



TESTIMONY OF

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PRESENTED TO THE

NEW YORK STATE SENATE FINANCE COMMITTEE
AND
NEW YORK STATE ASSEMBLY COMMITTEE ON WAYS AND MEANS

REGARDING THE

NEW YORK STATE EXECUTIVE BUDGET PROPOSALS FOR HUMAN SERVICES
STATE FISCAL YEAR 2020–2021

JANUARY 30, 2020

SUMMARY OF RECOMMENDATIONS

1. Invest in New York State's not-for-profit infrastructure to support vitality and the delivery of vital services
2. Support a \$100 million appropriation to fortify the capital needs of not-for-profit organizations
3. Support Family First Prevention Services Act (FFPSA) planning, change management and local practice improvement
4. Limit access to legalized marijuana for individuals younger than age 26
5. Continue support for expanded mental health services in schools and community-based settings and place a moratorium on cuts

Good afternoon. My name is William Gettman, and I am the CEO of Northern Rivers Family of Services located in the Capital Region.

About Northern Rivers Family of Services

Northern Rivers Family of Services was established in 2012 through affiliation with longstanding family services agencies **Parsons Child & Family Center** and **Northeast Parent & Child Society**. In 2019, we affiliated with Unlimited Potential, whose operations began in Saratoga Springs. Together, the 1,400-strong workforce of Northern Rivers and member agencies serve more than 18,000 children and families in 41 upstate counties each year, with \$88 million invested through more than 60 social services and mental health programs. Northern Rivers builds a strong, successful, and

healthy future for our children, families, and communities through quality services, collaboration, and innovative leadership. Our program areas include:

- Residential and community-based child welfare programming including foster care, preventive services, postadoption services, and evidence-based home visiting programs;
- Educational services for 400 students including early learning, pre-K, and Early Head Start as well as accredited middle-high school 853 schools;
- Community-based mental health and crisis services programs for children and adults including mobile crisis, school-based services, and licensed clinic programs; and
- Community-based waiver programs for children and adults including Health Home services.

I would like to thank Chairwomen Liz Krueger, Chairwomen Helene E. Weinstein, and members of the Assembly Ways and Means and Senate Finance Committees for this opportunity to testify on the Governor's Executive Budget for State Fiscal Year 2020–2021.

As has been stated many times:

***The budget is not just a collection of numbers,
but an expression of our values and aspirations.***

Governor Cuomo has proposed a \$178 billion Executive Budget to deal with our state's needs and priorities including closure of a \$6 billion deficit, managing the impacts of the

federal proposals, improving the infrastructure, increasing county and education efficiency, and promoting economic growth and development across the state.

While Northern Rivers Family of Services is grateful for many of the measures the Governor and the Legislature have taken over the past few years to stabilize the state's economy and help to build a better New York, **more needs to be accomplished to make New York State a great place to live, raise a family, and operate a business. Unless the proposed Executive Budget is adjusted to adequately support the human services sector and the children, adults, and families we serve each day, New York State will not reach its goals. Without support and opportunity for ALL New Yorkers, we will not be truly successful.**

We all understand the challenges we face today. Economic difficulties, including the project \$6 billion deficit, growing long-term care caseloads, high costs of pharmaceuticals, and the impacts of federal tax policy, are forcing critical conversations and new approaches to innovation at the state, local, and not-for-profit sector level. Yet these challenges give us the chance to make lasting, positive change. These conversations and innovative approaches can help us meet the complex needs of families and children and achieve improved outcomes.

The Governor's Executive Budget shows an understanding of the importance of initiatives that help children, such as supporting an increase in the child care tax credit, maintaining preventive services funding for at-risk families, supporting the implementation of children's behavioral health services, supporting mental health in school programming, expanding support for pre-K education statewide, and ongoing support for the Raise the Age programs.

That represents a good start, but it falls short of creating a real, lasting impact.

Following are specific recommendations with regard to the proposed budget.

1. Invest in New York State’s not-for-profit infrastructure to support vitality and the delivery of vital services

New York’s families have faced many challenges in past years: the down economy, joblessness, homelessness, opiate/substance abuse, and violence in already plagued communities; for these forgotten New Yorkers, times are still hard. When families are in crisis and children are at risk, New York’s network of not-for-profit human services providers are both the first line of defense and the safety net. **The agencies and the women and men in the not-for-profit human services sector are the first responders for at-risk and vulnerable families, children, and individuals.** Throughout the state, not-for-profit human services welfare agencies respond to critical family situations 24/7/365, and our fiscal viability is at risk.

Northern Rivers Family of Services has joined hundreds of other human services agencies as part of the statewide **#3for5 campaign** that is calling for a 3 percent increase in funding for not-for-profits in the human services sector every year for the next 5 years.

This campaign is unprecedented in its scope through the inclusion of every major statewide not-for-profit agency serving mental health, addiction disorder, developmental disabilities, child welfare, foster care, and the aging community—our friends, family, and neighbors most in need of help.

Existing law provides for an annual increase for these not-for-profits. Unfortunately, for the last decade, the funding increases for these agencies has been manually removed from the New York State Budget, which has led to a loss in excess of \$1 billion in promised financial support. The result is that the quality of services are declining, many agencies have had to institute waiting lists for care, facilities are deteriorating, and agencies are unable to offer competitive living wages to attract and retain the skilled staff necessary to deliver quality care and support. Those friends, family, and neighbors of ours most in need aren't getting all the help they deserve.

Our agencies are the safety net for New Yorkers in greatest need. While our agency's mission prevents us from turning away people in need, many of our members are now fiscally unstable and in danger of closing due to inadequate funding.

The importance of our organizations cannot be overstated. **Individuals** rely on us to fulfill their dreams of independence. **Families** rely on us to provide their loved ones with the quality care they need to keep them safe and thriving. **Communities** rely on us as economic engines and employers. **Taxpayers** rely on us to support New Yorkers in their home communities, off the streets, and out of expensive institutional settings and emergency rooms. Every New Yorker is being impacted by this ongoing crisis—even those who don't yet realize it.

This investment is a cost-effective win for all New Yorkers. In addition:

- Not-for-profit human services organizations support is a social justice issue

- Not-for-profit human services organizations are an economic engine
- Not-for-profit human services sector operates as an efficient business

We urge the members of Senate Finance Committee and Assembly Ways and Means Committee to continue your leadership in the human services sector through your support of #3for5.

2. Support a \$100 million appropriation to fortify the capital needs of not-for-profit organizations

Not-for-profit human services organizations are asked to make impossible financial decisions every day—sometimes, choices have to be made between paying salaries or investing in facilities where clients live, learn, and heal. To provide safe quality care for our children, adults, and vulnerable families, the State should have a dedicated, permanent infrastructure fund for not-for-profit organizations because providers need places to provide these necessary services. The current process of securing infrastructure funding is overly complex and opaque with restrictive eligibility requirements that confine funding availability to a specific subset of providers and projects. Additionally, a complicated application process acts as a barrier to potential funding recipients. Not-for-profit organizations are entitled to an unambiguous and uniform application process, as well as legislative partners who are well informed about the availability and mechanics of the funding they oversee.

3. Support Family First Prevention Services Act (FFPSA) planning, change management and local practice improvement

The Executive Budget proposes \$75 million in federal appropriations to assist with implementation of the federal Family First Prevention Services Act (FFPSA). Of this amount, \$25 million will assist with statewide FFPSA compliance, and \$50 million will provide temporary grants to New York City, which has an expired demonstration project. The Executive Budget also proposes \$3 million, unchanged from FY 2019-2020, for the Family First Transition Fund, to help local social services districts support, recruit, and retain current and prospective foster families and kinship providers.

The Office of Children and Families (OCFS) has invested considerable time and priority on the thoughtful implementation of FFPSA. OCFS has developed current analytic profiles and data packets detailing foster boarding use, placement profiles, and related practice items, formed state and local implementation teams, conducted training, and convened key stakeholders to discuss relevant challenges and opportunities to support successful implementation.

We specifically applaud the continuation of the Family First Transition Fund for FY 2020-2021.

The proposed Article 7 language provides for new definitions and practices related to the placement and funding of youth within congregate care programs and places limits on length of stay in the event that the Independent Assessor does not agree with the need for the placement. As written, however, the proposed language in part goes beyond the federal requirements. Given the uncertainty of the federal guidance and the need to change at the local district and voluntary agency level, we believe maximum flexibility is the best course of action. Local counties should not

automatically be required to remove a child at the 30-day point if the Independent Assessor does not agree with the placement. We believe there should be an appeal process and a role for the local social services district and Family Court to review options before a disruptive removal. Again, the goal of the act is critical to future youth success; however, we want the implementation to be planful. We also believe the final language and the role of the Independent Assessor requires additional analysis and input.

At the same time, the successful implementation of the FFPSA requires a modernization and upgrading of the services provided by foster and kinship homes. It is unrealistic to assume that the existing network of foster homes can provide the level of care needed for youth who received services in a more structured setting without change, support, and investment. New statewide models for foster and kinship homes must be developed, including fair reimbursement, additional respite support, help in managing clinical needs, and statewide consistency with regard to standards for prudent parenting. We recommend the inclusion of new funds for foster home support as part of the implementation plan.

Providers like us are excited about how services will now be provided in the least restrictive, family-based manner. We want the transition however to avoid unintended consequences that may arise due to the decentralized nature of our services network, role of the local commissioners in safety and decision making, and the importance of Family Court approval.

4. Limit access to legalized marijuana for individuals younger than age 26

Marijuana use in individuals younger than age 26 can lead to long-term consequences.

Marijuana, or cannabis, is the most commonly used illicit drug in the United States. It acts by binding to cannabinoid receptors in the brain to produce a variety of effects, including euphoria, intoxication, and memory and motor impairments. These same cannabinoid receptors are also critical for brain development. They are part of the endocannabinoid system, which impacts the formation of brain circuits important for decision making, mood, and responding to stress.

Marijuana has changed over time. The marijuana available today is much stronger than previous versions. The THC concentration in commonly cultivated marijuana plants has increased threefold between 1995 and 2014 (4 percent and 12 percent respectively). Marijuana available in dispensaries in some states has average concentrations of THC between 17.7 percent and 23.2 percent. Concentrated products, commonly known as dabs or waxes, are far more widely available to recreational users today and may contain concentrations of THC between 23.7 percent and 75.9 percent.

The risks of physical dependence, addiction, and other negative consequences increase with exposure to high concentrations of THC and the younger the age of initiation.

Based upon the scientific evidence and the common understanding of brain development, we strongly urge that legalized marijuana be limited to individuals age 26 and older.

5. Continue support for expanded mental health services in schools and community-based settings and place a moratorium on cuts

The current behavioral health system for children is underdeveloped and unable to respond to the mental health crisis facing New York’s children and youth.

Across New York State, too many families find it impossible to get the mental health and substance use disorder services their children desperately need. The consequences can be devastating: Children get sicker, parents miss work, schools are overburdened, and families are overwhelmed and sometimes broken.

Children are left on waitlists or forced into emergency rooms, hospitals, the juvenile justice system, or preventable foster care placements because they cannot get the care they need when they need it. Families and communities suffer further when unaddressed problems in childhood develop into adult mental illness.

Given the rising rate of youth suicide in New York and shortage of mental health care professionals across the state, we strongly recommend the State ends all cuts to children’s behavioral health care

It is no longer enough for the State to assert that managed care and health insurance coverage are sufficient to meet the access and continuity of care needs of the children’s behavioral health system. New York State must ensure timely access to necessary clinical services, make available a range of evidence-based interventions that have proven effective, and hold accountable the health plans and insurance carriers charged with and paid to deliver behavioral health services to New York’s children.

We recommend:

- Placing a moratorium on any cuts to children’s behavioral health services;
- Establishing mechanisms to identify, analyze, and address systemic barriers that prevent children and families from accessing timely and appropriate services including funding rates, caseload standards, travel impacts, etc.;
- Holding health plans accountable for meeting contractual obligations and enforcing mental health parity laws on behalf of children and youth;
- Seizing the opportunity to lay the foundation for a system of care that guarantees timely access to treatment and improves children’s behavioral health outcomes.

Conclusion

In closing, we urge the Legislature to negotiate a budget with the Governor that ensures that the State remains committed to the programs that produce positive outcomes for children, individuals, and families; one that ultimately **saves the State money on more expensive interventions such as foster care, unnecessary medical care, homeless shelters, and the juvenile justice system.** We strongly encourage the Legislature to support the need of the human services not-for-profit sector. Failure to fund an increase for not-for-profit agencies will have a significant negative impact on the ability of individuals and families to receive services and ultimately on the physical, mental, and financial health of the state as a whole.

Simply stated, we recommend investments in our vital not-for-profits and communities that yield positive outcomes for all New Yorkers. We must make New York State a great place to live, a great place to raise a family, and a great place to operate a business.

Thank you for the opportunity to testify.