

TESTIMONY

PRESENTED TO

HOUSE OF REPUBLICAN POLICY COMMITTEE

REGARDING

**OFFICE OF DEVELOPMENTAL PROGRAMS
2010 OUTLIER RATE ADJUSTMENT POLICY**

PRESENTED BY

**KATHY CARLSON
EXECUTIVE DIRECTOR
TRAINING TOWARD SELF RELIANCE, INC.**

**MISTY LIBENGOOD
INDIVIDUAL RECEIVING SERVICES THROUGH TTSR**

SEPTEMBER 23RD, 2010

Good Morning Chairman Saylor, House Republican Policy Committee Members, and distinguished guests. Thank you for the opportunity to provide testimony on the Office of Developmental Programs Rate Adjustment Policy.

My name is Kathy Carlson and I am the Executive Director of Training Toward Self

Reliance in Clarion County, Pennsylvania. Our agency currently provides services for 55 individuals diagnosed with complex dual diagnosis needs as well as employs over 400 direct support professionals including administration, maintenance, and behavioral supports professionals. We have been providing these services for approximately 16 counties across the Commonwealth since 2001. I would like to take this opportunity to offer my opinions on the policies enacted by the Office of Developmental Programs, which ultimately affect most providers, as well as our most vulnerable citizens in Pennsylvania.

One such critical policy change is Office of Developmental Programs Outlier Adjustment Rate Policy. This policy does not take into consideration the acuity of care for each individual in the home. If this policy is enacted, as it stands in every site, a provider report must fit into the cost parameters set forth by ODP. This means that a provider may be spending more dollars on 1 consumer in a 3 person home, which could be due in large part to medical needs, behavioral issues, community needs, etc. The provider is paid by the rate ODP has determined, not by the actual cost of serving the consumer. In my opinion, this is in direct contradiction to the guidelines set forth by the CMS for waiver participants. CMS guidelines clearly state that the needs of the individuals identified in their individual supports plan must be met. Providers are meeting the needs of each individual without proper and appropriate compensation.

I would like to give a personal example. In March of 2002, a young woman came to live at TTSR. She came to us after 23 previous placements (all of which discharged her because of challenging behaviors and severe physical aggression. She required 3 to 1 staffing, 24 hours a day and had endured multiple psychiatric hospitalizations. Throughout the years, she has developed into a mature, responsible young woman. She currently resides with two other women with one-on-one supports and has not been back in the psychiatric hospital since she has come to live with us. A roommate from another county came to live with us in 2004, and like others, has had multiple hospitalizations (severe aggression and self-injurious acts). Due to her complex needs, she currently requires two- on-one staffing during awake hours. These young ladies have lived in the same home for many years. They are active members of the local community, work in transitional work program, and visit their families regularly. All of this is possible because of the level of support and specialized service our agency provides. Due to the Outlier Rate Adjustment Policy, that home does not fit into the parameters of a three person home. What is going to happen to those three females and the 10 to 15 other incredible people when we can no longer support them due to this outlier policy?

Many years ago, the push in the Commonwealth was removing individuals from State Institutions and serving them successfully in the community. Providers, like Training Toward

Self-Reliance, Inc, have had a high success rate in serving that population. If Office of Developmental Program's Outlier Rate Adjustment Policy, the continued downward spiral of financial stability, miscommunication between the Office of Developmental Programs and gray areas of language interpretation have left agencies like ours, with difficulties in affectively serving this difficult population. Some providers will not be able to continue to support these "high end" complex individuals and we fear that re-institutionalization may occur. We have worked diligently, since our rates came out in May, with the Office of Developmental Programs to clarify or rectify the multitude of areas of concern, which impact the financial viability of our agency. We met personally with Kevin Casey and members of his financial department and although our rates have not been adjusted, they have promised to work us through this extraordinarily challenging system change by approving gross adjustments and through the revenue reconciliation process.

I have with me the young woman I spoke of earlier, who asked to speak on behalf of all of the individuals receiving services through Training Toward Self Reliance as well as those within the Commonwealth as well as those who have been through life's challenges. This is Misty Libengood. Misty is 28 years old, from Allegheny County and has lived with us for over 8 years.

Hi, My name is Misty. I have been with TTSR for almost 9 years now. In my time here, I have lived in 3 different homes because I was having a hard time living with others. When I first got to TTSR, I did not care about anyone or anything. I was hard-headed and stubborn and chose not to listen to anyone. This would lead to some pretty horrible behaviors including hitting, kicking, biting, and scratching others. I never wanted to go into the community and I never felt safe outside of the home. I would not let anyone into my life and I probably said and did a lot of things that may have upset staff and others I lived with. Not only did I not like anyone, I did not like myself.

Today, I regret those things I did and said, especially toward those who just wanted to help me and cared about me. I now am a paid employee in our transitional work program at TTSR and have built over 40 relationships with staff and peers at TTSR. I work every day to encourage others to work hard and to stay positive. I really like encouraging others to exercise as I feel if you are healthy, you are happy. I am one of many success stories at TTSR and in Clarion County, but there are so many in Pennsylvania that need the help that I got.

If it ever came down to a time that I was forced to leave TTSR, I would not go. If not for TTSR, I would still trust no one and probably have no friends or family. I like all my staff and friends at TTSR and fear that because of policies and people outside of the agency making decisions for us that one day I may be forced from the only comfortable living situation that I have ever been in.

Thank you for your time.

Again, I would like to thank you all for the opportunity to speak this morning. I would also like to extend an open invitation to all Policy Committee members, Kevin, as well as distinguished guests, to visit our agency and meet the 55 extraordinary individuals who call Clarion County their home.