



**New York StateWide Senior Action Council, Inc**

*Improving The Lives of Senior Citizens & Families in NY State*

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## **2024 STATE LEGISLATIVE PRIORITIES**

### **ECONOMIC SECURITY**

*StateWide believes that economic security should be defined as having the income, resources, and services and supports necessary to meet all basic needs. The state should use an expanded definition of economic security categories in calculating a livable wage, including housing, health care, transportation, food, miscellaneous essentials, child care, and, when necessary, long term care.*

- StateWide urges the state government to use 200% of the federal poverty level (FPL) as a closer approximation of economic security rather than 100% of FPL, to shape planning efforts as well as eligibility for service delivery. In so doing, the State will be able to direct services to those with the greatest economic and social need, including older adults with low-incomes, by focusing on those with incomes that fall short of economic security.
- StateWide will fight cuts to food programs, heating/cooling assistance and other important human service programs that provide assistance so that seniors and their families can live with dignity in the community. StateWide supports continuation of funding for the Weatherization Referral and Assistance Program (WRAP) for older New Yorkers to provide coordination of energy efficiency services for older persons.
- StateWide urges the state to Improve the SNAP benefit using state funds to supplement federal allocation to ensure no household goes hungry, and to ease the elimination of COVID era benefit increases.
- StateWide supports budget funding for New York's low-income household water assistance program to provide adequate financial support to ensure this vital service is not shut off.
- Statewide supports the Age friendly banking initiative which will address the banking needs of seniors ranging from physical amenities in bank locations to bank product and services designed to better serve senior, residents with disabilities and low income populations.

- StateWide supports the creation of public banking institutions by creating a regulatory framework so municipalities can operate banks to invest in community needs, advancing racial equity and community resilience and sustainability.
- StateWide will work to strengthen action against employers to prevent wage theft.
- StateWide urges the state to regulate the digital tele-communications industry to achieve universal, affordable, high quality and technologically advanced service.
- StateWide declares that access to the internet is a human right. Services and equipment must be reliable, affordable, easy to access, with training available for all. While access must be ensured, every effort must be made to leave no one behind, so that providers and agencies must not make access to the internet a condition of service.
- StateWide urges ensuring a livable wage, future increases in the minimum wage should be indexed to the rate of inflation.
- StateWide opposes bills to expand the sale of packaged funeral prices that allow for profit corporations to do so.
- StateWide supports legislation to accelerate growth of entrepreneurial training programs, and make them easier for senior citizens to access.
- StateWide supports requiring a 90-day notice before a locality can change provisions of retirees' health care plans.
- StateWide urges the state and local pension systems to calculate Cost of Living Adjustment (COLA) for pensioners using the CPI-E to more accurately assist retirees with inflationary increases to the products & services that they purchase most.
- StateWide opposes reductions in the state retiree health insurance benefit to control costs by transferring some of the state's share of costs to retirees.
- StateWide opposes changes in public retiree health benefits that will eliminate the retiree's ability to select original Medicare for their coverage without paying for the premiums out of pocket, forcing them to have no choice except to enroll in an employer selected Medicare Advantage Plan in order to use their earned retiree health benefit.

- StateWide supports guaranteeing public service retirees health care benefits available upon retirement without any diminishing changes.
- StateWide supports enhanced efforts to assist residents to enroll in all types of benefits for which they are eligible.
- StateWide supports a self-sufficiency standard study regarding how much income is needed for a household to adequately meet its basic needs without public or private assistance.
- StateWide opposes the use of state funds and a utility ratepayer surcharge to continue the operation of old, unsafe and unprofitable nuclear power plants that have outlived their structural expectancy.
- StateWide urges the state to remove liability insurers financial incentive to deny or delay fair payment of legitimate claims, by allowing compensatory damages to be awarded when an insurance company's inadequate late payment of a settlement exposed the insured to a judgment above the policy limits.
- StateWide opposes the practice of some banking and other institutions that require fees for paper copies of monthly statements which is a discriminatory practice towards clients that do not have access to the technology that make such statements accessible.
- StateWide supports allowing small, community focused carshare companies to operate when they are insured by companies registered with, but not licensed in NYS. (Signed into law 2023 with Chapter Amendment expected)

#### ○ **Financial Justice**

- Statewide supports efforts to end predatory lending. We oppose legislation that opens the door to allowing payday lenders.
- StateWide supports efforts to prevent property foreclosures.
- StateWide opposes efforts to alter the ban on usurious small-dollar loans.
- StateWide supports the regulation by the state of credit reporting agencies to ensure that the industry standard protects against hacking and data breaches.
- StateWide supports the agenda of [New Yorkers for Responsible Lending](#) to promote economic justice as a matter of racial and community equity.

- StateWide urges the establishment of rules for digital asset safety to provide consumer protection for cryptocurrency transactions.
- StateWide urges the Department of Financial Services to limit excessive check cashing fees.

#### ○ **Housing**

*Increased efforts must be made to address widespread housing inequality that disproportionately impacts persons of low income and persons of color. Policies must ensure sufficient, accessible, and affordable housing stock.*

- StateWide supports the expansion of affordable housing for the elderly throughout the state, including the establishment of a partnership authority to finance or collaborate in the financing of projects.
- StateWide encourages the expansion of eligibility criteria for senior citizen rent exemption and tax abatement programs by allowing income offsets that are for non-reimbursed medical and prescription drug costs.
- StateWide urges that the Senior Citizen Rent Increase Exemption (SCRIE) program benefits keep pace with income needed to maintain housing.
- StateWide opposes the use of “poor doors” that have been built in residential settings which permits landlords to designate separate entrances for low income residents.
- StateWide urges investment in supportive housing models that include inclusive design for those who may have physical impairments and often offer a variety of services including activities, transportation, an on-site service coordinator, amenities, meals, and support for residents’ health-related services.
- StateWide supports a tax credit for either new or retrofitted principal residences which are universally designed to be accessible and adaptable housing.
- StateWide supports adding residents aged 65 and older to the list of populations eligible for the supportive housing development program
- StateWide supports requiring local zoning ordinances to establish the right to build accessory dwelling units on owner occupied property.

- StateWide urges that the heating and shelter allowances given to people who rely on public assistance keep up with increases in rent or heating costs. The shelter allowance hasn't been raised since 2003; the utility allowance has remained the same since 1987. The inadequacies of these allowances is a consistent problem in every part of the state.
- StateWide urges the funding for grants and investments to New York CDFIs (Community Development Financial Institutions), which serve New Yorkers and small businesses in economically-distressed communities throughout the state. New York's was the first state-based CDFI Fund in the country.
- StateWide supports permanent funding for the Communities First Program a network of 89 non-profit service providers (59 housing counseling agencies and 30 legal services providers) across NYS that assists homeowners to obtain affordable loan modifications, represents homeowners in state mandated judicial settlement conferences and provides representation to homeowners in state and federal court. In 2018, reverse mortgages were added to foreclosure protections, increasing the scope of the work
- StateWide supports the Home Stability Support Program that provides rent supplements to those facing eviction or people who might lose their homes due to domestic violence or other hazardous conditions.
- StateWide supports changes to raise the income eligibility levels on public assistance to create a different income level for housing vouchers to help those who are working from losing their housing benefit as they transition to a higher employment income.
- StateWide supports housing rights for all New Yorkers by prohibiting eviction without cause and, until this becomes law, will also support legislation specifically to prohibit landlords of buildings with 20 or more units occupied by senior citizens or persons with disabilities from terminating tenancy without cause or a court order

#### ○ **Supplemental Security Income (SSI)**

*StateWide supports making a permanent cost-of-living adjustment (COLA) in the state share of SSI in order to decrease the rate of poverty among our state's poorest elderly, blind and disabled residents.*

- StateWide urges New York State (NYS) to pass through the annual Federal COLA without cutting NYS benefit.
- StateWide seeks renewed funding for community-based SSI specialist training, education, outreach, and enrollment assistance.

- StateWide advocates increasing the NYS supplement now by 20%.

## **HEALTH CARE SYSTEM**

*The escalation of health care costs and failure of existing legislation to achieve universal coverage require continued emphasis on this vital issue. Widespread health inequality that disproportionately impacts persons of lower income and persons of color needs immediate action. StateWide supports access to all medically approved health care, including reproductive care services, to ensure privacy between patient and practitioner and ensure that government policies do not discriminate.*

- StateWide will take the lead to advocate universal health care for all and will urge the passage of the “New York Health” legislation. (New York Health is a single payer for all NY residents that will provide coverage for all ages and improve Medicare by eliminating co-payments, deductibles, premiums and adding coverage for dental, vision, hearing and long-term care.)
- StateWide supports efforts to end medical debt by ensuring that hospitals share information about financial assistance with patients who have difficulty paying out of pocket costs. Hospitals should not be allowed to report patients to credit agencies or sue them when there is a pending appeal of a health insurance denial or a pending application for financial aid.
- StateWide supports the re-creation of regional health planning agencies to provide input to the NYS Department of Health (NYSDOH) on trends and needs.
- StateWide supports legislation requiring all hospitals to have a community advisory board to provide input as hospitals develop their community service plans and provide ongoing advice on community needs and priorities.
- StateWide demands public notice and opportunity for comment prior to NYS approval of any planned hospital closing or departmental downsizing/service elimination from a site.
- Require all hospitals to appoint a Patient and Family Council so that hospital and medical providers work with consumers to improve hospital systems or address problem areas and that they met at least annually.
- StateWide will monitor the implementation of the Affordable Care Act to ensure that it is fair and realistic for senior citizens and their families. StateWide supports a strong NYS health care exchange, including enrollment assistance and outreach. Further, we recommend that the state’s exchange offer dental insurance that can be purchased by individuals who are enrolled in Medicare.

- StateWide will fight state cuts in Medicaid that reduce coverage, due process rights on appeals of denials and grievances, access and quality of care. We support the policy agenda of [Medicaid Matters New York](#).
- StateWide will work to repeal Medicaid benefit cuts that were adopted as a budget savings initiative. Eligibility for Medicaid home care services should not depend on the same criteria that qualify for nursing home placement.
- StateWide urges the elimination of the asset test (resource limits) for Medicaid coverage for the class of enrollees known as “ABD/Aged, Blind, Disabled” so that this group of enrollees is treated the same as non-Medicare beneficiaries that enroll through the state health exchange.
- StateWide supports making permanent provisions to provide insurance coverage, including Medicaid funding, for telehealth services.
- StateWide supports legislation to reduce delays in Medicaid Managed Long Term Care assessments and enrollments. Furthermore, we support efforts to eliminate the potential for loss of coverage for Medicaid and the Medicare Savings Programs due to re-application problems by automatically renewing four categories of applicants: MLTC enrollees, Mainstream Medicaid managed Care members receiving personal care, Medicaid enrollees in the Aged, Blind and Disabled category who do not have a spend-down, and Medicare Savings Program enrollees.
- StateWide opposes efforts to change state Medicaid laws that prevent spousal impoverishment and allow for spousal refusal. Further, StateWide urges New York to raise the income level for spousal impoverishment protections to the maximum allowed under federal law.
- StateWide supports providing health insurance coverage for biomarker cancer testing when medically appropriate to facilitate targeted treatment plans  
(Awaiting Executive Action 2023)
- StateWide opposes medical malpractice reform efforts that place a cap on an injured patient’s right to be awarded economic compensation for medical errors.
- StateWide supports the Grieving Families Act, allowing families to be compensated for the profound emotional loss and grief they suffer when a loved one dies at the hands of a wrongdoer, and not base the value of their loss on just their loved one’s lost income.
- Given the increasing number of older New Yorkers, StateWide supports legislation to require training in geriatric medicine, pain management and palliative care for physicians and physician assistants to improve treatment for the specific needs of older adults. Further, StateWide urges that palliative care

providers must create an individualized care plan for a patient, and that care plan is to follow the patient regardless of the venue where the care is delivered, including part of the home care plan of care when palliative care is ordered.

- Statewide will oppose government efforts to raise needed capital for hospitals by allowing for conversion from non-profit status to publicly traded corporation status. We also seek a moratorium on the sale of long term care facilities to for-profit investment groups and to corporations that are LLCs that do not disclose owners' names.
- StateWide supports mandating minimum staffing levels in hospital and long term care settings to ensure the safety and care of patients/residents. StateWide will work to establish 4.1 minimum hours of care per resident per day in nursing homes, including .75 hours of RN care.
- StateWide supports efforts to stop the practice of sending nursing home residents out of state due to lack of capacity in a region by supporting training to ensure that local providers can meet care needs, especially for those with dementia and other special care needs.
- StateWide supports the development of a public health system that is better prepared to deal with the effects of natural or manmade disasters, including a registry of seniors and persons with disabilities who may need assistance in an emergency; an improved infrastructure that supports provision of electricity, food, heat, water, and communications; and sufficient numbers of rescue and health personnel.
- StateWide urges the Public Service Commission to establish minimum requirements on utility providers to ensure no service disruption for consumers dependent on life saving equipment.
- StateWide supports inclusion of data on providers that have been denied Medicare provider status in the NYS physician profiling report law that requires disclosure of education and any findings of malpractice and/or misconduct.
- Require DoH to make public data from complaints made to the hospital and nursing home complaint lines by facility, identifying type of complaint and resolution in a timely manner.
- StateWide supports greater transparency in healthcare and opposes repeal of the Public Health Law's requirement for the Department of Health (DOH) to maintain a Physician Profile.



- StateWide supports including pharmacies in the law that requires medical facilities to provide medical records to patients at minimal cost.
- StateWide advocates that insurers be required to offer coverage of out of network providers.
- StateWide supports reducing premiums for an enrollee who participates in a qualified wellness program.
- StateWide supports coverage for individualized customized complex rehabilitation technology.
- StateWide supports efforts to recruit and retain physicians and dentists in underserved and rural communities that face shortages of qualified medical personnel.
- StateWide supports enhanced funding for Vital Access Providers to prevent closure or reduction in needed hospital services. StateWide supports a supplemental rate adjustment for enhanced safety net hospitals. StateWide will work to ensure that Indigent Care Pool funds and Disproportionate Share Hospital funds are truly targeted to hospitals serving a disproportionate share of low-income Medicaid and uninsured patients, redistributing the Indigent Care Pool to exclusively provide resources to Safety Net Hospitals.
- StateWide encourages New York State governmental agencies to collect patient data on disability status, primary language, housing status, sexual orientation and gender identity to support research needed to prevent health care disparities in service delivery.
- StateWide advocates for policies that will prevent hospitals from limiting patient visiting hours.
- StateWide supports efforts to prohibit limitation on nursing home visitation.
- StateWide supports allowing nursing home residents who wish to do so to install visual monitoring equipment.
- StateWide supports prohibiting medical facilities from using patient visual images without getting written consent.
- StateWide supports legislation to require medical facilities that cannot get informed consent from a patient for the use of psycho-tropic medications to provide timely notice to the patients designated representative prior to the use.

- StateWide opposes the off-label use of psycho-tropic drugs with black box warnings on patients with dementia
- StateWide urges all hospitals to adopt policies that conform with the recommendations of the American College of Emergency Physicians that are designed to establish age-friendly emergency rooms that will be better equipped to provide care to aging New Yorkers.
- StateWide urges mandates to ensure all hospitals and nursing homes implement the Age Friendly Health Systems initiative.
- StateWide supports regulation requiring that any Medicaid disenrollment notice include a referral to NY Connects so that those needing long term care services can get information and assistance.
- StateWide supports new initiatives to recruit and retain dentists to address an access to care problem for all New Yorkers. The Medicaid fee schedule must increase reimbursement for dental services to address capacity issues and ensure coverage for all necessary dental services so that treatment is covered and tooth loss prevention efforts are provided.
- StateWide supports the implementation of standards of training for personal care attendants and update home health aide training requirements.
- StateWide supports efforts to address the shortage of home care workers and incentives to train, recruit and retain home care workers. Any solution that only resolves the problem in Medicaid is not a complete solution, since many of the same agencies are providing services to clients who are enrollees in Medicaid or EISEP or Medicare or those who wish to self pay. The problems are inter-related and the solutions need to be as well. We recommend:
  - Incentivize home care workforce training, recruitment and retention.
  - Provide sufficient resources to ensure that mileage reimbursement is adequate for home health aides who must use their own vehicles.
  - Evaluate impact of recent increase in NYS minimum wage on recruitment and retention home health aides, ensure that home care workers receive a livable wage.
  - Address the insufficient hourly wage of home health care aides: we support “Fair Pay for Home Care”.
  - Provide funds for sign-on bonuses extending over five years, released in annual increments with a balloon bonus at the end of five years; renewal sign on bonuses for additional five-year period
  - Restructure home care delivery systems to enhance more predictable work schedules

- Create reasonable tire replacement, car maintenance and repairs allowance programs for aides.
  - Fund a public image campaign to recruit people to work in the field.
  - Convene a Stakeholder Task Force to brainstorm and make recommendations. Stakeholders appointed must include representatives of public and private sectors, along with representatives of government, consumers, and labor.
  - Create a mentored apprenticeship program with stipend for experienced paraprofessionals who recruit and mentor new hires. This strategy can be an important tool to increase the diversity and cultural competence of the workforce.
  - Provide Retirement security.
  - Make sure that workers are paid for all hours worked and that live-in assistance remains an option for those with need for such services.
  - Create a funding stream for innovative pilot projects to incentivize the growth of the home care workforce, which would be tested and replicable throughout different areas of New York State.
  - Fund an Innovation Pathway Center that will promote the adoption of novel products, practices and technology to improve the terms and conditions of work for direct care workers.
- StateWide urges the adoption of measures to support family caregivers, including refundable tax credits, and supports providing worker protections to prohibit negative repercussions for using family medical leave, sick leave and other benefits that allow for caregiving
  - Support providing caregivers with the right to “trigger” a second opinion within a hospital when they believe a patient is experiencing a change in their needs that is going unaddressed.
  - Support including patient and caregiver input in a hospital in the formal patient record to be available in the case of a review by Livanta or DoH.
  - Support providing access, including posted notification, to a patient advocate within each hospital to deal with patient and caregiver concerns. This function should have uniform state standards for implementation in all hospitals across the state.
  - StateWide supports incentives for physicians and nurses to develop clinical expertise as geriatricians to improve treatment for the specific needs of older adults. Furthermore, we urge the development of incentives to develop clinical expertise in gerontology for social workers, physical therapists, occupational therapists, speech/language therapists, pharmacists.

- StateWide urges employment of increased staff in the NYS Dept. of Health to ensure that there are sufficient field investigators and other staff to ensure compliance with quality standards and processing of fines and penalties.
- StateWide recognizes the challenges faced by people at the end of their lives to receive the care that they want, and when they die, their desire to die with dignity. For terminally ill adults who have the capacity to make medical decisions, the decision to seek aid in dying is a very personal one, and one that can only be made by the person who is dying in consultation with their family, their faith leader and/or their physician. StateWide supports state legislation that would authorize medical aid in dying so that a terminally ill, mentally capable person who has a prognosis of six months or less to live, has the option to request from their doctor a prescription for medication which he or she can choose to self-ingest to end unbearable suffering and to die peacefully.
- StateWide opposes weakening the restriction on the 16 consecutive hour maximum that medical residents may work in a hospital shift.

#### ○ **Prescription Drugs**

- StateWide urges the inclusion of persons with disabilities younger than age 65 under Elderly Pharmaceutical Insurance Coverage (EPIC) so that EPIC works for everyone on Medicare regardless of age and the continued funding of the EPIC program to ensure affordability of prescriptions.
- StateWide supports expanding the EPIC program to include individuals with comparable coverage to a Medicare Part D plan.
- StateWide supports coverage for medical marijuana under the state's EPIC program.
- StateWide recommends the state make permanent provisions of law that allow an EPIC enrollee to continue eligibility for the program if their pension or Social Security benefit cost of living adjustment would otherwise put them over the income limits.
- StateWide urges policies to support the production of marijuana needed to ensure its availability for medicinal purposes under the 2014 state law known as the Compassionate Care Act.
- StateWide works to promote and protect New York consumer access to sources of safe, affordable prescription drugs. We support efforts to allow safe prescription drug importation to provide legal access to safe and affordable drugs from abroad. StateWide supports legislation to allow the importation of drugs from Canada.

- StateWide advocates swift implementation of the NYS bulk purchasing law, intended to lower the cost of prescription drugs for all.
- StateWide encourages the strengthening of oversight of drug companies' marketing and advertising expenditures. We support regulation and accountability of Pharmaceutical Benefits Managers in New York and urge monitoring of abuses, such as not passing on savings to clients, hiding rebates, and steering market share to certain high cost drugs for particular drug manufacturers.
- StateWide supports the disclosure of gifts to prescribers from pharmaceutical industry representatives.
- StateWide supports effort to synchronize multiple prescriptions and standardize dispensing fees.
- StateWide calls for the investigation of drug price increases, gouging and efforts to prevent coverage for less expensive competitors' products.
- StateWide urges requiring an increase in type (font) size on printed patient educational material that accompanies dispensed drugs.
- StateWide supports an enhanced level of informed consent before psychotropic medication can be prescribed for patients residing in nursing homes or adult care facilities.
- StateWide supports efforts to require drug manufacturers to notify insurance companies and the state, no less than 60 days prior to expected price increases, so they will issue the final notice to consumers and patients no less than 30 days prior to the effective date so the patients can anticipate increased costs.
- StateWide supports improved transparency for consumers in pharmaceutical price increases.
- StateWide urges the state to prohibit pay for delay agreements which keep new generic drugs off the market.

#### o **Long Term Care**

- StateWide supports strengthening compliance with the Olmstead v. L.C. Supreme Court decision to provide care in the least restrictive settings.
- StateWide supports mandating minimum staffing levels in nursing homes to ensure the safety and care of residents. We support strengthening training

programs and requirements for long term care providers, including training for nurse aides, and requiring nursing homes to maintain staffing levels with trained Certified Nursing Assistants (CNAs), instead of the more poorly trained and poorly supervised feeding assistants. Further, we urge the state to allow for diversion of people in need of long-term care from facilities that have insufficient staffing.

- Improve the Nursing Home Complaint System
  - Require a live staffing of the phones or ensure every complainant leaving a voicemail receives a returned call. If an individual uses the online form, a staff member must follow up with a phone call, in addition to any email or letter, within five days.
  - Require DOH to interview the individual making the complaint before investigating and again before rendering a decision so the individual can respond to any findings.
  - Require DOH to conduct a quality review to find out why so many complaints are found to be unsubstantiated.
  - DOH must communicate more frequently to complainants during a review or investigation so that complainants know what is happening.
  - If a complaint is not going to be investigated immediately and is going to wait until the next survey, DOH must explain to the complainant why this decision has been made.
- Improve the Surveillance System
  - Require surveyors to meet with at least 3 family members (not only of incompetent residents), with the permission of the competent resident to discuss their care experiences. These family members are to be chosen randomly or from those family members who want to discuss care problems. They are not to be chosen by the facility.
  - Require the survey team to set up a time and process to proactively reach out to family who want to be interviewed to set up times to talk in person (if it can be done privately without staff knowledge) or over phone.
- Culture Change
  - Any new proposal to build or change ownership of a facility must have a section on how the owner intends to include “culture change” in their plans. DOH must follow up on these plans if approval is given.
  - StateWide supports incentives and actions to reduce barriers to the redesign of nursing homes to small house models that focus on resident centered care with continuity of care from staff, so that they are able to follow the principles of the Pioneer movement.

- StateWide supports mandating that nursing homes cease to admit new residents when they are not meeting minimum staffing requirements and prohibiting hospitals from discharging patients to understaffed facilities.
- Statewide supports the NYS adoption of a new federal structure for assessing an individual's need for personal assistance to perform activities of daily living (such as bathing, toileting, dressing, and walking). This assessment protocol, known as Section GG, provides a common language for nursing homes, home health agencies, long-term care hospitals and in-patient rehabilitation units to create a plan of care for individuals who are disabled and/or medically frail. Section GG provides the basis for meaningful discussions between staff, patients and families to assess the current level of independent function and determine the expected future level of function: either a recovery to the past level, maintenance of current function or recognition that function is likely to decline based on the particular medical diagnosis. This structure enables clear expectations across institutional and home-based settings. It provides a means for evaluating the appropriateness of a care plan relative to the individual's personal goal as well as a structure for appealing for changes in that care plan to the insurance company or institutional care provider.
- StateWide supports a careful review by the Department of Health of the qualifications and competency of adult home and assisted living facilities which seek further certification to care for vulnerable persons to make sure that those with poor records regarding patient care are excluded.
- StateWide supports the Adult Care Facility safety and enforcement bill to increase penalties on assisted living programs, adult homes, enriched housing programs, and licensed residences for adults to ensure compliance with important regulations that facilities can now ignore with impunity. It would make per violation per day civil penalties mandatory for violations that endanger or harm residents or violations repeated within a 12-month period.
- StateWide urges an investment in home and community-based services that prevent premature admission to long term care institutions and provide a safe alternative to institutionalized care.
- StateWide urges the adoption of policies that promote consumer-directed services. We recognize its importance in maintaining access to community long term supports and services throughout the state. To that end, we support measures that will ensure the continued viability of the program, including efforts to mitigate the funding cuts that currently threaten its future.

- StateWide will monitor the implementation of Medicaid Managed Long Term Care and will advocate appropriate community-based services to ensure access to and choice of culturally competent providers to meet patients needs. We will urge the inclusion of socially-oriented aging services providers in managed care networks.
- StateWide supports funding for an external consumer ombuds program (ICAN) for Medicaid beneficiaries enrolled in managed long term care (MLTC) programs. Statewide supports the ability of advocates in the ICAN (Independent Consumer Advocacy Network) program to provide representation for consumers in fair hearings and appeals for consumers in Medicaid Managed Long Term.
- StateWide supports establishment of a state registry connecting consumers and providers of in-home services to expand care choices.
- StateWide seeks giving patients increased powers to enforce their right to adequate treatment and care by providing them the right to sue for damages and other relief. Additionally, nursing homes must not escape liability for wrongs just because the patient dies or is unable to initiate a suit on his or her own behalf.
- StateWide urges the Department of Financial Services to make public any application by a long-term care insurer for a premium rate increase. We oppose exorbitant long term care insurance company premium increases and urges the Department of Financial Services to establish a maximum allowable percentage for rate increases.

## **AGING SERVICES**

- StateWide supports maintaining the New York State Office for Aging (NYSOFA) as an independent agency which advocates within state government for older New Yorkers. We will review recommendations related to a proposed Office for Community Living, but oppose the merger of aging and disability services through a restructured state agency and will work to ensure that there is a free standing, independent, well-funded, well-staffed and strong agency devoted to aging issues as its single focus.
- StateWide supports a strong and independent Long Term Care Ombudsman Program that stresses the rights of residents to receive quality care as well as to support those that wish to return to their community homes.



- StateWide supports continued funding for our Patients Rights Helpline/ Care Advocacy Project.
- StateWide urges continuation of the line-item funding for StateWide's role in the Managed Care Consumer Assistance Program.
- StateWide supports the development and implementation of a mobile web based multi-language entitlements and benefits screening system, with personalized assistance to underserved seniors.
- StateWide understands the need to move towards new technology systems in recording encounter data, but urges that implementation does not create new barriers to accessing services.
- StateWide urges the permanent restoration of the State Fiscal Year (SFY) 2011-12 fifty percent funding reductions to aging services programs funded by the NYSOFA, to ensure the stabilization of important community based human services non-profit sector providers, with future funding growth to prevent fiscal fragility.
- StateWide supports funding to allow Medicare and Medicaid enrollees, and caregivers to receive unbiased information and counseling that is culturally and linguistically appropriate to ensure informed decision making when choosing health insurance and prescription coverage plans, and recommends increased funding for community-based outreach efforts to reach enrollees each year.
- StateWide supports expanded funding for services that are non-Medicaid funded but are relied upon by long term care clients under the Balancing Incentives Program, including NYConnects, Expanded In-home Services for the Elderly Program (EISEP), Wellness in Nutrition, Transportation, and Community Services for the Elderly. StateWide urges funding that eliminates waiting lists and addresses unmet need. To appropriately fund services and to increase transparency, we urge area agencies on aging to collect and report unmet need and the NYS Office for Aging to submit an annual report including an analysis of need by county to the Legislature prior to the state budget deliberations being concluded.
- StateWide will pursue an increase in transparency and accountability of state funding, by requiring NYSOFA and area agencies on aging to collect and make public data on unmet need for each program or service they offer. Unmet need is the number of eligible individuals seeking participation in a program or service and who are not receiving such program or service due to insufficient resources or capacity.

- StateWide supports increased funding for additional Naturally Occurring Retirement Communities and other aging in place/community projects.
- StateWide urges the restoration of funding in the Office of Children and Family Services (OCFS) for kinship caregiver programs.
- StateWide urges funding to educate seniors and constituents on the existence and type of elder abuse so that more people can become aware of this issue and report instances to the authorities.
- StateWide supports the development of temporary housing/shelter for victims of elder abuse by establishing a pilot program to study how to expand services throughout the state.
- StateWide proposes that elder abuse cases be reported to the police and prosecuted as a crime, and that banking institutions allow clients to opt for a report of suspected financial abuse be made to adult protective services and law enforcement.
- StateWide supports requiring a biennial report on the incidence of elder abuse in New York State.
- StateWide supports amendments to the penal code to include a new crime of financial exploitation of an elderly or disabled person by a person in a position of trust under the crime of larceny.
- StateWide supports legislation creating a statewide central registry of elder abuse and maltreatment reports and mandates reports by certain persons. Mandatory reporting must provide significant protection for older adults who are not incapacitated and, therefore, should be free to make their own decisions. An Elder Justice Coordinating Council should be established to ensure the needed inter-agency planning and review of elder abuse initiatives that is essential to a New York state plan for the identification, investigation and intervention into cases of elder abuse and mistreatment.
- StateWide supports limitations on conservators' and guardians' overbroad authority over conservatees' and wards' lives. We urge prohibition of petitioning of the courts by long term care facilities for appointment of a guardian to ensure they are paid.
- StateWide urges a mandatory notice to seniors and their designated representatives, if any, when a guardianship application is being made to the courts.

- StateWide supports the expansion of outreach efforts to underserved populations and those with special needs including racial and ethnic minorities, the poor, rural seniors and the Lesbian, Gay, Bisexual and Transgender (LGBT+) community which has an increasing number of older adults.
- StateWide urges legislation that would give incentives for more professionals to work in the geriatric, mental health, and geriatric social work fields (Ex. partial loan forgiveness).
- StateWide supports ensuring an ongoing COLA tied to inflation for nonprofit human services agencies to support the recruitment and retention of personnel in certain aging services, including EISEP and CSE.
- StateWide supports legislation to require source of designation of expertise, title or certification in senior issues be disclosed to clients as a means of preventing elder abuse.
- StateWide urges the development of a multi-year funding of services population-based formula delivered by local offices for the aging to address the growth in the aging demographic. The state office for aging must provide a comprehensive report available to the public each year detailing unmet and anticipated future needs by county and by service and define the barriers to providing such services, including but not limited to workforce shortages, funding limitations and organizational capacity and propose solutions to reduce or eliminate barriers.
- StateWide supports consumer involvement in the development of the Master Plan on Aging, making the deliberations public and available on-line within ten days of the meeting for public comment, and ensuring a leadership role for the NYS Office for the Aging. We urge the state to ensure that recommendations for the Master Plan in Aging, also known as the “Multi-Sector Plan,” address the needs of an aging population now and into the future, and that funding is adequate to implement the Plan. The plan must include provisions to continuously monitor the use of funding to ensure goals are met.
- StateWide opposes the requirement that local governments contribute a percentage match for new state funds for aging services, with maintenance of effort reflecting 2013 local share commitment.
- StateWide urges education of aging services providers and increased awareness to support inclusion of issues related to older persons who identify as LGBTQ+.
- StateWide supports legislation directing county offices for the aging to accept and process supplemental nutrition assistance program (SNAP) and low-income home energy assistance program applications, with adequate funding to do so.

- StateWide supports funding for aging services providers that contract with state and local governments to meet the increase in the minimum wage and additional increases to accommodate other staff who now earn just above the minimum wage, ensuring funding parity with Medicaid providers.
- StateWide urges further action to ensure that ride sharing services can meet the needs of persons with disabilities, including making a significant percentage of vehicles to be wheelchair accessible.

*NOTE: Up to now we have reported on state legislation concerned with senior issues. But there are broader issues relating to the needs of all ages in our population which we are also vitally concerned about and require action on our part:*

## **REVENUE**

*The Governor's budget proposals have kept spending at previous year's levels in order to comply with a self-imposed 2% overall expenditure growth cap, that does not apply to Education and Medicaid. This is unacceptable as it does not address the needs that emerge to reduce poverty and address services for the aging demographic. Further adding stress to the tension between taxes and spending, state real property tax proposals tie many of the benefits to keeping local taxing jurisdictions (property and school taxes) within a spending tax cap. Localities may feel compelled to reduce funding for services, including aging services, to stay within the spending cap.*

### ***StateWide promotes tax fairness.***

- StateWide urges the Legislature to adopt higher tax rates for higher earning households with annual incomes above \$250,000.
- StateWide supports enactment of a property tax "circuit breaker" to reduce taxes on persons with lower incomes.
- StateWide opposes additional tax breaks for drug
- ing institutions.
- StateWide supports ending the stock transfer tax rebate and adopting the pied- à -terre tax.
- StateWide supports a constitutional amendment to restore the Legislature as an equal partner to the Governor in negotiating the state budget.
- StateWide urges the closure of corporate tax loopholes.
- StateWide supports lowering utility taxes on low income residential consumers.

- StateWide supports making permanent the millionaire's tax.
- Bring transparency and accountability to the \$5 Billion a year New York State taxpayers spend subsidizing large corporations.
  - End State Tax Breaks for Super Rich Opportunity Zone Investors.
  - Increase Common-Sense Transparency for Business Subsidies to prohibit confidentiality and non-disclosure provisions from being included in state or local economic development contracts.
  - Prohibit Industrial Development Agencies from incentivizing movements within the state where any plant, facility, or personnel of the project occupant are abandoned or removed.
  - Ensure that the Office of the State Comptroller's authority to review state contracts prior to ratification remains intact during a state disaster emergency that extends beyond 30 days.

## **GUN CONTROL**

- StateWide supports a more rigorous enforcement of background checks of people seeking to purchase guns according to federal law including closing background check loopholes for Internet and gun show sales, expanding the background check database and cracking down on the illegal gun market.
- StateWide supports banning the plans, production, use and sale of guns made from a 3-D print imager to avoid the registration laws.
- StateWide supports the NYS Attorney General's efforts to defend the 2021 New York State law that allows state and localities to bring civil liability actions against firearm manufacturers and sellers.

## **ELECTIONS**

*Statewide will advocate for ballot accessibility so that voters are not disenfranchised, including:*

- Urging appropriate font (type) size.
- Opposing onerous voter identification laws.
- StateWide supports enactment of comprehensive campaign finance reform, including lowering contribution limits for candidates and committees, and instituting reasonable limits on transfers to put a check on big money and its ability to influence elections.

*NOTE: We also recognize that our planet is facing its most serious threat in terms of the effect of climate change. StateWide promotes the spreading of information about this crisis, and encourages positive action.*

### **ENVIRONMENTAL ISSUES**

*StateWide supports the efforts of New Yorkers Against Fracking and urges legislators to prevent any further action by the oil and gas industry to frack for natural gas in the Marcellus Shale which resides under large parts of New York State.*

- StateWide will oppose hydraulic fracturing (fracking)
- StateWide supports efforts to require NYS Department of Health to provide protection from exposure to radon in natural gas through continuous monitoring.
- StateWide urges NYS to support research on safety limits and health effects of the radio frequency electromagnetic radiation (EMR) used by the new 5G technology in New York State and to require the Department of Health to provide public educational information to clarify misinterpretations and limitations of existing scientific research.
- StateWide supports mandatory labeling of genetically engineered foods and other consumable products.
- StateWide supports funding for testing water supplies and treatment in areas that have been exposed to contaminants or through the degradation of leaded pipes as part of the water delivery system or in public housing facilities to ensure there is no cost to homeowners/residents.
- StateWide urges New York to be the nation's leader on energy efficiency including a mandate on energy efficiency savings for individual utilities by buying energy saving programs and products and support the development of renewable distributed energy resources and associated transmission control equipment.
- StateWide supports improving requirements for carbon pricing options for New York's wholesale electricity markets to ensure that all greenhouse gases are included, not just carbon; that the plan does not bail out failing nuclear power plants; and that clean, renewable energy and efficiency are prioritized and implemented.
- StateWide urges additional state support for municipal efforts to promote recycling, including community education about the need to clean recyclable items prior to deposit in an appropriate container.

- StateWide supports steps to implement the 2019 Climate Leadership & Community Protection Act, including adopting the Build Public Renewables Act that will encourage the New York Power Authority to construct renewable and clean energy projects.

## **HUMAN RIGHTS**

- StateWide supports geriatric parole for certain non-violent prisoners.

## **EDUCATION**

Finally, StateWide recognizes the need for a solid educational program which is vital if our democratic system is to survive. We need a well educated population, therefore we support budgets for local school systems and programs which would improve this system.