community as we
2 all age.

3 Throughout the COVID-19 pandemic, the
4 human services sector has stepped up to
5 ensure that the most vulnerable New Yorkers,
6 including older adults, have access to
7 critical services to aging communities. For
8 over two years, providers confronted a
9 pandemic that put older adults at the
10 greatest risk -- not only to the virus, but
11 also to the negative health impacts of
12 extended periods of social isolation while
13 staying at home to avoid infection.

14 In response to these threats,
15 providers worked to change their service
16 models virtually overnight, shifting to
17 reaching clients via phone, setting up Zoom
18 calls, and really just continuing to be a
19 resource to older adults throughout New York.

20 We appreciate the recent aging-related
21 commitments by Governor Hochul and the
22 Executive Budget to support the human
23 services sector in older New Yorkers.
24 Nonetheless, we also recognize that work

1 still needs to be done to better support
2 older New Yorkers. While the older adult
3 population continues to be the
4 fastest-growing demographic, making up nearly
5 16 percent of the state's population, the
6 program that supports older New Yorkers
7 remains chronically underfunded.

8 Representative of this underfunding,
9 the overall state budget grew by 3.1 percent
10 in the Executive Budget, while the NYSOFA
11 budget lagged behind overall growth at
12 1.8 percent, despite the population it serves
13 making up a larger and larger share of the
14 overall population.

15 To begin to address the inequities
16 impacting older adults and providers, at
17 LiveOn New York we recommend the following
18 budget recommendations:

19 We're asking for 14.1 million to
20 support NYSOFA-funded home-delivered meals.
21 We've seen throughout the pandemic that there
22 has been an increased need, an increased
23 demand for home-delivered meals, with
24 providers now serving more older adults than

1 ever, and thousands of new clients being
2 added to the service since March.

3 In addition, we're asking for
4 5 million to create a resident advisor
5 program in affordable senior housing. A
6 deepening investment in affordable senior
7 housing with services is critical in future
8 years, not only to improve the quality of
9 life of older New Yorkers and to address
10 rising senior homelessness, but as an overall
11 cost-saving measure against increased
12 Medicaid and Medicare spending.

13 And so a \$5 million investment in
14 FY '23, totaling 25 million over five years,
15 will create a new resident advisor program to
16 ensure older adults can safely age with
17 access to light-touch, nonmedical services.

18 In addition, like everyone else has
19 mentioned, we're also asking for a
20 cost-of-living adjustment for all human
21 service workers. While we appreciate the
22 recent investment of the 5 million, we must
23 ensure that no one is left behind. So
24 implementing a COLA across the board that is

1 inclusive of all human services will truly
2 help achieve pay equity.

3 In addition, to fully fund Fair Pay
4 for Home Care in order to establish a base
5 wage for home care workers, to create jobs
6 for New Yorkers, to support older adults and
7 people living with disabilities, and to
8 really rebuild our economy by paying home
9 care workers a just wage.

10 Lastly, we're asking for increased
11 funding to address the waiting lists for
12 NYSOFA services. That truly remains a
13 chronic issue as New York's counties and
14 nonprofit providers continue to experience
15 waiting lists for services.

16 And so with that, as we look ahead,
17 LiveOn New York is ready to work with the
18 state to continue to move the human services
19 sector forward to really ensure that all
20 New Yorkers can thrive in community with
21 access to equitable community-based services.

22 Thank you for the opportunity to
23 testify today.

24 CHAIRWOMAN WEINSTEIN: Thank you.

1 We can go to Supportive Housing
2 Network.

3 MS. MASCUCH: Thank you to the Senate
4 and Assembly chairs for the opportunity to
5 testify today.

6 My name is Laura Mascuch. I'm the
7 executive director of the Supportive Housing
8 Network of New York. We are a statewide
9 membership organization of over
10 200 nonprofits that own and operate up to
11 55,000 units.

12 Supportive housing represents a
13 critical tool to ending homelessness,
14 offering permanent housing solutions with
15 wraparound social services for people who
16 have experienced homelessness and have the
17 greatest barriers to obtaining and
18 maintaining housing.

19 New York State is in the sixth year of
20 the state's housing plan to develop 20,000
21 units over 15 years. We have over 6200 units
22 in construction or built. This is an
23 incredible community achievement.

24 We are very pleased that

1 Governor Hochul continues the supportive
2 housing commitment by proposing to fund
3 1.5 billion for the development of the next
4 7,000 units and preserving an additional
5 3,000 as part of the five-year plan.

6 As part of this commitment, the
7 Executive Budget also includes -- and the
8 Network strongly supports -- 128 million in
9 funding for the Homeless Housing and
10 Assistance Program, which provides capital
11 grants to nonprofits to construct and
12 preserve supportive housing. To date, we
13 have built over 18,000 units.

14 The Network also supports the
15 Governor's funding of the Empire State
16 Supportive Housing Initiative at 110 million.
17 ESSHI is the services funding that is married
18 with the capital.

19 But while we continue needed housing
20 development, it is incredibly important to
21 preserve the housing we have. I would like
22 to draw your attention to the New York State
23 Supportive Housing Program, that is in need
24 of additional resources. NYSSHP is a program

1 that pays for critical on-site services that
2 make it possible to house multi-disabled and
3 vulnerable individuals and families in
4 permanent affordable apartments. But before
5 ESSHI was developed, it was the main and only
6 operating funding source for supportive
7 housing rest-of-state.

8 The current NYSSHP budget is funded at
9 39.8 million. The Exec does add 2.8 million.
10 And although we support this increase, we
11 feel that much more is needed. Nearly 10,000
12 NYSSHP units depend almost totally on
13 subsidies that have remained nearly unchanged
14 for 20 years -- approximately 2500 to 3500
15 per unit. In comparison, ESSHI is four times
16 that rate.

17 The Network strongly urges the final
18 budget to include an additional 100 million
19 for NYSSHP to adjust the current rates to
20 12,500, mirroring ESSHI.

21 In addition, as you heard today, this
22 program was left out of the Executive's
23 proposal to provide a 5.4 percent cost of
24 living adjustment. With more than 80 percent

1 of NYSSHP funding supporting salaries of
2 direct care workers, this program should also
3 receive the 5.4 percent COLA. The Network
4 strongly urges the final budget to include
5 the additional 2.2 million for the COLA.

6 We also urge the Legislature to modify
7 the COLA statute language to include this
8 program moving forward, and for the COLA to
9 be extended, as it is currently slated to
10 expire on March 31st, 2022.

11 Thank you for the opportunity to
12 testify.

13 CHAIRWOMAN WEINSTEIN: Thank you.

14 And we have the Association on Aging
15 in New York.

16 MS. PREVE: You do. Good afternoon,
17 and thank you to all Senate and Assembly
18 members.

19 My name is Becky Preve, and I'm the
20 executive director of the Association on
21 Aging in New York. My membership consists of
22 the 59 Offices for the Aging that are doing
23 the direct services that have been talked
24 about today.

1 I'm really thrilled to be here on
2 behalf of my members and optimistic with the
3 proposed budget and the continued investment
4 in aging services. The past two years have
5 been extremely difficult for our network, as
6 we have experienced an increase in the demand
7 for our services that has almost doubled the
8 number of people that we are serving.

9 Additionally, we've had to change our
10 traditional service structure, transition to
11 remote services, and were thrust into new
12 services, including vaccinations and
13 education regarding the pandemic in the older
14 population.

15 Although the budget includes increases
16 in funding and allows for innovative new
17 programs, there are certain areas that
18 desperately need attention in order for older
19 New Yorkers to age in place and avoid costly
20 nurse home placements. We have heard all day
21 today and in previous hearings about the need
22 for Fair Pay for Home Care and the horrific
23 real-life implications of what not receiving
24 care means to people just like Kendra and

1 Sally, who testified today.

2 Our home care program supports older
3 New Yorkers that are above income for
4 Medicaid services, but we utilize the exact
5 same licensed home care providers as the
6 Medicaid population. And because our
7 traditional authorizations for older people
8 above income for Medicaid are lower than the
9 Medicaid system, we're deferred services from
10 licensed home-care agencies because of this.

11 Our current waiting list is over
12 90 percent due to the lack of direct service
13 professionals and not due to funding. We
14 were very fortunate to receive \$149 million
15 in federal stimulus dollars, but we are
16 unable to turn services on for the most
17 vulnerable segment of our population strictly
18 due to not having any direct workforce to
19 support them.

20 Our services are predicated on keeping
21 people in homes and communities and saving
22 the state Medicaid dollars, and our
23 traditional client, who is an 83-year-old
24 female who lives alone, is low-income, has

1 four or more chronic conditions, and needs
2 help with things such as taking a bath or
3 going to the bathroom, are really predicated
4 on making sure that we have a robust
5 workforce to support them.

6 The aggregate cost of the aging
7 services network is under \$10,000 per year
8 for individuals that would qualify for much
9 higher levels of care at a cost of about
10 \$130,000 to \$150,000 per year.

11 I also want to draw attention to
12 advocacy items that have been mentioned here
13 today. We fully support a \$14.1 million
14 increase for the Home-Delivered Meal Program.
15 This is due to the overall increased costs of
16 inflation as well as the food cost, and as
17 well as losing most of our volunteers who
18 delivered the meals due to the COVID-19
19 pandemic.

20 We're also asking for a \$6 million
21 investment into our robust case management
22 system to serve the 8,000 people currently
23 waiting for case management services
24 throughout the state, and we're asking for a

1 restoration of funding for Lifespan of
2 Greater Rochester, for their elder abuse
3 funding and mitigation efforts, of \$125,000.

4 And lastly, we fully support the
5 \$20 million investment into the Long Term
6 Care Ombudsman Program, which historically
7 has been underfunded and has not served
8 individuals that we need to serve.

9 I thank you all for your time.

10 CHAIRWOMAN WEINSTEIN: Thank you.

11 And now, SAGE.

12 MR. OKMA: Good afternoon. My name is
13 MJ Okma. I'm the new senior manager of
14 advocacy and government relations at SAGE.

15 SAGE has been serving LGBTQ+ elders
16 and HIV older New Yorkers for over four
17 decades, providing comprehensive social
18 services and community building programming
19 through our network of six older adult
20 centers in New York City, affiliates in
21 Bayshore, Hudson Valley, Syracuse and
22 Rochester, as well as programs to engage
23 older LGBTQ+ New Yorkers across the state,
24 include SAGEVets.

1 Services for elders are more crucial
2 than ever, as the population of New Yorkers
3 aged 60 and older is growing five times
4 faster than those under 18, with LGBTQ+
5 elders making up a significant part of this
6 rapidly growing population.

7 Because of thin support networks,
8 LGBTQ+ older people rely more heavily on
9 community service providers for care. Yet
10 they're often distrustful of providers after
11 a long history of compounding discrimination.
12 For many of these elders in New York, SAGE is
13 their lifeline.

14 It is because of them that I'm here
15 today to respectfully ask for the restoration
16 of our funding in the state fiscal year '23
17 budget, including a restoration of 300,000 to
18 support LGBTQ+ residents and community
19 members in and around New York state's first
20 LGBTQ+-welcoming affordable elder housing
21 development, the restoration of 150,000 from
22 the Office of Temporary Disability Assistance
23 to increase our multilingual programming and
24 services, and a restoration of 260,000 for

1 SAGEVets.

2 With the support of the New York
3 Legislature, SAGE has been able to evolve and
4 expand to best address the widespread
5 disparities facing LGBTQ+ New Yorkers. In
6 response to the ongoing pandemic, SAGE has
7 provided hundreds of virtual programs in
8 support services and thousands of phone calls
9 each week to combat social isolation.

10 Following clearance from the State
11 Department of Aging, SAGE has also been able
12 to further redesign our program and services
13 delivery to provide a variety of in-person,
14 virtual and hybrid options. SAGE also made
15 history in our state in 2020 and 2021 when we
16 opened New York's first LGBTQ+-welcoming
17 affordable elder housing developments located
18 in Brooklyn and the Bronx providing site
19 services to residents and surrounding
20 community members, including programming,
21 wellness checks, grocery delivery, and
22 coordinated care with other providers.

23 We have also expanded our multilingual
24 programming into Spanish, Mandarin, and

1 Cantonese.

2 Utilizing state funding and the
3 momentum from the passage of the Restoration
4 of Honors Act, our SAGEVets program continues
5 to expand our reach, helping older LGBTQ+
6 veterans to navigate the VA and get the
7 benefits which they deserve, aiding their
8 overall health and wellness, and providing
9 referrals to counsel for discharge status
10 updates.

11 SAGEVets provides this life-changing
12 support while saving New York significant
13 amounts of funding by ensuring veterans
14 access all of their federal benefits instead
15 of relying solely on state programs to
16 address their housing and health care needs.
17 SAGE respectfully requests the restoration of
18 our funding to continue this vital work.

19 Thank you so much for your support and
20 providing me with this opportunity. More
21 details can be found in my submitted written
22 testimony.

23 CHAIRWOMAN WEINSTEIN: Thank you all
24 for presenting.

1 We now have a number of members from
2 the Assembly and Senate who have questions.

3 So first we go -- and just a reminder
4 to the Assemblymembers and Senators that you
5 have three minutes to ask a question of the
6 panel or a specific member of the panel, but
7 not each member.

8 So we first go to our Aging chair,
9 Assemblyman Ron Kim.

10 ASSEMBLYMAN KIM: Thank you,
11 Chairwoman. And thank you all for your
12 testimonies today.

13 My first question is to Gail. Can you
14 just expand a little bit about the
15 differences between unmet needs versus the
16 waiting list?

17 MS. MYERS: Sure. So unmet needs are
18 the people who haven't called yet. They are
19 the people who have not been put on a waiting
20 list. And we saw the huge number of people
21 who really did need services but didn't come
22 into the network until this year. We got
23 calls for our patients' rights helpline from
24 people, you know, from all over the state, as

1 one example. But you heard it about food,
2 you heard it about services.

3 So unmet need is the projection of the
4 percentage of the population that one would
5 expect to need supports through the offices
6 for aging services, which is a greater number
7 than the people who -- many who are on
8 waiting lists already. And you can't just
9 turn that spigot on, even though the agency
10 did such great work last year and the year
11 before to pivot and turn and try to deliver
12 great services.

13 ASSEMBLYMAN KIM: Thank you, Gail.
14 That was very good, thank you.

15 The next question is for Kimberly.
16 There is -- I know this doesn't apply to
17 Project Guardianship, but there have been
18 some headlines around guardianship. And I
19 want to give an opportunity to dispel some of
20 those elements around exploitation of people
21 under guardianship, and so maybe it's an
22 opportunity to talk about what are some of
23 the safeguards for your clients and recourse
24 if there is some sort of exploitative

1 behavior.

2 MS. GEORGE: Yes, thank you, I really
3 appreciate that question. Thank you for
4 giving me the opportunity to address it.

5 You know, there's a lot of things
6 going on here. One is just that cases of bad
7 guardianship is what makes the media. There
8 are a lot, a lot of good people doing a lot
9 of really hard work on behalf of other people
10 serving as guardians without much
11 compensation, and so that doesn't get
12 highlighted.

13 Oftentimes guardianship is the result
14 of abuse that has happened, and research
15 shows that elder abuse is more often -- much
16 more often happens by family members and
17 under power of attorneys than by guardians.

18 Lastly, we believe that a nonprofit
19 model is a great way to prevent abuse by
20 guardians.

21 ASSEMBLYMAN KIM: Got it. Thank you.

22 Becky, very quickly, what is the
23 driving reason for the waiting list again? I
24 wasn't clear. You were --

1 MS. PREVE: Absolutely. So over
2 90 percent of the waiting list is for
3 personal care services, because we did
4 receive the federal dollars so we could turn
5 on meals, et cetera. But it's explicitly due
6 to not having any direct care professionals
7 to actually turn these services on for.

8 So it's not a money issue, it is a
9 capacity and resource issue.

10 ASSEMBLYMAN KIM: Thank you.

11 CHAIRWOMAN WEINSTEIN: To the Senate.

12 CHAIRWOMAN KRUEGER: Excuse me.
13 Couldn't get the mute off.

14 First to Senator Brisport.

15 SENATOR BRISPORT: Thank you,
16 Madam Chair.

17 My question is just for MJ from SAGE.
18 You have a center in my district, and you do
19 incredible work.

20 I'm just curious, if you don't receive
21 adequate funding from the State Legislature
22 this year, how will that impact the work you
23 do?

24 MR. OKMA: Thank you so much, Senator,

1 for the question and your support of SAGE's
2 work.

3 We really have a lot of momentum this
4 year, being able to, you know, expand our
5 multilingual programming, which has been
6 really, really quintessential for the new
7 housing developments, as we're seeing a large
8 amount of community members who are
9 monolingual and can't access our services in
10 English. So this funding really, really
11 helps us provide that and continues our
12 access and outreach to the communities.

13 We're seeing a lot more demand
14 specifically around homeless LGBTQ+ elders as
15 we kind of create these new centers across
16 New York City. There is an increased demand,
17 and this funding really makes sure that we
18 not only maintain our levels of services but
19 are able to expand our outreach to make sure
20 that we're reaching more.

21 More specifically, we've really
22 expanded our transgender and gender nonbinary
23 outreach and program development, and state
24 funding is very, very important to that.

1 SENATOR BRISPORT: I really appreciate
2 it, and I hope we can do everything we can
3 for SAGE in this year's budget.

4 I will cede the rest of my time.

5 CHAIRWOMAN WEINSTEIN: Thank you.

6 We'll go to Assemblywoman Rosenthal,
7 the chair of Social Services, with three
8 minutes.

9 ASSEMBLYWOMAN ROSENTHAL: Thank you
10 all for your great testimony. It was really
11 concise and well-written, and I really
12 appreciated it all. And you're exposing the
13 real needs the people across the state have
14 and that our state has a responsibility to
15 meet. We really have a lot to do in this
16 budget to set it right.

17 I wanted to ask Laura about vacancies
18 in supportive housing. And thank you for all
19 your great work. Since I have become the
20 chair, it's been great to work and reach
21 our -- hopefully reach our common goals
22 together.

23 In terms of the supportive housing,
24 there has been discussion about the

1 10 percent vacancy, and I spoke to -- I asked
2 Commissioner Tietz about that, and he said
3 there were a lot of paperwork issues and said
4 that units are turned around within 30 days,
5 they're not vacant for very long.

6 From your point of view, what is the
7 cause of these vacancies? And how widespread
8 are they, and how can we fix that? People on
9 the street need a home now, not in 30 days.

10 MS. MASCUCH: Right. Thank you,
11 Chair Rosenthal. Thank you for your support,
12 it's been amazing.

13 You are absolutely correct. We have
14 an approximately 10 percent vacancy rate,
15 which is leading to about 2,000 to 2500
16 units. And we also have new units coming
17 online from both the Empire State Supportive
18 Housing Initiative as well as New York -- NYC
19 15/15. So that's great.

20 But what that means is that really the
21 previous city administration did not grow the
22 capacity of the placement unit. So -- and
23 then, through COVID, there were hiring
24 freezes. And then people retired and people

1 are burnt out and they -- you know, they
2 really are very much down in staff right now.
3 So we're working very closely with the
4 administration around the staffing issues and
5 the need.

6 We're working with our nonprofits to
7 identify their vacancies, and we're working
8 with the city to really streamline the
9 process. So we're hoping that this is part
10 of the mayor's 100-Day Plan and we get these
11 units filled.

12 ASSEMBLYWOMAN ROSENTHAL: Okay, that
13 sounds very reasonable, actually.

14 And we also have to give a COLA to
15 those workers who were left out, and we
16 hear -- we've heard all day about Fair Pay
17 for Home Care and for the people who were
18 left out of the COLA. And so I'm sure the
19 Assembly will do its best to try to make
20 everybody on the same level, even though they
21 are all not making enough money for the jobs
22 we ask them to do and that they want to do.

23 So thank you so much.

24 MS. MASCUCH: Absolutely.

1 CHAIRWOMAN WEINSTEIN: Thank you.

2 We go to Assemblyman Jones.

3 No, wait, you have Senators, I'm
4 sorry.

5 CHAIRWOMAN KRUEGER: That's okay.

6 CHAIRWOMAN WEINSTEIN: The Senate.

7 CHAIRWOMAN KRUEGER: That's okay.

8 Senator Sue Serino.

9 SENATOR SERINO: Thank you,
10 Madam Chair.

11 I just would like to say thank you to
12 everybody on the panel. Your testimonies are
13 amazing, and I really appreciate all of the
14 work that each and every one of you do.

15 But my first question is for the
16 executive director of the Association on
17 Aging. Becky, nice to see you. And I am
18 sure that you heard earlier today members
19 were asking Director Olsen about the
20 Comptroller's audit. I was kind of taken
21 aback by the findings, because I know that
22 our local offices of the aging really go
23 above and beyond, they're on the frontlines,
24 and I've seen at least in my community how

1 they really were working 24/7.

2 So were you surprised by the audit's
3 findings?

4 MS. PREVE: Thank you, Senator, and it
5 is great to see you. And thanks for your
6 ongoing support.

7 I can speak on behalf of the
8 membership. I represent the counties that
9 were actually interviewed for the
10 Comptroller's report, and we absolutely
11 disagree with the findings in the audit
12 report.

13 I think it's helpful to understand
14 that there's intricacies to how this funding
15 works and what the counties and localities
16 have to go through to implement dollars.

17 And so some of the findings
18 included that money was left on the table.
19 That is completely not true. It did take us
20 some time, once the state issued the Notice
21 of Grant awards, for counties to go to their
22 board of legislators, pass the resolution,
23 then you have to reassess clients to see if
24 their services remain the same from their

1 first assessment -- did they pass away, did
2 they go to a nursing home. All of the
3 allocations were expended for Year 1 of the
4 unmet needs funding.

5 I think it's also important to note
6 that when the audit took place, it was on
7 Year 1 of that funding, which took us an
8 extended period of time to get through the
9 process to get implemented.

10 It additionally cited a few issues
11 that we wholeheartedly disagree with. One
12 was that no on-site monitoring was done by
13 New York State Office for the Aging at the
14 localities. To me, it is absolutely insane
15 to criticize an organization for not going
16 for site visits in communities that were so
17 harshly hit by the COVID-19 pandemic.

18 We lost almost all of our volunteers.
19 We lost staff. Offices were fully remote.
20 And the number-one need for New Yorkers was
21 to get them fed, keep them healthy, and keep
22 them safe -- and that's what these counties
23 did.

24 In conjunction with that, I can speak

1 personally that the commissioner -- Director
2 Olsen and I met with our counties twice per
3 month and then had one-on-one technical
4 assistance calls with all counties to make
5 sure that they could expend those dollars.
6 That was in addition to program, fiscal, and
7 nutrition support calls.

8 And therefore, you know, I think that
9 because -- if you're not really well versed
10 in the intricacies of what our funding
11 mechanism looks like, you could see those
12 barriers.

13 But we wholeheartedly disagree, and
14 all of the counties that were interviewed
15 shared with me that they were extremely
16 disappointed. I had one director who was in
17 tears, because all we have done in this
18 network for the past two years is to try to
19 keep people alive, and that's what we've
20 done.

21 SENATOR SERINO: Yeah, thank you so
22 much for explaining all of that, too, Becky.

23 And this is a question for everybody
24 about elder abuse. You know, I'm really

1 concerned to see that Lifespan was cut. And
2 we all know that elder abuse did not stop
3 when the pandemic started, but it's not being
4 reported, and that is so concerning.

5 So I was just wondering, does this
6 budget invest enough in elder abuse
7 prevention services?

8 CHAIRWOMAN KRUEGER: And I'm sorry, we
9 don't have time for you to get all the
10 answers. We ran out of time already.

11 SENATOR SERINO: Okay, thank you,
12 Chair.

13 CHAIRWOMAN KRUEGER: But everybody
14 feel free to get back to Senator Serino after
15 your panel is over to share your view about
16 that as well. Because it certainly is a real
17 issue, Senator Serino.

18 SENATOR SERINO: Thank you.

19 CHAIRWOMAN KRUEGER: Thank you.

20 CHAIRWOMAN WEINSTEIN: Thank you.

21 Now we'll go to Assemblyman Jones.

22 ASSEMBLYMAN JONES: Hi, everyone.

23 Thank you for all that you do. And I would
24 guess this question is towards Becky.

1 First, I want to reiterate how much we
2 need to support our home care workers. We
3 need our older adults to age in place. We
4 need to provide those services. We need to
5 get them a living wage so they can do that,
6 take care of our loved ones, keep them in
7 their homes in our neighborhoods.

8 A couple of questions, actually.
9 Could you tell me how we are actually saving
10 Medicaid dollars in doing that, in keeping --
11 you know, in getting those services, getting
12 those home care workers into those homes, how
13 we're saving Medicaid dollars? And also, if
14 your numbers have increased in the past
15 couple of years, I want to see and I want to
16 hear how you've done that.

17 But -- and this is a question for -- I
18 mean, this is a loaded question, but we need
19 to get our home care workers a reimbursable
20 rate so that they can make a living, so that
21 they can take care of our most vulnerable
22 population, so that they can stay in their
23 homes and where they are in their
24 neighborhoods where their families want them,

1 where they want to be. How do we do that?

2 We've been talking all day about this,
3 on how we keep people there. I know it's
4 getting more money and getting a better
5 reimbursable rate to our home care workers,
6 DSPs, all of that, but -- please answer those
7 questions.

8 MS. PREVE: Thank you, Assemblyman
9 Jones, and thank you for your ongoing
10 support.

11 You know, it's a loaded question.
12 What I can tell you is exactly what I spoke
13 to in my testimony. Our average client
14 receiving home care services would require a
15 skilled nursing facility placement if there
16 were no services available in the community.
17 So they qualify on paper to go to a higher
18 level of care.

19 We're able to provide them wraparound
20 services, from personal emergency response
21 systems to home healthcare workers providing
22 the care to keep them in homes and
23 communities. The reason that is so important
24 for Medicaid savings is that we are serving

1 the portion of the population that makes just
2 above the Medicaid benchmark, but they can't
3 afford to privately pay for the service. So
4 the minute that individual transitions to a
5 skilled nursing facility, they spend down to
6 Medicaid and the state share on Medicaid is
7 significantly high.

8 So we know it's a cost savings for us
9 to keep people in homes and communities. We
10 have also partnered with the entire
11 disability and Medicaid community on Fair Pay
12 for Home Care for exactly that reason.
13 Medicaid is the major payer, but we're
14 serving older people, people with
15 disabilities, et cetera, and our goal is to
16 keep them in homes and communities.

17 And I will share with you this has
18 been an issue since the 1980s when it was
19 first publicized in the New York Times. The
20 Assembly hosted two hearings on this issue
21 years ago that went on for 12 hours plus. So
22 we've been talking about this in aging and
23 disability and all payer sources for decades,
24 and its time to finally get a solution before

1 people start dying. And I think --

2 ASSEMBLYMAN JONES: Why aren't we
3 doing that? What is taking -- first of all,
4 it keeps people in their homes. Second of
5 all, it would save the state money if we
6 reinvested -- or if we invested this on the
7 front end instead of paying for it on the
8 back end. I don't understand why we're not
9 doing it.

10 But thank you so much for all the work
11 that all of you are doing.

12 CHAIRWOMAN KRUEGER: Thank you,
13 Assemblymember.

14 Next we go to Senator Martucci.

15 SENATOR MARTUCCI: Thank you, Chair.

16 My question is for all the panelists.
17 I wanted to use my three minutes to allow you
18 to respond to a question that both Senator
19 Serino and I have, but she did not have time
20 to get to, which was the funding in the
21 budget for elder abuse.

22 So my question to anyone who is here
23 who can testify to this would be: Do you
24 feel like the funding that is proposed in the

1 Executive Budget is sufficient? And if not,
2 what should this Legislature be taking under
3 consideration with respect to that issue?

4 MS. PREVE: I can speak to that.

5 I can tell you that we absolutely need
6 a \$125,000 investment for Lifespan of Greater
7 Rochester. This is traditionally a
8 legislative add-on for Lifespan, and I can
9 tell you, as referenced earlier, we have seen
10 an explosion in elder abuse, fraud, scams,
11 abuse, and neglect. Caregivers have
12 increasing issues with alcohol and
13 substances, et cetera. The pandemic has made
14 people ripe for exploitation, and \$125,000
15 for Lifespan to continue their work in this
16 space is imperative.

17 It also draws down additional dollars
18 through the Office of Victim Services. And
19 they work very diligently to get victims
20 restitution for what they have lost. So we
21 think it's imperative that that be added back
22 into the budget.

23 MS. MYERS: We don't do direct service
24 regarding elder abuse. We do a lot of

1 referrals when someone calls us to other
2 services.

3 But what we are looking at is a piece
4 that the Governor has proposed that would
5 allow the Department of Financial Services to
6 set up a system where they will help people
7 paying their bills so that they are not as
8 subject to trusting someone that perhaps they
9 shouldn't trust. So as that develops, we'll
10 be taking a look at that and to seeing what
11 resources need to get plugged into there.

12 But like everything else, this is an
13 example of unmet need. There are so many
14 people that are abused emotionally,
15 financially, physically, and they are not
16 reported and they are not self-reporting, and
17 we need to do more as a state. Thank you.

18 SENATOR MARTUCCI: Thank you all so
19 much for your answers.

20 Thank you, Chairwoman.

21 CHAIRWOMAN KRUEGER: Thank you.

22 CHAIRWOMAN WEINSTEIN: Thank you both.

23 To Assemblyman Bronson.

24 ASSEMBLYMAN BRONSON: Thank you,

1 Chair. And thank you, panelists, for your
2 sharing with us this important information.

3 My question is going to go to SAGE and
4 MJ. You talked a little bit about the need
5 for services. You know, I think it would be
6 beneficial to my colleagues to hear how the
7 LGBTQ+ elder community is really perceived to
8 some degree as being invisible, and they're
9 disconnected from services. Why is that?
10 And in particular, why is it for our trans
11 and gender-nonconforming individuals?

12 And then the secondary question I have
13 for you -- it's great that Brooklyn and Bronx
14 have elder-affordable housing. We're
15 starting something similar in Rochester. But
16 how can we scale that up? So help us
17 understand this issue for our LGBTQ+
18 community.

19 MR. OKMA: Yeah, definitely. Thank
20 you so much for that question,
21 Assemblymember.

22 LGBTQ+ elders face really steadily
23 unique disparities that are not faced by
24 other members of the population. There's

1 been a lot of studies done on this. I'd
2 point folks to check out AARP has an amazing
3 report called "Disrupting Disparities" that
4 kind of goes over this. But there's big
5 mental and physical health disparities, a
6 lack of competent and inclusive care.

7 Many specifically of our transgender
8 elders fear that they have to go into the
9 closet or they have to, you know, return to
10 families who might not be accepting or force
11 them, you know, to go by a name, pronouns, or
12 wear clothing that doesn't align with who
13 they are.

14 So there's unique, you know -- we
15 talked about elder abuse before. There's
16 really unique examples, you know, of that
17 specifically in the LGBTQ+ community. They
18 also face economic insecurity, you know,
19 for -- you know, compounding discrimination
20 their whole life. You know, having fewer
21 financial resources, limited housing options.

22 And, you know, isolation and being
23 disconnected from services, which is
24 something I spoke a little bit about in my

1 testimony. You know, that they have less of
2 a family support system, they might not have
3 children who can take care of them. So they
4 rely more on community care providers, but
5 those providers aren't competent in providing
6 this work. It can be more damaging, so it
7 leads to a lot of distrust and a lot of
8 social isolation and isolation from services.
9 Which makes this work really important.

10 I recently started at SAGE about two
11 months ago. I can't speak to the exact way
12 to scale our housing development, but I can
13 definitely get you connected with folks who
14 work in our housing and residence department
15 to kind of have these conversations about how
16 we can bring something similar to your
17 district and elsewhere in the state.

18 ASSEMBLYMAN BRONSON: Thank you so
19 much, MJ. Thank you, Chair.

20 CHAIRWOMAN KRUEGER: Thank you.

21 I just have a couple of things,
22 Helene, to close out for the Senate.

23 CHAIRWOMAN WEINSTEIN: Sure.

24 CHAIRWOMAN KRUEGER: Thank you.

1 I want to thank you all for your work.

2 Gail, you propose that the DFS take
3 over the bill paying. I'm not sure that
4 would ever work, but I want to suggest to you
5 something that I know not-for-profits in
6 New York City sometimes do. They go out and
7 they get bonded staff and they handle paying
8 the bills for seniors or people with physical
9 or mental disabilities. And it doesn't
10 require a whole guardianship, but it actually
11 is working very well with several groups in
12 my own district. So I would urge everyone to
13 take a look at that.

14 And Kimberly, I also had concerns
15 about the guardianship program. Now, I think
16 probably in most cases it's working when it's
17 through not-for-profits, but I've also seen
18 exploitation of seniors in my own community.

19 And so what can we do to make sure
20 we're building in that extra layer of
21 protection so that we don't find ourselves
22 with cases where you actually have to go to
23 judges, as I have, and demand that they
24 assign new guardians or remove that person

1 from the control of a not-for-profit where
2 you see that their money is being spent down
3 without their approval for no justifiable
4 reason?

5 MS. GEORGE: One thing is that we need
6 more monitoring and oversight of the
7 guardians that are appointed. I'm not sure
8 of the details of the exploitation that
9 you've seen -- like is it lay guardians,
10 private guardians, agency guardians?

11 But there's certainly -- you know,
12 guardians are required to submit annual
13 reports on every financial transaction. But
14 there's not a -- there's not a great
15 enforcement mechanism, and it can take years
16 for those reports to even be reviewed when
17 they are submitted and returned.

18 So definitely more court resources for
19 the oversight, and I think more training and
20 support for family and friend guardians on
21 what they can and cannot do. You know, just
22 like with powers of attorneys, there are
23 concepts about, like, oh, you know, in
24 advanced inheritance and things like that.

1 And there just needs to be more resources for
2 family that are serving as guardians.

3 But certainly, you know, if there is
4 exploitation, there needs to be a better -- a
5 more -- an easier way for that to get back to
6 the judges and for -- you know, successor
7 guardianships take a long time.

8 CHAIRWOMAN KRUEGER: Yes, they do.
9 And it does take -- you're right. I'm not
10 sure anybody ever looks at those reports, and
11 so it is a real concern.

12 And when I talk about exploitation,
13 the guardian has a credit card for the
14 person, won't let them have it, won't buy the
15 food for that person, and yet money is being
16 spent on that credit card on a regular basis
17 for things that never show up in that
18 person's apartment. That's an example.

19 MS. GEORGE: That's a very serious
20 breach of their fiduciary duties, yeah.

21 CHAIRWOMAN KRUEGER: Exactly. Thank
22 you. Thank you all for your work.

23 CHAIRWOMAN WEINSTEIN: Thank you.
24 Thank you for your work.

1 And just to piggyback on what Senator
2 Krueger said, a number of years ago we
3 changed the -- I sponsored the legislation
4 where we changed the definition of domestic
5 violence to include economic abuse, because
6 we found -- which also exists, a similar
7 situation, and is an elder -- whether they
8 call it elder abuse, domestic violence, where
9 the party in control does things in the name
10 of the victim economically to harm them.

11 And, you know, it's important that we
12 do prosecute the bad guys and not taint all
13 guardians. And maybe one day we'll have
14 community guardians, which is really where we
15 should be moving. We have a pilot program in
16 Brooklyn that seems to work pretty well. But
17 it needs to expand, it's very limited.

18 Thank you all for being here.

19 And now we're going to call Panel D,
20 which focuses on youth. And Panel D is
21 New York State Network for Youth Success,
22 Trudy Morgan, policy director; New York State
23 YouthBuild Coalition, Bonnie Landi,
24 president; North Rivers Family of Services,

1 William Gettman, CEO; Prevent Child Abuse
2 New York, Timothy Hathaway, executive
3 director; New York State Kincare Coalition,
4 Ryan Johnson, chair; Council of Family and
5 Child Caring Agencies, Kathleen
6 Brady-Stepien, president and CEO; and Center
7 for Court Innovation, Katherine Wurmfeld,
8 director of family court programs and gender
9 and family justice programs.

10 So if we can go in that order,
11 starting with Trudy Morgan.

12 And just a reminder, just a -- before
13 you speak, let me just remind everybody --
14 we'll put the clock back to three minutes
15 before you speak. I just want to remind
16 everybody that you each have up to three
17 minutes to speak. And when the panel is
18 finished, members may have some questions for
19 you.

20 And just to remind everyone that we
21 have your submitted testimony, it's been
22 circulated to all of the members who are here
23 and those who weren't able to join us today
24 at these budget hearings who are members of

1 these committees. So feel free to summarize
2 your testimony; we do have all of your
3 written testimony already circulated.

4 And with that, now, Trudy Morgan, you
5 can go.

6 MS. MORGAN: Thank you so much for the
7 opportunity to testify today. My name is
8 Trudy Morgan, and I'm the policy director at
9 the New York State Network for Youth Success.

10 Our goal as a statewide network is to
11 build an effective and integrated statewide
12 system of high-quality, expanded learning
13 opportunities in New York. After-school,
14 summer, and expanded learning programs in
15 New York have risen to the moment. Despite
16 program disruptions caused by COVID-19, these
17 programs have adapted to support caregivers
18 for more resilience, provide protective
19 factors, and address traumas and adversity.

20 For many New York families,
21 after-school goes beyond after school.
22 That's why this, the after-school field, has
23 experienced dire needs, especially amid
24 COVID-19, including unprecedented staff

1 shortages, low per-student reimbursement
2 rates, and other structural challenges.

3 Further, for every child in an
4 after-school program in New York, four are
5 waiting to get in. Critical investments for
6 after-school are long overdue. More than
7 ever you must strengthen, enhance, transform,
8 and leverage after-school programs to empower
9 youth success. Our full priorities are
10 outlined in my written testimony, and in the
11 interests of time I would like to highlight
12 four of our asks today.

13 Firstly, we ask the state to restore
14 the \$5 million cut to the Advantage After
15 School Program and baseline funding
16 throughout the award term. Persistent
17 reductions in the Executive Budget undercut
18 the Advantage Program and put at least 2,500
19 kids at risk of losing current after-school
20 access.

21 We also ask the state to provide
22 \$169 million to align the current per-student
23 rate of state after-school programs -- that
24 is Advantage, Empire State After-School, and

1 the Extended School Day/School Violence
2 Prevention programs -- with a true base cost
3 rate of \$4,300. This would require a change
4 in budget language for the Empire State
5 After-School Program, which currently has a
6 per-student rate set in statute.

7 Also, please direct a new line item of
8 \$250,000 this year to the New York State
9 Network for Youth Success to strengthen
10 statewide capacity building for after-school
11 programs. The state recognizes the network
12 as a critical partner in after-school and
13 school-age childcare issues, and based on
14 this funding the state would enable the
15 network to sustain the wide scope of
16 technical assistance and support it currently
17 provides.

18 Finally, please maintain the proposed
19 \$100 million in the RECOVS Learning and
20 Mental Health Grants and require school
21 districts receiving the funds to demonstrate
22 mutual collaboration with at least one
23 community-based partner.

24 After-school, summer, and expanded

1 learning programs address needs that are
2 crucial to the recovery, stability, and
3 support of students and their families.
4 After-school works in New York to empower
5 youth success, and we are counting on our
6 state legislators and the Governor to
7 increase much-needed investment at this time.

8 Thank you for your time.

9 CHAIRWOMAN WEINSTEIN: Thank you.

10 So now can we go to New York State
11 YouthBuild Coalition.

12 MS. LANDI: Thank you very much for
13 the opportunity to testify about the
14 YouthBuild programs in New York State.

15 YouthBuild is a comprehensive youth
16 training program, and it serves
17 16-to-24-year-olds, the most at-risk youth in
18 the state. Programs are located in
19 communities on Long Island, the five boroughs
20 of New York City, both sides of the
21 Hudson River from Newburgh to Albany, and
22 west from Schenectady to Buffalo.

23 All of them are structured under the
24 same comprehensive youth training model.

1 That model provides education, one-on-one
2 case management, leadership development,
3 hands-on work experience training, employment
4 readiness, and job placement. Components
5 guide the youth in a more positive direction
6 and get them ready for placement in jobs and
7 post-secondary higher education.

8 In addition to the core training
9 components, YouthBuild programs also have
10 included mental health intervention, adult
11 mentoring, and gun and community violence
12 intervention. In that regard, YouthBuild
13 programs have taken a proactive approach
14 because of the recent drastic rise in gun and
15 community violence. And we have already
16 included strategies from several initiatives,
17 programs designed to help youth develop a gun
18 violence strategy.

19 The Governor's Executive Budget
20 proposal for '22-'23 calls for the
21 development of apprenticeships, gun violence
22 prevention programs, and an expansion of
23 workforce training for youth. We would like
24 to recommend that the state not reinvent the

1 wheel but adequately fund the state's
2 YouthBuild programs that already provide all
3 of those trainings.

4 We can point to data that clearly
5 indicates the effectiveness of the
6 comprehensive training provided by YouthBuild
7 programs, specifically data that indicates
8 recidivism rates at 8 percent compared to
9 68.9 percent for court-involved participants.
10 And programs experience a 75 to 80 percent
11 completion rate, where nationally they're at
12 a 51.8 percent completion rate.

13 Another tangible item and successful
14 achievement of YouthBuild programs is the
15 provision of affordable homes for low-income
16 homebuyers, a tangible result of our required
17 housing construction skills training.

18 The New York State YouthBuild
19 Coalition appreciates the recent engagement
20 we have experienced over the past several
21 years with various funding amounts from the
22 State Legislature and participation in the
23 workforce development demonstration project
24 grant, which is scheduled to end in

1 August '23.

2 However, the YouthBuild programs can
3 assist in preventing the most vulnerable
4 youth from being more vulnerable in New York
5 State. We have a successful training
6 program. And as such, we would respectfully
7 request the following:

8 One, pass the New York State
9 YouthBuild Act and fund it at \$10 million.
10 This will provide consistent, sustainable
11 funding for New York programs. Without
12 consistent funding, programs will probably
13 close and communities will lose this valuable
14 resource for their youth. The New York State
15 YouthBuild Act has been a bill in the
16 Legislature for the past 10 years. Each year
17 the Senate passes their version of the bill,
18 but it languishes in the Assembly. Let's
19 finally get the act passed in both houses and
20 fully funded.

21 Two, provide additional funding to
22 YouthBuild programs for continuation of the
23 workforce development project -- removing it
24 as a demonstration project and sustaining it

1 as a workforce development program that has
2 proven successful with the outcomes for the
3 youth that it served.

4 We would finally like to point to and
5 note that the design of the training model
6 for YouthBuild programs has been successful
7 as a youth training model since 1978 when it
8 was launched right here in New York State,
9 43 years ago. Let's finally recognize the
10 value of YouthBuild programs training and
11 fund it and invest in the funding stream that
12 would make it more viable.

13 Let YouthBuild be a part of the
14 solution for youth training of young people
15 in New York State.

16 CHAIRWOMAN WEINSTEIN: Thank you. And
17 now, Northern Rivers Family of Services.

18 MR. GETTMAN: Thank you. My name is
19 Bill Gettman, and thank you for the
20 opportunity to speak today.

21 First off, I want to thank all the
22 members of the Legislature for your service,
23 because you make a difference in the state
24 and your voice is critical to passing a

1 budget that's good for all New Yorkers.

2 Northern Rivers is a provider. We
3 provide services -- mental health, child
4 welfare, adoption, mental health
5 community-based services, and residential
6 care -- to about 18,000 kids and families
7 every year.

8 One thing I can tell you firsthand.
9 During the pandemic, every one of our staff
10 left their homes to come care for others.
11 And I can also tell you that the 400 foster
12 parents we have took in kids during the
13 pandemic. They are the real heroes, and we
14 need to support them in this budget.

15 As my testimony indicates, we support
16 the Governor's 5.4 percent COLA
17 recommendation in the \$500 million. However,
18 we have to make the permanent extension of
19 the CPI-based COLA part of the budget bill.
20 We cannot let this bill pass without the
21 extension of the COLA in the future.

22 We also need to include adult and
23 children health home workers, because they
24 also took care of kids and families during

1 the pandemic.

2 Last, in terms of workforce, we need
3 to extend the bonus provisions that are in
4 the mental health and the OPW budget to
5 frontline child welfare workers. And of
6 course we need scholarships and forgiveness
7 and professional development.

8 As you all know, foster parents are
9 the backbone of the child welfare system, and
10 the budget provides an increase to their
11 monthly per diem rate. I have to dispute,
12 though, Commissioner Poole -- since I was
13 there when the block grant was formed -- this
14 was never intended to be an unfunded mandate.
15 The money that's going to increase foster
16 parent payments needs to be in the Foster
17 Care Block Grant, or it will just be a cut to
18 child welfare services. And that will result
19 in less preventive services and other
20 valuable services.

21 And that takes me to the point that
22 Chair Hevesi talked about, is we need to
23 restore the child welfare preventive program
24 from 62 percent to 65 percent. That was the

1 basis of the statute originally, and the
2 intent to remove it to 62 percent was only
3 driven by fiscal realities. We don't need to
4 do that anymore.

5 And last, let me talk about the need
6 to reform the scope of practice. As
7 Assemblymember Bronson articulated earlier
8 today, we will have devastation if we don't
9 extend the diagnosis waiver and, more
10 importantly, pass a bill that makes sense.
11 Our agency alone has a waitlist of over 1,000
12 in our clinics, and we have several hundred
13 families waiting for community-based mental
14 health services. Those numbers will double
15 if we don't pass the scope of practice reform
16 here.

17 And, of course, not-for-profit
18 infrastructure was included in the Governor's
19 budget of \$50 million. We support that so
20 that we can make sure we have good places to
21 serve kids and families.

22 Thank you very much for your
23 leadership and -- (muted).

24 CHAIRWOMAN WEINSTEIN: Thank you.

1 We go to Prevent Child Abuse New York.

2 MR. HATHAWAY: Thank you.

3 Good afternoon. I am Tim Hathaway,
4 the executive director with Prevent Child
5 Abuse New York. We are a workforce
6 development and policy advocacy organization
7 spanning the State of New York.

8 If we really, truly hope to effect
9 change and reduce the number of children that
10 are impacted by child abuse, we have a clear
11 path in front of us and it is the path of
12 creating economic security for all of our
13 citizens across the state.

14 We want to be careful always to not
15 equate poverty with child abuse. We do want
16 to recognize that abuse impacts all
17 socioeconomic classes. But we know that when
18 we see reductions in large-scale poverty, we
19 see reductions in child maltreatment, child
20 neglect.

21 I also want to applaud -- there was
22 some earlier testimony, questions regarding
23 the Casey work around -- kind of a comparison
24 between what New York State does around

1 primary prevention work, as opposed to a
2 state like Alabama, and recognizing that
3 there is a gap and that New York State can do
4 better on primary prevention.

5 And with that, I will draw attention
6 to our testimony -- we're not going to read
7 the whole thing today -- but a couple of
8 highlights related to that.

9 First and foremost, around the issue
10 of prevention -- again, call out the great
11 leadership from Assemblymember Hevesi on the
12 Children and Families Reinvestment Act.
13 Mr. Gettman just addressed some of that.
14 There is a third leg in that piece that
15 really talks about primary prevention and the
16 importance of supporting family resource
17 centers, helping grow efforts across the
18 state at screening and parenting education
19 work like PPP. So we encourage investment in
20 that area.

21 We also want to just commend the home
22 visiting investment that has been put forward
23 in the state budget, \$11 million to support
24 Healthy Families New York serving 1600 more

1 families.

2 We also request an additional
3 investment of \$2 million in ParentChild+ to
4 maintain existing services, and an additional
5 2 million for a total of 4 million in
6 ParentChild+ to extend professional
7 development work there.

8 Housing, we want to talk about --
9 again, excellent, wonderful news about the
10 \$25 billion investment around housing,
11 because we know that good housing protects
12 children, reduces neglect. And we are
13 excited about the idea of a continued
14 eviction moratorium. That's an important
15 piece for us.

16 Childcare has been discussed quite at
17 length today. I do want to point out that we
18 need to keep the school-aged after school
19 care money in the budget. The \$5 million
20 that has been cut for Advantage After School
21 needs to stay in the budget. It's a critical
22 piece to child abuse prevention.

23 Thank you very much for your time.

24 CHAIRWOMAN WEINSTEIN: Thank you.

And now we move on to New York State
Kincare Coalition.

MR. JOHNSON: Thank you.

Good evening, Chairpersons Weinstein and Krueger and honorable members of the Legislature. My name is Ryan Johnson. Thank you for the opportunity to speak on behalf of the kinship community today. I'm the associate director of the New York State Kinship Navigator and chair of the New York State Kincare Coalition, which was established to serve as the voice of kinship caregivers and professionals in New York.

The term "kinship care" refers to family members -- who are often grandparents and other close relatives -- or family friends who take on the full-time care of children when they're not able to be cared for by their parents.

We in fact have two child welfare systems in New York: One, the public-facing child welfare system that you've heard so much about today, from many advocates and state agency leaders. But we also have a

1 hidden child welfare system, one in which
2 grandparents and other relatives are asked to
3 take traumatized children by our child
4 welfare system, but without court oversight,
5 with extremely limited resources, and often
6 without a path to permanency.

7 In New York there are an estimated
8 195,000 children being raised by kinship
9 caregivers. Most of these children, about
10 188,000 of them, are being raised outside of
11 foster care and therefore have limited access
12 to resources. I am here today on behalf of
13 those caregivers who have been asked to step
14 up in times of crisis to raise children that
15 they were not expecting to raise and who need
16 support.

17 Funding for kinship service has been
18 unstable. Dozens of programs around the
19 state have opened and then abruptly closed
20 their doors to kinship caregivers, due to the
21 loss of funding or to the uncertainty in the
22 stability of the funds that they receive. As
23 a result, kinship caregivers are less likely
24 to access available resources like public

1 assistance, Medicaid, food stamps, and other
2 needed benefits.

3 Since 2016, the Legislature has funded
4 kinship services at a total of \$2.5 million.
5 This funds 14 local kinship care case
6 management programs and a statewide
7 information education and referral resource,
8 the Kinship Navigator.

9 I'm here to ask that the Legislature
10 choose to prioritize these families and, at
11 minimum, restore the funds for services which
12 have been underfunded in the Executive
13 Budget. These programs are here to help
14 kinship families navigate a complex system of
15 benefits and services that they are eligible
16 for and help stabilize families for a
17 fraction of the cost of what it would cost to
18 have them in foster care.

19 The need to unify the kinship system
20 of care under one umbrella has never been
21 greater. As New York transitions into the
22 implementation of the Families First Act,
23 it's been estimated that kinship caregiving
24 will increase as a result of fewer children

1 going into foster care.

2 Having services available to families
3 that meet the needs they present with will be
4 increasingly important in order to ensure
5 that children who have been diverted from
6 foster care stay out of foster care and can
7 remain safely in the homes of kinship
8 caregivers.

9 Creating a unified statewide kinship
10 navigator by consolidating the current
11 programs under one entity with a presence
12 regionally throughout the state will help
13 streamline services for caregivers and ensure
14 that they have access to information and case
15 management, legal, and respite services.

16 We request the Legislature invest in
17 these families by passing the Unified Kinship
18 System of Care bill and funding the kinship
19 service system at \$10 million.

20 Thank you.

21 CHAIRWOMAN WEINSTEIN: So next we have
22 the Council of Family and Child Caring
23 Agencies.

24 MS. BRADY-STEPHEN: Good evening.

1 My name is Kathleen Brady-Stepien.
2 I'm the president and CEO of COFCCA, the
3 Council of Family and Child Caring Agencies.
4 We are a statewide membership association,
5 and we have as our members the more than
6 100 community-based child welfare nonprofit
7 organizations around the state.

8 Our highest priority is supporting the
9 human services and child welfare workforce.
10 They have been incredible heroes throughout
11 the pandemic, going above and beyond to meet
12 families' needs. They are essential workers
13 that have, every day, gone to work securing
14 food, PPE and other basic needs for families,
15 as well as keeping families safely together
16 through prevention services and caring for
17 children and youth in foster care.

18 We were very pleased to see the
19 Governor's proposed 5.4 percent human
20 services COLA. And we note that the statute
21 is expiring at the end of March, so we want
22 to work together with the Legislature to make
23 sure that there continues to be an annual
24 imperative for the Executive and the state to

1 invest in raising these workers' salaries up
2 to keep up with inflation.

3 We also want to work together with you
4 to raise salaries more significantly for our
5 workforce and to build career pathways.

6 Workers in child welfare programs have not
7 gotten any targeted federal aid like other
8 human services workers have, and we need a
9 commitment from the state to raise wages in a
10 meaningful way so that we don't continue the
11 high turnover and vacancy rates that we see
12 in these programs.

13 We strongly support the increased
14 foster parent rates. Foster parents are so
15 incredibly deserving of more support from the
16 state, and we are truly glad to see that they
17 are going to get these long-overdue
18 increases.

19 There are two important points on
20 that. Number one, we encourage the state to
21 put additional money in the Foster Care Block
22 Grant to pay for these increases so they
23 don't land as an unfunded cost for counties.

24 Number two, we need to ensure that

1 MSRA rates are released on time, July 1st, so
2 that foster parents don't see delays in
3 getting these increases.

4 And finally, we were very disappointed
5 to see that the Executive Budget did not
6 restore a 65 percent reimbursement for
7 counties on prevention services. By all
8 accounts, the state is in a strong financial
9 position, and it is time to restore these
10 cuts that came about during austerity
11 budgeting in the past.

12 New York's child welfare financing
13 structure has been shown to work in massively
14 reducing the foster care census. Let's help
15 to continue the positive direction of
16 reducing the foster care census by restoring
17 this investment back to the statutorily
18 required 65 percent.

19 Thank you for the opportunity to
20 testify.

21 CHAIRWOMAN WEINSTEIN: Thank you.

22 And we go to the last member of this
23 panel, Center for Court Innovation.

24 MS. WURMFELD: Good afternoon,

1 everybody. I'm Kate Wurmfeld, director of
2 family court programs at the Center for Court
3 Innovation, and I want to talk to you today
4 about the Strong Starts Court Initiative,
5 which is a family-court-based project of the
6 center for Court Innovation.

7 It is a two-generational approach
8 focusing on infants and toddlers, birth to
9 three years of age, who are subjects of child
10 protection cases, where courts, families, and
11 the agencies are provided with more frequent
12 and consistent information through monthly
13 convenings that improve outcomes for children
14 and families.

15 It's based on a national model from
16 ZERO TO THREE. Several states have now
17 adopted it as a statewide strategy; New York
18 State has yet to do that.

19 So we focus on these very young
20 children because they are the largest cohort
21 of children entering care. There are more
22 than 16,000 children, birth to three, who are
23 known to the New York State family courts.
24 They are also at a critical stage of

1 development where exposure to adversity --
2 significant adversity, including
3 system-imposed harm -- has lifelong
4 implications.

5 So we also know that these infants and
6 toddlers are entering a child welfare system
7 that is overstretched at every level and has
8 no established expertise in infant mental
9 health or early childhood development. So
10 Strong Starts brings that expertise to the
11 courts and the child welfare system,
12 including expertise in the kinds of
13 interventions that best shift the balance
14 between risk and protective factors.

15 And here is just briefly how it works.
16 A dedicated judge in each county is paired
17 with a specialist in infant mental health.
18 Cases received intensive outreach and
19 clinical assessments by a clinical social
20 worker, so that parents stay engaged with
21 their children and their cases and families
22 are referred for meaningful services that
23 improve parents' capacity for safe and
24 nurturing care and promote children's

1 learning and development.

2 There is also an expedited court
3 calendar in which families' entire court
4 teams of attorneys, caseworkers, and clinical
5 service providers meet on a monthly basis to
6 share information, address barriers to
7 service provision and case progress, and
8 solve problems. This significantly reduces
9 the usual adversarial stance that obscures
10 problems that need to be addressed and that
11 contribute to court inefficiencies, since the
12 judge and all parties convene with the family
13 once a month, compared to the unpredictable
14 adjournment schedule in typical cases.

15 Strong Starts has been operating out
16 of the Bronx since 2015 as a pilot, and is
17 now in all five counties in New York City and
18 in Westchester County as well. A recent
19 program evaluation shows that Strong Starts
20 is preventing removals and moves in care,
21 reducing recidivism, and judges and attorneys
22 are using what they've learned in their other
23 cases.

24 Strong Starts is well-positioned to

1 expand capacity in New York City and
2 replicate the model for implementation
3 throughout New York State. And while Court
4 Administration has set the goal for
5 expansion, it doesn't have the means to do
6 this. And we are entirely funded by private
7 foundations at this point, except for a grant
8 from the New York State Council on Children
9 and Families, which is our first non-New York
10 City-based program that that supports.

11 So we're urging government to consider
12 the assets that Strong Starts brings to a
13 system that is supposed to help families and
14 to provide access to this infant-focused
15 expertise and this collaborative effort and
16 strength-based approach on behalf of our
17 youngest children, and to form a
18 public-private partnership that will allow us
19 to replicate this model throughout the court
20 process throughout the state.

21 Thank you.

22 CHAIRWOMAN WEINSTEIN: Thank you.

23 So now we're going to go to questions
24 from the Assembly and Senate.

1 Members will go first who are -- our
2 ranker on Ways and Means, Assemblyman Ra,
3 three minutes.

4 ASSEMBLYMAN RA: Thank you, Chair.

5 Good evening, everybody. I wanted to
6 just continue with Kathleen regarding the 62
7 percent versus 65 percent and (A) if you know
8 what that means in terms of real dollars that
9 the state is pushing onto, you know, counties
10 instead of paying it themselves; and (B) over
11 this, you know, really decade now, what that
12 has meant in terms of local investment in the
13 system.

14 MS. BRADY-STEPIEN: Thank you,
15 Assemblyman Ra, and thank you as always for
16 your support.

17 So the change to 65 percent we think
18 would be about \$30 million. That would help
19 the counties to invest more in prevention
20 services.

21 And I want to tie it to something else
22 that has been talked about today, which is
23 the increased foster parent rates and the
24 fact that the state is not also -- the

1 Executive has not put forward additional
2 money in the Foster Care Block Grant. What
3 that means is that the counties are going to
4 have to pick this up. Commissioner Poole
5 identified earlier that that's \$80 million,
6 is the cost.

7 And so the counties are going to have
8 to spend more to pay these increased rates,
9 which are long overdue, for our foster
10 parents. And that means they'll have less
11 available funding on prevention services at
12 the local level.

13 ASSEMBLYMAN RA: Great. And, you
14 know, I really just think that this budget
15 year -- like you said, and like so many have
16 said, there is lot of money out there, and a
17 lot of opportunities to undo some of the --
18 you know, some of the things that were
19 frankly targeted by the previous
20 administration and couldn't really get fully
21 restored.

22 So thank you for your advocacy, and
23 hopefully this is one of the things that I
24 think that a relatively small investment,

1 relative to the size of our budget, could
2 make a big difference. Thank you.

3 MS. BRADY-STEPHEN: Thank you so much.
4 We agree.

5 CHAIRWOMAN WEINSTEIN: To the Senate.

6 CHAIRWOMAN KRUEGER: Thank you very
7 much.

8 We are going to start with Senator
9 Pete Harckham.

10 SENATOR HARCKHAM: Thank you very
11 much, Madam Chair.

12 Good evening, everybody. Thank you
13 all so much for your testimony.

14 I chair the Committee on Alcoholism
15 and Substance Abuse, and one of the things
16 that we know is that one of the large drivers
17 of substance use disorder is early childhood
18 and adolescent trauma.

19 What can we in New York State do to
20 better address early childhood and adolescent
21 trauma before we get to the point of
22 self-medication?

23 MR. GETTMAN: I will start with that,
24 Senator. Thank you.

1 One thing we have to do is invest in
2 our workforce that we can put into our
3 childcare centers and our early headstart
4 programs and into our schools. We need a
5 workforce that is sensitive in trauma-
6 informed care, culturally sensitive, and also
7 has the credentials and professional support
8 so they can treat families in a variety of
9 settings. And that gets to Assemblymember
10 Bronson's bill about licensure and also gets
11 to compensation.

12 So I will toss it over to my friend
13 Tim; I'm sure he has some ideas on that.

14 MR. HATHAWAY: Yes, thank you very
15 much.

16 You know, I think this is pretty
17 central to solving some of this. We have to
18 invest in workforce. We've got to be
19 talking -- and there's some work around
20 increasing supports for mandated reporters,
21 changing that from mandated reporters to
22 mandated supporters, people who are in the
23 community, prepared, well-prepared to serve
24 families and not push them to an adversarial

1 role in this work.

2 So workforce, workforce, workforce is
3 the investment.

4 SENATOR HARCKHAM: Thank you.

5 Anyone else?

6 MS. MORGAN: Please, I --

7 SENATOR HARCKHAM: Yes, please. We've
8 got another minute.

9 MS. MORGAN: Yes. I will quickly add
10 that we know that after-school, summer, and
11 expanded learning programs was a preventative
12 strategy because it provided protective
13 factors that help young people avoid the risk
14 of substance abuse and misuse.

15 And we're actually glad to see in the
16 last budget that after-school was included as
17 an allowable expense for the Cannabis Act.
18 And so we hope that there will be the
19 increased investments with the act to help
20 expand after-school programs so that they are
21 able to provide those preventative supports.

22 SENATOR HARCKHAM: Thank you.

23 Anyone else?

24 MS. WURMFELD: And I would just --

1 yes, I would just quickly add that substance
2 use is a huge risk factor that comes up on
3 the cases that we deal with at Strong Starts.

4 The whole -- the main thrust of the
5 program is to interrupt those
6 intergenerational cycles of system
7 involvement. Many of the parents we serve
8 were in foster care themselves, are
9 system-involved themselves, which of course
10 we know leads to the substance use issues.

11 So that's something that we're really
12 dealing with at the court level so that the
13 court becomes a port of entry for supportive
14 services instead of a punitive process that
15 further involves parents in the child welfare
16 system.

17 SENATOR HARCKHAM: Terrific. Thank
18 you all very much.

19 Thank you, Madam Chair.

20 CHAIRWOMAN KRUEGER: Thank you.

21 Assemblymember.

22 CHAIRWOMAN WEINSTEIN: We go to
23 Assemblyman Bronson.

24 ASSEMBLYMAN BRONSON: Thank you,

1 Chair.

2 And my questions are going to go to
3 Kathleen Brady-Stepien with COFCCA and
4 Bill Gettman at Northern Rivers, regarding
5 standardizing the licensure requirements and
6 modernizing the scope of practice for our
7 mental health practitioners and how that's
8 related to the workforce problem that has
9 existed for a long time but has only been
10 exacerbated because of COVID. And now I'm
11 hearing that there are community-based
12 organizations that are closing their intake
13 because they can't manage the numbers and
14 there's waitlists.

15 Could each of you explain why it's
16 vitally important because -- vitally
17 important for us to get this measure passed,
18 hopefully in the enacted budget -- why that's
19 necessary for your workforce and necessary
20 for the people you serve.

21 MS. BRADY-STEPHEN: Thank you,
22 Assemblyman Bronson, so much for your
23 leadership on this issue.

24 It is critical that we include your

1 bill in the enacted budget. We are coming up
2 on a ticking time clock of June for the
3 expiration of this exemption.

4 You know, we have workforce shortages
5 all across the board of mental health
6 professionals. What you said is exactly
7 right. We have programs that are closing
8 intake, not because they don't want to serve
9 their communities but because they have a
10 shortage of appropriately licensed and
11 credentialed mental health professionals.

12 And so we definitely want to support
13 you in making sure that this gets done in
14 this year's budget so that we can make sure
15 we have enough mental health professionals to
16 support New York's families all across the
17 state.

18 And I will toss it to my friend
19 Bill Gettman.

20 MR. GETTMAN: Thank you, Kathleen.

21 The only thing I disagree with
22 Kathleen on -- it's not a ticking time clock,
23 it's a ticking time bomb.

24 We have programs that can't expand.

1 We have this -- Senator Harckham talked about
2 the need to get into schools, which means we
3 need more trained and sophisticated
4 counselors, mental health professionals,
5 et cetera.

6 And the other thing I want to
7 emphasize is the schools -- like Rochester,
8 Syracuse, Baruch -- they have changed their
9 curriculum and modernized it in a way that's
10 even better than many social work schools
11 right now. And I don't want to pick a fight
12 here, but the profession has changed to meet
13 the needs.

14 We have growing demand. We have a
15 35 percent turnover rate. So we're going to
16 lose a third of our workforce. We're not
17 going to have a pipeline. Clinics will
18 close. School-based programs, while we're
19 going to want them, will never be able to
20 open in our school districts despite federal
21 money that could pay for them. It's just an
22 unmitigated disaster.

23 I mean, I can't overemphasize the
24 impact on families, kids, the elderly --

1 everybody is going to be impacted by this.
2 And our answer is going to be because we
3 can't agree on how to diagnose appropriately?
4 We've been talking about this for 20 years.
5 Let's -- I agree with you, Assemblyman.
6 Let's get it done in the budget.

7 ASSEMBLYMAN BRONSON: Thank you both.
8 Thank you, Chair.

9 CHAIRWOMAN WEINSTEIN: We go back to
10 the Senate. I see your hand.

11 CHAIRWOMAN KRUEGER: Yes. Thank you.
12 We have Senator Sue Serino. Are you
13 there, Sue?

14 SENATOR SERINO: Thank you,
15 Chairwoman.

16 And I had questions for COFCCA, but
17 Assemblyman -- oh, yup. Can you hear me?
18 My connection --

19 (Zoom dropped.)

20 SENATOR SERINO: Sorry. Chairwoman,
21 can you hear me?

22 CHAIRWOMAN KRUEGER: I can hear you,
23 yes.

24 SENATOR SERINO: No, no, no. Oh,

1 good. I'm so sorry. My connection for some
2 reason is squirrely.

3 I had questions for COFCCA, but
4 Assemblyman Bronson covered them. So my
5 question is going to be for YouthBuild, for
6 Bonnie Landi.

7 And I just want to say to Bonnie --
8 like I have Nubian Directions in my district
9 and that I can tell you, I've seen their
10 success firsthand. They're amazing. Those
11 kids engage with me every time I go and meet
12 with them. But I want to tell you that I
13 think you are dead on in your testimony that
14 not reinventing the wheel. You know,
15 investing in YouthBuild is just like a smart
16 move.

17 But with everything going on that you
18 mentioned in your testimony, do you think
19 that now might be a good time to even like
20 expand the number of programs throughout the
21 state?

22 CHAIRWOMAN KRUEGER: You're on -- take
23 your mute off.

24 MS. LANDI: Absolutely, Senator. I

1 totally agree with what you just said.

2 We would love to see YouthBuild
3 programs expand in New York State. I can
4 tell you that I am regularly connected with
5 agencies in areas -- Sullivan County,
6 Columbia County, many other counties that
7 need a YouthBuild program, want a YouthBuild
8 program, but the funding isn't there.

9 So if we can get the act passed and
10 get it fully funded and do the things that
11 this program does -- it's a youth training
12 model that has been around in New York State
13 for eons now. Let's get it expanded. Let's
14 get it moving where it needs to go.

15 Our youth are very vulnerable to all
16 the gun violence, all the gang proliferation.
17 This is what we need to do. We need to
18 expand these programs, programs like
19 YouthBuild that have an extensive, successful
20 training model.

21 SENATOR SERINO: Yup, it's a true
22 success story. So thank you so much for all
23 of your good work.

24 Thank you, Chairwoman.

1 MS. LANDI: Thank you.

2 CHAIRWOMAN KRUEGER: Thank you.

3 CHAIRWOMAN WEINSTEIN: Thank you.

4 And to close out the questions for
5 this panel, we have the chair of our Children
6 and Families Committee, Andrew Hevesi.

7 ASSEMBLYMAN HEVESI: Thank you,
8 Chair Weinstein and Chair Krueger for all the
9 time you've allowed us to get to these
10 important points today, and for sitting
11 through all of these hearings. I don't know
12 how you guys do it, and the staff too. Thank
13 you very much.

14 I'm not going to use all this time. I
15 want to thank all of my colleagues for asking
16 their questions and also all of the
17 advocates. I'm am not going to ask you any
18 questions, I'm just going to provide a little
19 takeaway.

20 We've heard all of the specifics. We
21 have all of it, everything you mentioned.
22 But let me just leave with a couple of points
23 that jumped out to me. Number one, I think
24 there is broad agreement that we're losing

1 too many kids to trauma, that too many kids
2 are being doomed and defined by their trauma
3 every day.

4 I also heard today colleagues from
5 both sides of the aisle pushing for the same
6 thing, and even colleagues within different
7 spectrums within the same party all pushing
8 for the same thing. It's heartening. You're
9 getting the sense that everybody is seeing
10 this the right way.

11 And I want to thank Bonnie, who I have
12 not yet talked to. But Bonnie, I think we
13 need to talk. You hit it, and I've been
14 missing this one: Invest in things that
15 work. That's what we're doing in all of
16 this. These things work. Foster parents
17 work. Kinship parents. Ryan, we're going to
18 keep pushing so that kinship parents are
19 taken care of, you have my commitment on
20 that. And then the workforces.

21 And here's what I'm going to end with,
22 and I hope I finally hit this. This is my
23 final takeaway. That to do this right, we
24 need to follow the brain and trauma science

1 which requires that we support the people who
2 are the caring adults that give our kids the
3 emotional support and the problem-solving
4 skills they need.

5 Because it's now up to us, because the
6 reality is it's tough out there for kids
7 these days. They're getting attacked from
8 every angle. There's rampant poverty,
9 there's rampant abuse, there's pandemic.
10 These kids are having trouble. They need a
11 stable adult in their life. That's why every
12 one of these programs is crucially important.
13 And that's why we decided to go to help all
14 of them.

15 So thank you all for making the case
16 for us. It's now up to us in the Legislature
17 to go deliver. Thank you, everybody.

18 CHAIRWOMAN KRUEGER: Okay. Anyone
19 else have their hand up? I don't --

20 CHAIRWOMAN WEINSTEIN: I know --

21 MR. GETTMAN: I forgot to say,
22 Senator: Go, Bills!

23 CHAIRWOMAN WEINSTEIN: Well, it's a
24 little late, but --

1 MR. GETTMAN: I know.

2 CHAIRWOMAN WEINSTEIN: But they did
3 it. They were good in that -- they got
4 robbed. What can we say?

5 (Laughter.)

6 CHAIRWOMAN WEINSTEIN: Thank you all
7 to the panel and for all the work you do in
8 our communities and on behalf of our
9 families.

10 CHAIRWOMAN KRUEGER: Thank you,
11 everyone.

12 MS. BRADY-STEPHEN: Thank you.

13 CHAIRWOMAN WEINSTEIN: We will
14 continue to work with you as we pull together
15 this year's budget.

16 I'm now going to call Panel E, which
17 is our final panel for this evening: Hunger
18 Free America, Joel Berg, CEO; Met Council on
19 Jewish Poverty, Jessica Chait, managing
20 director of food programs; Catholic Charities
21 Community Services, Archdiocese of New York,
22 Beatriz Taveras, executive director; and
23 Empire Justice Center, Emilia Sicilia --
24 hopefully I didn't mess that up too much --

1 senior attorney.

2 And if we can go in that order,
3 starting with Hunger Free America.

4 MR. BERG: Hello. I'm Joel Berg, CEO
5 of Hunger Free America. I'm here to announce
6 there's no more hunger in New York and we
7 don't need any more money. You have been
8 working ridiculously long hours, so I thought
9 I'd start with that.

10 (Laughter.)

11 MR. BERG: On a more serious note,
12 Senator Krueger, you are correct, there's a
13 problem with delivery of senior meals in
14 New York City. I've already asked the City
15 of New York to contact you about that.

16 In New York today, one in nine state
17 residents, 2.2 million people, live in
18 households that struggle against hunger. One
19 in six kids, one in 13 employed people, one
20 in 13 seniors. And we think, oh, this is a
21 New York City problem, and the Bronx still
22 has the highest hunger and poverty rate out
23 of any county in New York. But the highest
24 metropolitan area in food insecurity is

1 Utica-Rome, followed by Syracuse, followed by
2 Albany, Schenectady, and Troy. This is a
3 problem in every urban, suburban, and rural
4 community of New York State.

5 I hope in your voluminous free time --
6 which you don't have -- you read the full
7 written testimony I've submitted, which has a
8 comprehensive plan for the Legislature and
9 the Governor to reduce hunger in New York.
10 So I will just focus my remaining two minutes
11 on the biggest-ticket item we have, which are
12 the federal nutrition assistance programs.

13 This year the SNAP program is set to
14 spend \$8.8 billion -- that's billion with a
15 B -- of federal funds; 2.8 million
16 New Yorkers are eligible and getting SNAP.
17 But 25 percent of working people eligible for
18 SNAP aren't getting it. Thirty percent of
19 seniors eligible for SNAP aren't getting it.
20 Thirty-nine percent of pregnant women and
21 children under five eligible for WIC aren't
22 getting it.

23 And so I know everyone loves Nourish
24 New York, and we strongly support it, and

1 everyone loves the Thanksgiving-era turkey
2 giveaways and cutting, you know, ribbons at
3 food programs. But by far the most
4 cost-effective and sensible way to fight
5 hunger in New York is to use limited state
6 funds to increase federal funding. Every
7 dollar the state spends on SNAP outreach will
8 generate \$30 to \$60 worth of federal
9 benefits.

10 Even -- you know, SNAP is going to
11 spend about 176 times more than what Nourish
12 New York's going to spend. And that's all
13 federal money, and Nourish New York is mostly
14 or all state money. Even if you increase
15 SNAP by 5 percent, 5 percent, that would be
16 \$440 million more to fill the grocery carts
17 of low-income people at farmer's markets,
18 corner stores, bodegas, supermarkets. Just
19 that increase would be nine times the dollar
20 amount of Nourish New York.

21 Archimedes said: If you give me a
22 lever big enough, I can move the world. The
23 biggest lever for reducing hunger is
24 increasing wages, and we hope you will end

1 the ridiculous subminimum wage for tip
2 workers. We hope you have a serious
3 commitment to jobs creation, making housing
4 more affordable. You make housing
5 affordable, you're going to reduce hunger in
6 New York. But most importantly and most
7 quickly, we can significantly increase access
8 to federally funded programs.

9 Thank you, and I leave you five extra
10 seconds.

11 CHAIRWOMAN WEINSTEIN: We'll take
12 that.

13 Next we go to Met Council on Jewish
14 Poverty.

15 MS. CHAIT: Thank you all, and good
16 evening. Hello, Chair Weinstein and
17 Chair Krueger and fellow members of the joint
18 legislative hearing. Thank you so much for
19 your time all day.

20 My name is Jessica Chait, and I'm the
21 managing director of food programs at Met
22 Council on Jewish Poverty. And it really was
23 a pleasure to learn more about the important
24 topics you heard about today and to hear so

1 many strong advocates for low-income and
2 at-risk New Yorkers.

3 Met Council operates the largest
4 kosher emergency food program in the country.
5 In response to the pandemic, working with
6 hundreds of pantries across the city,
7 including dozens of halal pantries, we have
8 delivered more than 30 million pounds of
9 food, serving 200,000 New Yorkers each month.

10 Our pantries serve all New Yorkers.
11 However, we are experts at serving
12 kosher- and halal-observant communities who
13 trust us to provide not only the
14 highest-quality appropriate food, but also
15 through models that emphasize choice,
16 dignity, and cultural confidence.

17 New York is home to the largest Jewish
18 and Muslim populations in America, and for
19 that reason the state can and must do more to
20 ensure that the needs of food-insecure Jewish
21 and Muslim residents are met. Religiously
22 certified food is more expensive. Kosher and
23 halal products are available from fewer
24 vendors, and public food sources at the

1 local, state, and federal levels stock
2 extremely limited quantities and varieties of
3 kosher and halal-certified food, causing
4 tremendous inequalities in the amount of food
5 that is available to those who need it.

6 Moreover, sadly, we see every day that
7 many food banks and pantries aren't able to
8 adequately ensure that the foods that they
9 provide are kosher or halal, or that these
10 foods are going to the populations who
11 require them.

12 Between March 2020 and October 2021,
13 New York City operated GetFoodNYC, which
14 delivered nearly 130 million meals to
15 New Yorkers. For the first time through this
16 program, the Mayor's Office of Food Policy
17 recorded data on what kinds of meals
18 New Yorkers requested. Shockingly,
19 21 percent, or one in five of all meals
20 delivered, were kosher or halal. This is
21 incredibly significant and demonstrates what
22 my council has long known -- that the need
23 for kosher and halal emergency food is
24 extremely high.

1 When you read the report which was
2 included with our written testimony, you'll
3 see why we believe that demand is even higher
4 than 21 percent, and how these challenges
5 impact people across the state. Further,
6 given the inflation of food prices,
7 especially for kosher and halal-certified
8 food, the K-shaped recovery and the vast
9 underutilization of emergency food, we
10 anticipate the need for emergency food to
11 remain at current levels in the coming years.

12 We need your support to ensure that
13 every New Yorker, regardless of their
14 religious or dietary restrictions, has equal
15 access to emergency food. To do this, in the
16 FY '23 budget we must ensure that kosher and
17 halal emergency providers are appropriately
18 accounted for in all state programs.

19 And with this consideration in mind,
20 we respectfully request increased funding for
21 New York State's HPNAP or Hunger Nutrition
22 Assistance Program to \$54 million. The
23 Governor's proposed budget provides no
24 increase to HPNAP funding, yet in the past

1 five years the per-capita funding of HPNAP
2 has fallen over 30 percent.

3 We respectfully request increased
4 funding for Nourish New York at \$85 million.
5 It's an innovative program that similarly
6 creates many bottom lines.

7 And in addition, informed by the
8 GetFood report, we request that at least 20
9 percent of all emergency food that comes to
10 New York City be allocated to the procurement
11 and distribution of kosher and halal foods by
12 organizations that have the cultural
13 knowledge and capacity to ensure appropriate
14 certification requirements and handling
15 processes, and most importantly that this
16 food gets to those who require it.

17 We're grateful to this body and each
18 of you for your continuing support of
19 emergency food programs more broadly, and
20 respectfully request these considerations.

21 Thank you for your time.

22 CHAIRWOMAN WEINSTEIN: Thank you.

23 Now to Catholic Charities.

24 MS. TAVERAS: Yes. Good afternoon --

1 or maybe it's good evening -- to Chairs
2 Weinstein and Krueger and the members of the
3 Assembly Ways and Means and Senate Finance
4 committees.

5 I am Beatriz Diaz Taveras, the
6 executive director for Catholic Charities
7 Community Services, and I thank you for this
8 opportunity to testify today.

9 For over 70 years -- in some cases
10 100 years -- throughout the state Catholic
11 Charities has provided comprehensive,
12 professional human services to vulnerable
13 low-income residents in the poorest
14 communities throughout the state. Our
15 network of services enables a participant in
16 any of our programs to access a continuum of
17 services, which include case management
18 services to help people resolve financial,
19 emotional, and family issues; long-term
20 disaster case management services; eviction
21 and homelessness prevention; emergency food;
22 immigration legal services; refugee
23 resettlement; ESOL services; after-school
24 programs at summer camps and community

1 centers; and supported housing programs for
2 adults with serious mental illness.

3 Through its programs, Catholic
4 Charities serves thousands of individuals
5 each year without regard to race, ethnicity,
6 gender, or religion.

7 We would like to bring to your
8 attention the following items: Human
9 services cost-of-living adjustments and
10 minimum wage increases. The Executive
11 Budget's inclusion of a one-time 5.4 percent
12 cost-of-living adjustment for human service
13 providers, 40.7 million in increased funding
14 to cover minimum wage increases, and over
15 200 million in retention bonuses for the
16 frontline workers is a welcome and great step
17 towards reducing the gap between contract
18 amounts and the true cost of providing
19 services.

20 Catholic Charities supports the
21 state's application of these funds to include
22 the full range of human services programs and
23 service categories, and the extension of
24 these initiatives into future years -- that's

1 most important.

2 Under immigration and legal services,
3 Catholic Charities provides services to tens
4 of thousands of immigrants and refugees each
5 year. At Catholic Charities we are asking
6 for public support that would allow it to
7 bring these vital services to more
8 communities and increase the breadth of
9 services we offer.

10 Catholic Charities urges the
11 Legislature to preserve and enhance the
12 Executive Budget inclusion of 12 million for
13 the Liberty Defense Project and the Pro-Bono
14 Project to ensure all immigrant New Yorkers
15 access to free, quality legal counsel.

16 I would like to jump to affordable
17 housing. Catholic Charities is encouraged by
18 the Executive Budget inclusion of the
19 4.5 billion and the 5-year housing plan that
20 will support the development and preservation
21 of 100,000 units of affordable housing and
22 the 10,000 units of supportive housing, and
23 welcomes the state's continued support of the
24 Empire State Supportive Housing Initiative

1 and the Homeless Housing and Assistance
2 Program.

3 In addition, Catholic Charities
4 supports the increased assistance and
5 resources for the rental assistance programs
6 that help the unemployed, and for state and
7 local support of similar programs that grant
8 access to market-rate housing and assisting
9 those, including immigrants, who are
10 ineligible for financial or federal
11 assistance.

12 The Executive Budget's increased
13 allocation for the Legal Representation for
14 Eviction Cases Program will help to provide
15 much-needed aid for tenants struggling to
16 remain in their homes, and the establishment
17 of a state refundable tax credit for
18 individuals and families under 80 percent of
19 the area median income for rent paid in
20 excess of 30 percent of their monthly
21 adjusted income would provide further relief.

22 Finally, I have to put in a plug for
23 Nourish New York. It was much welcomed that
24 we were able to distribute good produce,

1 New York State produce, to so many families.
2 Not only did it help our families, but it
3 also helped the farmers, and I would be
4 remiss if I didn't say we really do need
5 continued funding for Nourish New York.

6 On behalf of New York's most
7 vulnerable, and Catholic Charities, thank you
8 for this opportunity.

9 CHAIRWOMAN WEINSTEIN: Thank you all.
10 I don't see hands raised. I just -- I
11 actually had a question for --

12 CHAIRWOMAN KRUEGER: There was a
13 fourth person on the panel, Empire Justice
14 Center?

15 CHAIRWOMAN WEINSTEIN: Oh, you're
16 right. I'm sorry. And it's not even close
17 to midnight, Senator.

18 (Laughter.)

19 MS. SICILIA: It's been a long day for
20 you.

21 CHAIRWOMAN WEINSTEIN: Empire Justice,
22 yes. Emilia.

23 MS. SICILIA: Yes, thank you so much.
24 Good evening to the chairs and committee

1 members. My name is Emilia Sicilia. I'm a
2 senior attorney at the Empire Justice Center.
3 I appreciate the opportunity to testify
4 today.

5 Empire Justice Center is a statewide
6 legal services and advocacy organization for
7 low-income New Yorkers. Support for New York
8 human services remains urgent. As has been
9 recognized throughout today, COVID has been
10 devastating to those who are low-income,
11 elderly, or have medical conditions -- most
12 especially in Black and brown communities.

13 Our written testimony covers
14 extensively the need to reform the public
15 assistance budgeting rules and also the need
16 for increased funding for MCCAP.

17 I would like to spend my allotted time
18 to tell you about the need to increase
19 funding for the Disability Advocacy Program,
20 known as DAP. Empire Justice provides
21 support and administrative services to DAP
22 providers. The DAP program provides legal
23 services -- legal representation, free legal
24 services -- to disabled and low-income

1 New Yorkers who are denied or cut off from
2 federal disability benefits. So that is
3 Supplemental Security Income, known as SSI,
4 or Social Security Disability. And the
5 program was established by this Legislature
6 in 1983.

7 DAP services help stabilize people's
8 income, which in turn helps stabilize
9 housing, health, and quality of life overall.
10 For every dollar invested in DAP, at least \$2
11 is generated for the benefit of New York
12 State and local government in the form of
13 public assistance costs avoided and the money
14 spent in local economies.

15 So the first point I want to highlight
16 about DAP is that obtaining disability
17 benefits is very complicated. The evidence
18 required by the Social Security
19 Administration is very demanding. And for
20 individuals contending with income and
21 housing instability, together with physical
22 and mental limitations, the process can be
23 difficult to impossible.

24 And second, these obstacles have been

1 compounded by the affects of the COVID-19
2 pandemic. SSA offices have been closed to
3 the public for almost all in-person services
4 since March 2020, and they only recently
5 announced tentative plans to reopen in the
6 spring.

7 Because of local limited capacity for
8 phone and in-person contact, even once the
9 doors are opened we expect increased claims,
10 increased appeals, but also more wait times
11 and logjams. And throughout this pandemic,
12 DAP has risen to the challenge of helping
13 clients opening cases at a rate comparable to
14 pre-COVID years, and helping clients who
15 otherwise would have lost their cases due to
16 SSA closures and to the many other obstacles
17 that they face.

18 Finally, another point I want to make
19 about DAP is that the demand for services at
20 this time now also includes DAP clients with
21 claims based on the long-term effects of
22 COVID-19. A TIME article last year noted
23 that the pandemic represents "the largest
24 influx of new entrants to the disability

1 community in modern history."

2 For the past six years, DAP funding
3 has stayed flat while program costs increased
4 and the process of pursuing a claim became
5 exponentially more difficult. The Executive
6 Budget -- we're grateful it recognizes these
7 challenges by increasing funding, but to
8 fully meet the demands facing DAP the
9 Legislature should maintain its support and
10 continue its \$1.5 million add-on.

11 Thank you for your time today.

12 CHAIRWOMAN WEINSTEIN: Now I'm going
13 to say thank you to the panel for being with
14 us.

15 I just had a question -- I just wanted
16 to clarify. When you said that kosher food
17 goes to people that don't necessarily request
18 kosher, that's because when food comes into
19 the food pantry, that groups that don't
20 necessarily need kosher or halal food have
21 access to food. Like if it's kosher tuna
22 fish, they don't care whether it's kosher or
23 not; it's tuna fish, and they take it.

24 So that you're saying is that we need

1 to somehow segregate kosher -- food for
2 people who are kosher-observant and
3 halal-observant to maximize the food that we
4 have, is that -- do I get it right?

5 MS. CHAIT: Yes. I mean ideally,
6 right, the important framework to think about
7 is if kosher -- if food is kosher, anyone can
8 eat it. Or halal, almost anyone -- I mean,
9 halal is a little bit more tricky, but
10 certainly with kosher everyone can eat it.
11 When it's not kosher, then you are excluding,
12 you know, people from accessing that.

13 And what we found with our work with
14 many of the halal pantries in communities we
15 work with is that in many cases kosher food
16 is an acceptable alternative. Not always,
17 but it is often the case.

18 Unfortunately, so much of the food
19 that comes directly from the federal
20 government has an incredibly limited supply
21 of kosher food. So if all food were kosher,
22 of course that wouldn't be required. But
23 given that it is so incredibly limited, then
24 the way it is administered by the Tikvah

1 partner in New York City, which is Food Bank
2 for New York City, they make that product
3 available to their entire network of
4 emergency food pantries.

5 And so in that case you have
6 groups that, exactly as you are saying, may
7 access or choose the tuna, not prioritizing
8 it necessarily because it's kosher --
9 probably not because it's kosher -- but
10 because it is tuna fish and what they need or
11 want.

12 In fact, Food Bank for New York, even
13 though they are incredible partners to us,
14 they cannot guarantee that the food that is
15 listed on the site will or will not be kosher
16 when they have multiple variations of a
17 product. And so yes, what we have is food
18 going to communities where it is not
19 required. And as a result, the food that is
20 required is not getting to the communities
21 where it's needed.

22 CHAIRWOMAN WEINSTEIN: Thank you.

23 We have a number of -- we have a
24 Senator who -- at least one who has

1 questions, so let's turn it over to
2 Senator Krueger.

3 CHAIRWOMAN KRUEGER: Thank you very
4 much.

5 I want to thank all four panelists. I
6 feel like it's a flashback to my previous
7 life with all of the topics raised here
8 tonight. Joel Berg knows that I've have been
9 working on food stamp/SNAP outreach pretty
10 much his entire life. I'm older than him,
11 but I think his entire life.

12 And he's 100 percent right, every
13 dollar we can bring in in food stamps from
14 the federal government is worth far, far, far
15 more than that to our economy, to our
16 businesses' economy, to our farmers' economy.
17 Because you don't do anything with SNAP but
18 buy local food, eat it, and create jobs. So
19 the state should do more, can do more, and
20 thank you for highlighting that.

21 Met Council on Jewish Poverty, I also
22 spent much of my life on emergency food
23 programs and started the New York City Food
24 Bank. And my only concern with your analysis

1 is what we wouldn't want to do is have some
2 kind of system of emergency food that
3 appeared to discriminate for or against any
4 given individual or community. And of course
5 kosher food and halal food are significantly
6 more expensive also. So we need to balance
7 those needs.

8 But I wouldn't want a two-tiered
9 system of emergency food. Even though I
10 don't want anybody to have to go to emergency
11 food programs.

12 Catholic Charities, I used to do
13 eviction prevention services with you all.
14 And the Empire Justice Center, I used to run
15 a benefits access program. And I can't
16 emphasize enough how important the DAP model
17 is for helping people with extreme
18 disabilities finally get the federal benefits
19 they deserve, which are much more enriched
20 benefits than the state benefits.

21 So it's also -- you help people,
22 through your legal services offices, get a
23 benefit that results in their receiving a
24 higher level of benefit than what they end up

1 with on public assistance, and the feds
2 paying for it.

3 So I just wanted to thank you all for
4 your work, and it all improves people's lives
5 and actually saves the state money. So thank
6 you very much.

7 CHAIRWOMAN WEINSTEIN: Thank you.

8 I'm going to go to Assemblywoman
9 Rosenthal.

10 ASSEMBLYWOMAN ROSENTHAL: Hi. Thank
11 you, Helene, and thank you to all the
12 panelists for waiting it out. But it's not
13 that late, because yesterday's went on till,
14 I don't know, midnight or something.

15 So I wanted to ask Emilia about DAP
16 just a little bit. You asked for increased
17 funding, and we certainly know the importance
18 of the DAP program. How do you think you
19 could best use that funding? Like explain
20 how essential it is to the program.

21 MS. SICILIA: Sure. Well, I think
22 it's important just to keep in mind the
23 trajectory of the budget for the program,
24 where we saw funding cut, I believe it was in

1 the aughts, and funding was increased most
2 recently in 2016. But it really is only kind
3 of, with the increase in the Executive Budget
4 now, essentially making us whole from many
5 years of underfunding.

6 So we are, you know, now facing the
7 most complex cases and -- you know, that are
8 both the result of Social Security rules and
9 processes becoming more challenging, and then
10 compounded with COVID-19. So additional
11 funding would help us address all the extra
12 work that's being done right now by DAP
13 providers to help with every little aspect of
14 communication and navigation of SSA.

15 While it's been closed and so limited
16 and so difficult to access -- also, you know,
17 difficult to obtain the necessary medical
18 records -- all those things are taking a lot
19 more extra advocate hours. And so we need to
20 make the program whole, to catch up with the
21 costs of the program, to support the
22 additional work that's necessary for existing
23 cases that we have right now -- but then,
24 with the additional money, expand to meet the

1 need, because we do -- everyone expects
2 increased claims, especially now with the
3 agency opening and hopefully becoming more
4 accessible to file those new applications.

5 ASSEMBLYWOMAN ROSENTHAL: You make a
6 convincing case.

7 And thank you all for all of your
8 work. Joel, I know we've worked together
9 back in the past, so I look forward to maybe
10 doing some more work together. And thank
11 you, thank you all.

12 CHAIRWOMAN WEINSTEIN: Thank you.

13 Senator Krueger, I see you still
14 have a colleague.

15 CHAIRWOMAN KRUEGER: Yes, we have
16 Chair Roxanne Persaud.

17 SENATOR PERSAUD: Well, thank you,
18 Senator. Thank you to all the panelists.

19 Jessica, it's great seeing you. You
20 know, Senator Krueger touched on some of the
21 things I wanted to say. I am concerned when
22 we talk about a separate system for food, for
23 the food supply. I spoke earlier to -- when
24 the Aging commissioner was on and asked about

1 the need -- spoke about the need for more
2 halal and kosher food.

3 That being said, I just want us to be
4 careful when we're talking about
5 separating -- separating the food to the
6 extent that we're, you know, dedicating only,
7 you know, kosher food and halal food during
8 the pandemic.

9 Met Council, we've done a lot of
10 distributions with you. You have some of
11 your pantries in my district, and we're
12 appreciative of that. I agree with you, some
13 of the kosher food for the halal population,
14 they could not use it, and so we had issues
15 with that.

16 At the same time, some of the food
17 that came from the federal government we had
18 major issues with, where we had to separate
19 the food and make sure that the population
20 that we were distributing the food to were
21 not receiving the products that they were
22 going to sort of toss in the garbage.

23 But I appreciate everything you do.
24 But I'm just concerned when we're talking

1 about making this great separation. You
2 know, we want to make sure all food pantries
3 are funded where they could provide food, but
4 I just don't want to see us saying, you know,
5 we must do X amount of dollars to one
6 particular population for food. That's just
7 my concern. It doesn't -- because, you know,
8 everyone is going to start asking for the
9 same thing, and then what do we do?

10 So we just say it's one pool of money,
11 everyone gets from that pool, but we should
12 not say X should be dedicated to X
13 population.

14 So thank you very much. And as usual,
15 you know, Jessica, it's great seeing you.

16 MS. CHAIT: You as well. Thank you.

17 If I could just -- can I quickly
18 respond, is that --

19 CHAIRWOMAN WEINSTEIN: Sure.

20 MS. CHAIT: Thank you.

21 So I appreciate the concerns raised,
22 and I would say that I think in effect we do
23 have two systems already, because my council
24 has to rely so heavily on philanthropy and

1 other sources to in effect ensure that these
2 pantries that are kosher and halal have the
3 resources and the full amount of food that
4 they can provide.

5 That said, I think our asks for
6 increased HPNAP and Nourish are really using
7 the infrastructure that exists. And we just
8 want to make sure that the populations that
9 are essentially forfeiting other food, that
10 when those allocations are made, that that is
11 being considered. Because in fact we are not
12 taking so much from the federal government or
13 from other programs that are available, and
14 in effect are unable to supply balanced
15 pantry bags without additional resources.

16 And so that is obviously our goal, is
17 to create a very equal system where all
18 New Yorkers and, frankly, all Americans have
19 equal access to the foods that are required
20 to feed themselves and their families.

21 But we have more detailed
22 recommendations, and we can follow up with
23 your offices to share that. So thank you
24 very much.

1 MR. BERG: I just had one quick point
2 about SNAP, again, that you can use it for
3 kosher, halal, vegetarian or vegan food.
4 Another benefit above some emergency food.

5 Thank you.

6 CHAIRWOMAN KRUEGER: Correct.

7 CHAIRWOMAN WEINSTEIN: Thank you.

8 I want to thank this panel not only
9 for being here today but, really -- probably
10 even more importantly -- for the work you do
11 on a daily basis on behalf of -- to serve our
12 constituents.

13 And I want to thank all of -- my
14 cochair, Senator Krueger --

15 CHAIRWOMAN KRUEGER: Thank you.

16 CHAIRWOMAN WEINSTEIN: -- my ranking
17 member, Assemblyman Ed Ra, and the ranker on
18 Finance, Tom O'Mara, and the respective
19 chairs of the committees that were here today
20 for your participation.

21 This will be ending the Human Services
22 hearing. Let this be a model for the
23 hearings next week in terms of the -- and the
24 week following, in terms of time.

1 And speaking of continuing budget
2 hearings, I would ask people to join us --
3 the next budget hearing will be on Higher
4 Education. It will be on Monday the 7th,
5 beginning at 11 a.m.

6 This hearing is now officially closed.

7 (Whereupon, the budget hearing
8 concluded at 6:45 p.m.)

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