



## *Consumer Directed Personal Assistance Association of New York State*

### **#FairPay4HomeCare: Restructure reimbursement to pay higher wages and prioritize community-based long-term care**

COVID-19 demonstrated the inherent flaws in the nursing home dominated long-term care system. To remove that institutional bias and properly reimagine our long-term care system, the system must be rebuilt, beginning with higher wages for the workforce that will make it possible to recruit and retain enough workers. However, actions over the past several years have made this system worse, and to strengthen it, we must undo the drastic cuts to reimbursement and services so that this workforce can receive a wage of at least 150% of the minimum wage and seniors and people with disabilities who need services can receive them. Only by undertaking these steps can New York comply with the Supreme Court mandate created by *Olmstead v L.C. (by Zimring)*.

COVID-19 has illuminated what advocates were already aware of: it is impossible to completely contain the spread of disease in nursing homes and other congregate care settings. Most conservative counts of deaths in these facilities, which do not include those who died after being transferred from a nursing home to a hospital, indicate almost 8,000 people lost. To move away from this failed system, we must undo harmful rate and eligibility cuts that will only strengthen the institutional bias and instead invest in community-based home care and consumer directed personal assistance (CDPA).

Chief among the necessary investments to CDPA and home care is to raise wages for the home care workforce to 150% of the minimum wage. These industries have faced a more than decade-long workforce crisis that has pushed an overextended long-term care system to the brink and the glaring reason for this crisis is low wages. For more than a decade, hourly pay has failed to keep pace with inflation. Research from Mercer, PHI, and others have consistently indicated the state faces a significant shortage of homecare workers, with low-end estimates at 20,000. This shortfall in most regions of the state has rendered it impossible to open a new homecare case, and CDPA consumers struggle to staff some, if not all, of their authorized hours. Community-based alternatives to nursing homes technically exist, but without workers to provide care, it is in name only, putting seniors and people with disabilities at needless risk New York out of compliance with the Supreme Court's decision in *Olmstead v L.C. (by Zimring)*, which required access to community-based supports.

To ensure that consumers are able to get the services they need and are authorized for, reduce staff turnover, and provide workers with pay that is aligned with their critical duties, New York must overhaul our attitude and approach to paying for homecare. In 2006, homecare workers were on average paid 150% of the minimum wage. Today, the majority are paid at or just slightly above the minimum wage, while earning less than the legally required minimum wage for the fast food sector. Almost a quarter billion in cuts to home care and CDPA over the past two years have eliminated any margin for bolstering wages outside of direct reimbursements, which have remained stagnant for years while the cost of living continues to rise, meaning that in many cases, workers in these critical positions have actually seen wages fall, rather than rise, even during the pandemic.

To rebuild long-term care in a way that prioritizes community-based services and the workforce, as well as bring New York into compliance with Federal requirements about access, home care workers must be paid a minimum of 150% of their current regional minimum wage. This will allow workers to remain in rewarding jobs providing critical care rather than making the tough choice to change industries due to subsistence wages and empower consumers to be able to have choice in who they hire, rather than accepting whoever shows up. During a pandemic that has disproportionately claimed the lives of people living in nursing homes, New York must modernize its long-term care strategy.

**New York must increase home care and CDPA wages to 150% of the minimum wage and restore funding cuts to prevent mass institutionalization, particularly in light of the COVID-19 pandemic.**

*CDPAANYS is the only statewide association solely representing fiscal intermediaries, consumers and personal assistants in Consumer Directed Personal Assistance (CDPA). For more information, please contact us at 518-813-9537 or [bryan@cdpaanys.org](mailto:bryan@cdpaanys.org).*