

# Issues impacting older residents in the Adopted State Budget

May 10, 2024

Gail Myers, Deputy Director

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



2024 StateWide's Patient Rights Helpline Funds restored  
*Time to thank the Legislature!*

When your voice is clear, organized,  
**loud & timely**, our policy agenda can succeed!

***“This budget makes it clear that fiscal discipline can co-exist with progressive, people-driven policies.”***

## **“Our New York, Our Future”**

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**Governor Hochul says she is:**

*“making New York more affordable, more livable and safer .....*

*while utilizing a fiscally responsible approach that keeps the State on a steady path for years to come.”*



# Biggest Budget Ever!

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- \$233 billion budget was proposed by Governor
- The final budget totaled \$236.8 billion which is \$4.0 billion over the Executive Plan.
- State Funds spending is projected to total \$147.2 billion in SFY 2024-25, representing an increase of \$2.8 billion over the Executive Budget Financial Plan, and an increase of \$4.1 billion or 2.0 percent over SFY 2023-24.
- Budget was late – contentious issues included:
  - School Aid
  - Housing Production
  - Tenant Protections
  - Retail Theft
  - Medicaid

**A BUDGET**  
is  
**A MORAL DOCUMENT.**

**WHAT WE FUND**  
is  
**WHAT WE VALUE.**

## About the New York State Office for the Aging

### Advocacy and Programs for Older New Yorkers



NYSOFA - an increase of \$27.2 million over the Executive proposal.

Compare to new funding for:

**\$850 million** Medicaid provider rate increases

**\$30 million** Journalism Sustainability Credit: a tax credit for print media & independently owned/ operated broadcast stations

**\$150 million** swimming lessons for children

# Significant need for aging services

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New York State has the 4<sup>th</sup> largest population of older adults in the U.S.

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4.6 million NYers are aged 60 and over.

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By 2030, this population is expected to reach 5.3 million.

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Also by 2030, over 51 counties will have a population with 25% of individuals being aged 60 and older.

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**Compelling need for an investment in care and a comprehensive roadmap for meeting the needs of aging New Yorkers**

Governor Hochul –  
when talking about  
budget-busting long  
term care costs:

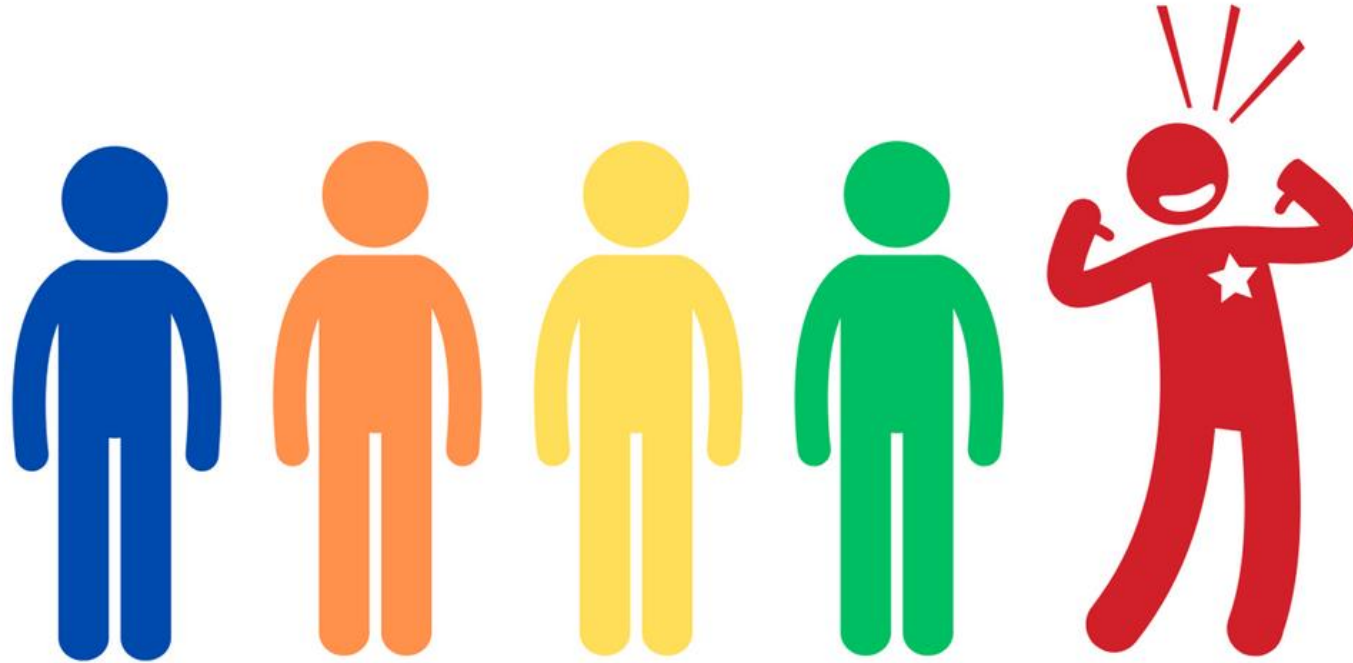
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- “Our aging population, that's the answer. We knew this was coming, it's demographics..... The number of people needing this care is dramatically higher than it was even a decade ago. So, we're willing to work with our health care industry and other stakeholders, the legislature, to find the right answers. And we'll find ways to maximize our Medicaid dollars and reimagine the delivery system.”





SENIORS 65+  
1 IN 5 IS YOU!



NYS Office  
for Aging  
Funding is  
< 1%  
of the  
budget

Program Name	2022-23 Final Budget	2023-24 Proposed Budget	23-24 Final	24-25 Proposed	24-25 Final
<b>EISEP</b> <b>Expanded In-home Services for the Elderly</b>	67,498,000 + 8,000,000	67,498,000 +8,000,000	67,498,000 + \$8,000,000 + 9,300,000  +4% COLA	67,498,000 + \$8,000,000  TOTAL \$75,498,000 +1.5% COLA	68,357,277 + 8,000,000 +10,000,000 *  *increase of \$700,000 over 23-24 final budget 1.7% COLA
<b>WIN</b> <b>Wellness in Nutrition (formerly SNAP)</b>	33,474,000	35,566,600	35,648,296 4% COLA	36,978,816 1.5% COLA	38,153,816 1.7% COLA
<b>CSE</b> <b>Community Services for the Elderly</b>	35,867,000	37,682,638	37,682,638 4% COLA	38,696,508 1.5% COLA	39,509,508 1.7% COLA



# *COST OF LIVING*

*COLA for this coming fiscal year would help to address providers' continued reports of increasing costs and staffing shortages and prevent program reductions.*

COLA adopted in 2023-24 budget  
4%

COLA proposed for 2024-25 budget  
1.5%  
Final approved COLA  
**1.7%**

Program Name	2022-23 Final Budget	2023-24 Proposed Budget	23-24 Final	24-25 Proposed	24-25 Final
<b>HIICAP</b> Health Insurance Information, Counseling & Assistance	1,000,000 + a portion: Additional \$150,000 volunteer retention stipend funding to be shared with ombudsman program	1,000,000 + a portion: Additional \$150,000 volunteer retention stipend funding to be shared with ombudsman program	1,000,000 + a portion: Additional \$150,000 volunteer retention stipend funding to be shared with ombudsman program	1,000,000 + a portion: Additional \$150,000 volunteer retention stipend funding to be shared with ombudsman program	1,000,000 Additional \$150,000 volunteer retention stipend funding to be shared with ombudsman program
<b>MCCAP</b> Managed Care Consumer Assistance Program	1,767,000	1,767,000	1,767,000	1,767,000	1,767,000
<b>StateWide's</b> Patient's Rights Helpline	231,500	31,500	231,500	31,500 SHORTFALL OF \$200,000	231,500
<b>NORCs</b> Naturally Occurring Retirement Communities	4,027,500 + portion of \$825,000 to be shared with NORCs	4,027,500	4,027,500 +1,000,000 TO BE SHARED WITH NNORC	4,027,500	4,027,500 +1,000,000 TO BE SHARED WITH NNORC
<b>Neighborhood</b> NORCs	4,027,500 + portion of \$825,000 to be shared with NORCs	4,027,500	4,027,500 SEE ABOVE, A PORTION OF AN EXTRA \$1,000,000	4,027,500	4,027,500 SEE ABOVE, A PORTION OF AN EXTRA \$1,000,000



Program Name	2022-23 Final Budget	2023-24 Proposed Budget	2023-24 Final	2024-25 Proposed	24-25 Final
Senior Transportation	1,121,000	1,121,000	1,121,000	1,121,000	1,121,000
Social Model Adult Day Services (SADS)	1,072,000	1,072,000	1,072,000	1,072,000	1,072,000
SADS Training Grant	122,500	122,500	122,500	122,500	122,500
Respite	656,000	656,000	656,000	656,000	656,000
Elder Abuse Education & Outreach	745,000 +250,000 TOTAL \$995,000	995,000	745,000 + 250,000 + 375,000 TOTAL \$1,370,000	995,000	995,000  + 250,000 +125,000
Long Term Care Ombudsman	1,190,000 +2,500,000 Total \$3,690,000  + portion of \$150,000 volunteer retention stipend funding pool to be shared with HIICAP	3,690,000  + portion of \$150,000 volunteer retention stipend funding pool to be shared with HIICAP	6,190,000  INCLUDED \$2.5 MILLION ADDED BY LEGISLATURE	3,690,000  + portion of \$150,000 volunteer retention stipend funding pool to be shared with HIICAP	3,690,000 + 2,500,000  Additional \$150,000 volunteer retention stipend funding to be shared with ombudsman program
Congregate Services Initiative	403,000	403,000	403,000	403,000	403,000



<b>Program Name</b>	<b>2022-23 Final Budget</b>	<b>2023-24 Proposed Budget</b>	<b>2023-24 Final</b>	<b>2024-25 Proposed</b>	<b>24-25 Final</b>
Caregiver Resource Centers	353,000	353,000	353,000	353,000	353,000
Association in Aging Training Grant	250,000	250,000	250,000	250,000	250,000
RSVP	216,500	216,500	216,500	216,500	216,500
Foster Grandparents	98,000	98,000	98,000	98,000	98,000
Community Empowerment Livable NY	122,500	122,500	122,500	122,500	122,500
Elder Abuse Multi-Disciplinary reports of suspected elder abuse or maltreatment	500,000	500,000	500,000	500,000	1,500,000
Funding to Develop the State Master Plan on Aging	500,000	1,000,000	1,000,000	1,000,000	1,000,000
Expansion of online classes for GetSetUp 20 to combat social isolation, improve health and wellness and provide lifelong learning opportunities	350,000	350,000	350,000	350,000	350,000
Joy for All Companion Pets to Reduce Social Isolation	350,000	350,000	350,000	350,000	350,000
Expansion of online classes for Self Help, Inc to combat social isolation, improve health and wellness and provide lifelong learning opportunities	200,000	200,000	200,000	200,000	200,000

Program Name	2022-23 Final Budget	2023-24 Proposed Budget	2023-24 Final	2024-25 Proposed	24-25 Final
Accessing digital technology and assisting with accessing affordable internet services for low-income older adults	700,000	700,000	700,000	700,000	700,000
Services and expenses to TRUALTA for caregiver training and supports	400,000	400,000	400,000	400,000	400,000
Services and expenses for GoGo Grandparent for transportation expansion and capacity building	500,000	500,000	500,000	500,000	500,000
Holocaust Survivors Program	1,000,000 + 1,600,000	1,000,000	1,000,000 +1,080,000 + 350,000 TOTAL 2,430,000	1,000,000	1,000,000 +1,080,000 + 350,000 TOTAL 2,430,000
Bill paying services in 10 Counties (LifeSpan)		750,000	750,000	750,000	750,000
Elder Law and Justice for the Prevention of Elder Abuse			150,000 + 175,000		150,000 + 175,000

# New Proposal Interagency Task Force to Combat Elder Abuse

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- To be housed in the NYS Office for Aging
- Goal:  
Establish a council that will develop strategies to defend elders from abuse. The council would be comprised of members from various State agencies whose work involves elder justice.
- Produce an annual report to the Governor and the Legislature.

Budget Implications: will not result in any fiscal impacts during FY 2025 or FY 2026, as any costs would be supported within existing resources.

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# New Proposal Protecting Vulnerable Bank Customers

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The Governor proposed allowing financial institutions to place holds on transactions that they believe to be a result of financial exploitation of a senior or an adult individual with a mental or physical impairment that limits their ability to manage their own resources without assistance.



# Cuts proposed by Governor to State's Medicaid program!



- Governor proposed **billions** in cuts in Medicaid funding
- Some cuts will be proposed by groups outside of government composing two panels
  - \$400 million *unspecified savings* in Medicaid spending and Long Term Care



# More to come in **next year's proposals**

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- “We're trying to find ways now to save over a billion dollars in Medicaid.
- “To address some of these long-term stressors facing our health care sector, I've impaneled two key resources. One is the New York State Commission on the Future of Healthcare and the New York State Master Plan for Aging.

“These efforts will help us identify ways to improve the long-term care sector, which is by far the fastest growing area of health care.”



# 2022 Gov. Hochul Established State Master Plan for Aging Process to:

**further the ability for more New Yorkers to age with dignity and independence, building healthy, livable communities that offer opportunities for older adults.**

Late 2022/Early 2023	Establish State Agency Council and Stakeholder Advisory Committee
Spring/Summer 2023	Preliminary Advisory Report
Throughout 2023	Continued Public Engagement
Early 2024	Draft Final Report
Late 2024	Adopt Final Master Plan

Follow the plan's progress at <https://ny.gov/mpa>.

Tell the Governor.....

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**Promote  
transparency and  
consumer input into  
cuts to be proposed  
by  
the Master Plan in  
Aging and  
the Health Care  
Transformation  
Panels.**



# Cuts proposed by Governor to State's Medicaid program!

- Proposed cut to Medicaid Prescriber Prevails
- Allows Commissioner of Health to take Over the Counter Drugs off the Medicaid coverage list:
  - Requires additional public comment and
  - Requires patient notification prior to elimination of drug



**MODIFIED**



# Consumer Directed Personal Assistance Program

- The Governor proposed Reduction in Consumer Directed Program Home Care Workers wage growth to achieve budget savings of \$200 million in Year 1 and \$400 million in subsequent years on the back of the consumer directed workforce – by eliminating wage parity in NY/Metro area. (hourly wage cut)
- Also proposed:
  - Excluding non-self directing consumer
  - Limitations on hours of care/week





## Consumer Directed Personal Assistance Program

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The Governor and the Legislature agreed to:

- Consumer Directed Program Administrative Savings of \$200 million
- Drastically reduce the number of Fiscal Intermediaries
- Goes into effect April 2025







# Home Care Crisis

- Advocates Proposed:
  1. **Fair Pay for Home Care** is free standing legislation to increase the pay of home care workers to 150% of the minimum wage.  
Support S3189/A8821
  - **The Legislature kept in place the minimum wage increase schedule negotiated last year**
- **2. Home Care Savings & Reinvestment Act** – would get rid of Medicaid Managed Long Term Care (MLTC) & save \$3B/year  
Support S7800/A8470



# Rightsizing Long Term Care – take out the profit motive!

## The Solution

The Home Care Savings & Reinvestment Act would stop the State from giving insurance companies billions of dollars by removing these ineffective middle men and returning home care management directly to the State.

The Act will generate ~\$3 billion in savings annually, which could be used to pay for growing home care needs, improve service quality, and ensure continuity of care by funding higher wages for home care workers during New York's worst-in-the-nation home care worker shortage.



**\$3  
BILLION/  
YEAR**

Annual savings for New York State once the Home Care Savings & Reinvestment Act is passed

**\$25-\$32  
BILLION**

Ten-year savings for New York State once the Home Care Savings & Reinvestment Act is passed

**Home Care Savings & Reinvestment Act**

S7800/A8470



# Going into effect for **new** cases later this year!

- Medicaid Home Care – Repeal the change in number of Activities of Daily Living (& the elimination of housekeeping only) Support S328/A6346
- Repeal the Medicaid Home Care Look Back Support S6414/A9278



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Elimination of Medicaid Asset Test  
Support S4881-A/A5940-A

Phase it out. Increase it from 150% FPL to 300% in year 1 and eliminate it in year 2.



## Medicaid Provider Rate Increases

The Legislature provides:

- \$500 million in funding for financially distressed Hospitals.
- \$200 million in funding for Hospital rate increases.
- \$150 million in funding for Nursing Home and Assisted Living Program per diem rate increases.

# No co-pays for insulin in state regulated insurance plans - APPROVED



- Does not apply to Medicare Part D plans.

We are grateful that the federal Inflation Reduction Act now limits insulin co-pays to \$35/month for Medicare enrollees, but.....

- StateWide proposed that the EPIC program should set a zero dollar co-pay for insulin so that older residents enrolled in EPIC receive the same benefit proposed by the Governor for the rest of NYers.



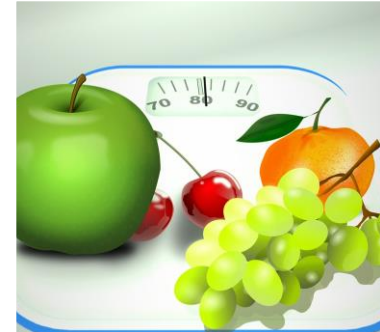
# SNAP benefit expansion proposed by Legislature



INCREASES THE MINIMUM SNAP BENEFIT FOR NYers FROM \$23/MONTH TO \$100/MONTH USING STATE FUNDS TO FILL THE GAP.



**S7663-A BY SENATOR MAY  
A6214-A BY  
ASSEMBLYMEMBER  
GONZALEZ-ROJAS**



IN RESPONSE TO THE COVID-19 PANDEMIC, FEDERAL SNAP BENEFITS WERE TEMPORARILY EXPANDED, HOWEVER THAT EXPANDED BENEFIT HAS EXPIRED.

# Addressing Access to Dental Care

The Governor proposed expansion of practice authority

- Dentists would be allowed to administer: vaccinations and tests for influenza, COVID-19, HPV, and other viruses related to a declared public health emergency, and provide screening or diagnostic tests for HIV, blood sugar levels, and Hepatitis C.
- Dental Hygienists with specific experience will be allowed to administer block anesthesia under the supervision of a dentist, practice certain orthodontics tasks, and administer 2D and 3D imaging. They will also be allowed to enter into collaborative practice agreements to practice certain tasks independently of a dentist



A.8983- Paulin / S.7667-A - Cleare) would put into law a court case that defined comprehensive Medicaid Dental benefits.

# Dental access and coverage issues



There's work to do.

- Improve dental insurance on the Exchange
- Allow Medicare enrollees to purchase



S.7698-A - Cleare: directs the Exchange to offer dental coverage for Medicare enrollees as a standalone plan

- Improve access to dental care for all ages

Participate in webinars sponsored by the Schuyler Center for Analysis and Advocacy.

<https://scaany.org/oral-health/oral-health-workforce/>





# Housing

- The Governor set a goal to incentivize housing development.....Even with investments in this year's budget, new housing stock will not come on the market for years.
- Exemption of Newly Constructed or Converted Rental Multiple Dwellings Outside of New York City: provide localities with two different opt-in property tax incentive programs for the construction or conversion of affordable multiple dwellings.
- A real property tax exemption from the increase in value resulting from the addition of one or more accessory dwelling units located on certain residential properties at local option.

# Housing – NYC

- A tax abatement for new rental and affordable housing in New York City
- Gives NYC flexibility to increase residential capacity by lifting density restrictions.
- Incentives for converting office buildings to below-market housing.
- The Legislature modified the Governor's proposal to authorize NYC to allow legalization of basement apartments.
  - five-year pilot program within 15 City Community Districts
  - requiring additional health and safety standards for basements and cellars located within flood hazard areas.



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## *Tenants rights – “Good Cause Eviction”*

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The Legislature negotiated to include language to prohibit the removal of tenants from their homes except for good cause within New York City (NYC) and by local option in the rest of the state.

*Many exclusions apply.*





- Applies to all hospitals, allows an **uninsured** patient to apply for assistance at any time (current law was 90 days) and requires information about financial assistance at hospital discharge.
- Improves the current income eligibility requirement to 400% FPL,
- Prohibits hospitals from suing patients in this income bracket to collect debt
- Makes payments more manageable by limiting them to no more than 5% of income and limits interest rates to 2%, establishes a generous and simple formula for payment discounts (tied to a fixed percent of the Medicaid rate)
- Prevents hospitals from using immigration status or assets as criteria.



There is also good news for hospital patients with insurance who cannot afford out of pocket costs.

The new law requires hospitals to provide financial assistance to “under-insured” patients with incomes under 400% FPL – those who have had out of pocket medical costs over the prior twelve months that are over 10% of their gross income.



# Economic/Health Security for Public Sector Retirees at risk



- The Governor proposed to reduce retiree health coverage by stopping a long time policy of paying IRMA Medicare premium for NYS retirees.



- Advocacy needed to pass: Public retirees should get the same health coverage promised when they retired, without diminution.  
Support S8388/A7866-A

This act would be in effect immediately upon enactment and shall be deemed to have been in full force and effect on and after December 31, 2021.



What's  
next



# An Improved Budget next year starts with you now.

- Call your state Assemblymember & State Senator.
  1. Thank them for restoring funds to StateWide's Patients Rights Helpline
  2. Express your concerns that significant funding was not provided to address NYSOFA waiting lists
  3. Urge action to rescind Medicaid home care cuts



**MAKE  
SOME  
NOISE**

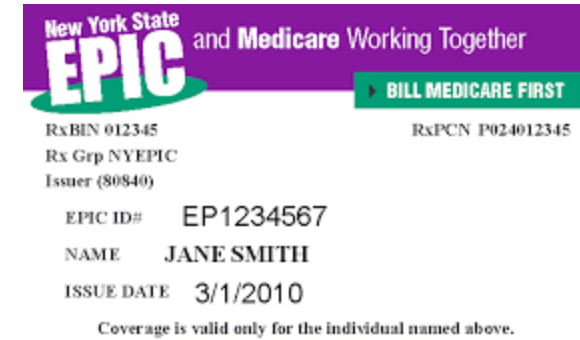


# Raise revenue to end waiting lists/address unmet need

- S8187-A – Cleare/ A9150-A – Clark
- authorizes an income tax surcharge on those earning over \$10 million per year to close the \$70 million dollar waitlist gap for senior services



# “OUR” EPIC: Elderly Pharmaceutical Insurance Coverage



- Modernize the EPIC law
- Promote transparency
- Improve benefits
- Expand EPIC by including persons with disabilities younger than age 65, so that EPIC works for everyone on Medicare regardless of age
- Support S3005-A/A6450-A



# Next Steps – Call your legislators

## Session ends June

- **518-455-4100** – ask for your Assemblymember
  - **518-455-2800** – ask for your Senator
  - Message:
  - My name is \_\_\_\_\_ & I live in the district.
- Please address concerns of an aging population by:**



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# QUESTIONS?



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- Email: [publicpolicy@nysenior.org](mailto:publicpolicy@nysenior.org)