

## State Budget

**The New York State budget was adopted April 6th, five days after the start of the new fiscal year, with a final price tag of \$212 billion.** Compared to the \$177 billion spending plan approved last Spring, there is new spending and new revenue. The budget is funded by a number of increases in revenue – due in large part to an infusion of federal relief to the state from the American Rescue Plan combined with increased state corporate taxes and personal income taxes for millionaires through the end of 2027, and anticipated income from newly approved sports gambling. In future years there will also be income from the legalization of adult use recreational marijuana sales.



The new spending includes an increase in school aid with a 3 year phase in of full funding, an investment in the green economy, rent relief for those impacted by the pandemic economy, a "circuit breaker" property tax relief program for homeowners who earn less than \$250,000 (about 1.3 million New Yorkers), new funding for child care to increase access and support providers, payments for workers who were excluded from federal stimulus or unemployment benefits split into 2 tiers of payment (depending on documentation/work stubs), and emergency food assistance for the elderly. Medicaid cuts

proposed by the Governor to hospitals and other providers were prevented as were cuts to public health services in NYC. The Legislature also rejected Cuomo's proposed cuts to community-based not for profits that provide vital services, such as our own Patients' Right Helpline.

The budget both authorized spending and created new policy.

- There is new policy on gun control that declares gun violence as a threat to public health and promotes prevention through the new Community Violence Intervention Act.
- The budget creates a \$10 million fund to combat discrimination against Asian Americans and provides additional funding for the Securing Communities Against Hate Crime Program.
- A new broadband initiative requires the state to study access to internet and wireless services within the year and, starting this summer sets a 5 year limit of \$15 per month that can be charged low-income households for high speed internet (Qualifying households receive SNAP or Medicaid benefits or SCRIE/DRIE housing relief or an existing affordability benefit from a utility provider.)
- To fund environmental improvements & reduce the impact of climate change, a \$3 billion environmental bond act will be placed before voters in 2022.



## Issues of Interest

### INCREASED FUNDING FOR AGING SERVICES

Thanks to all of the calls made by our members and friends, the Legislature restored funding for StateWide's Patients Rights Helpline that had been proposed to be cut by the Governor!

Our program will be able to continue at the same level of funding as we received last year; clearly the message that this was not a good time to cut patients rights services was heard. Our program has been valuable to the clients served, but also informs out testimony and advocacy on the quality of care in NYS.

One of the areas we have raised is problems accessing services in the home. The Legislature added \$8 million to programs run by local office for the aging to further reduce waiting lists for services.



They also added a 1% cost of living increase for staff. Another issue highlighted during the pandemic is the need for increased staffing of the local long term care ombudsman programs; the Legislature added \$250,000 funding. However, there were no new initiatives to support recruitment and retention of home care workers.

### NEW FUNDING FOR HOUSING INITIATIVES

The budget created the COVID-19 Emergency Rental Assistance Program to fund 12 months' arrears for rent and utilities, three prospective months of rent, a year of eviction protection, and

eligibility for renters with income up to 120% area median income (AMI), regardless of immigration status. There is additional funding for homeowner assistance, including support for HOPP, a foreclosure prevention program. Funding was allocated to address:



- homeless shelter capacity
- to convert hotel and vacant property into affordable housing,
- address blighted home rejuvenation
- provide \$200 million for NYC Housing Authority and \$125 million for public housing across New York State.

### ADDRESSING THE CRISIS IN NURSING HOMES

Amazingly, the Legislature and Governor had to create a **new law that ensures that nursing homes have to spend on patient care! The pandemic crisis highlighted the already existing problem – insufficient staffing results in lower quality of care.** The need to invest in staffing was partially addressed in the budget in two ways.

- 1** The first was to require nursing homes to assure the state that they were spending at least 70% of payments on patients and that at least 40% of the funds would go to direct care staff salaries. Nursing homes that fail to meet the spending will have to put the difference into the state's Nursing Home Quality Pool, which is then

redistributed to highly rated nursing homes. The health commissioner may waive these requirements if a nursing home demonstrates that it experienced exceptional circumstances that prevented compliance. This provision goes into effect January 2022. This measure is to ensure minimum spending on care, not minimum safe staffing, which is what we need.

**2** The second effort to address staffing added \$64 million of Medicaid funding for nurse and CNA staffing. In large part this funding was provided to appease the nursing home industry's criticism of the minimum spending requirements, so they were given more money to spend.

Unfortunately, without a safe staffing standard in law, there is no assurance that the number of staff will in fact increase, or accountability that the state health inspectors will sanction facilities with substandard staffing levels.

Currently, **49%** of nursing homes in NYS earned a rating for staffing of one or two stars, which means "far below average" or "below average."

Two other new laws were adopted prior to the budget and were gaining traction in the Legislature since the August 2020 hearings. StateWide, along with many family members testified about the state's policies that prohibited visitors, calling them abusive and overly restrictive. The state's rules, designed to "protect residents from the coronavirus," resulted in neglect and harm caused by isolation and lack of care. **Senator Rachel May**

**& Assembly member Harry Bronson led the charge to ensure that never again will the state be able to shut out**



**essential visitors. Each resident will be allowed to designate up to two people who will be allowed to visit, regardless of any state rule to the contrary.** Just prior to signing the bill into law, Governor Cuomo also eased the restrictions on visitation by following federal guidance previously released.

**Another bill, championed by Assemblymember Kim and Senator Biaggi, repealed the unfair law inserted in the rush of last year's budget, that prevented lawsuits against health corporations for poor outcomes and death during the pandemic.** Last summer a partial repeal was accomplished; the full repeal is now law and checks and balances have been restored that protect patients.

## **MOVING FORWARD TIME FOR ACTION**

With budget issues settled, it's time for more state legislative action to address inequalities in the delivery of care and problems accessing to care. StateWide is developing action plans to engage our members, friends and legislators in the urgent need to recruit and retain home care workers, ensure safe minimum staffing in hospitals and nursing homes, expand the Elderly Pharmaceutical Insurance Coverage Program (EPIC) and adopt improved Medicare for all – the New York Health Act.

# State Budget Issues

**Please take a moment to call your state Assemblymember and State Senator to ask them to sign on as sponsors to help these bills become law?**

1. **Call YOUR State Assemblymember**, 518-455-4100 ask to be connected to your Assemblymember's office (you must give their name.)
2. **Call YOUR State Senator**, 518-455-2800 ask to be connected to your Senator's office (you must give their name.)

To look up who represents you in the Assembly, call your County Board of Elections, or use this link:

<https://nyassembly.gov/mem/search/>

To look up who represents you in the Senate, call your County Board of Elections, or use this link:

<https://www.nysenate.gov/registration/nojs/form/start/find-my-senator>

BILL'S PURPOSE	SENATE BILL #	ASSEMBLY BILL #
EPIC expansion to people on Medicare who are under 65, making it easier to apply, improving the income limits for the fee plan & reducing the deductible plan costs	<b>S4603</b> by Senator May	<b>A5422</b> by Assembly member Kim
Ensuring minimum nurse to patient ratios in hospital care and mandating at least 4.1 hours of care from nurses and aides in nursing homes	<b>S1168</b> by Senator Rivera	<b>A108</b> by Assembly member Gunther
New York Health Act to provide coverage from birth to death for all without copayments, premiums or out of pocket costs, including vision, hearing, dental & long term care	<b>S5474</b> by Senator Rivera	<b>A6058</b> by Assembly member Gottfried
Fair Pay for Home Care will raise the minimum hourly pay for home care workers to 150% of the regional minimum wage.	<b>S5374</b> by Senator May	<b>A6329</b> by Assembly member Gottfried

**Medicare, Medicare Fraud & Patient's Rights Helpline 800-333-4374**