

Urging The Governor And The State Legislature To Reform The Early Intervention Program By Mandating Third Party Health Insurance Coverage And Exploring Parental Co-Payment

The Human Development Committee (Chairman Gregorius and Legislators Loughran, Provenzano, Terpening, Hansut, Noonan and Terrizzi) offers the following:

WHEREAS, the Early Intervention Program in New York State is in need of complete reform and overhaul in order to address the dramatic increase in county administrative duties, as well as the number of recipients and cost per child, since the program's inception in 1993, and

WHEREAS, it is in the best interest of State and local taxpayers to administer this program in the most cost effective manner possible, as required in statute, and

WHEREAS, counties are mandated in statute to bill private insurance for eligible Early Intervention services and continue to be fiscally penalized for what the State deems to be inadequate performance in recoupment, and

WHEREAS, counties are responsible to pay 100% of the cost of Early Intervention services in the first instance, which by statute cannot be claimed, at the earliest, until nine months into the current school year and which frequently remains unreimbursed for more than one year, and

WHEREAS, the historical 50% State share for the program is now reduced to 49% while the counties' share has risen to 51%, and

WHEREAS, the enacted 2008-09 State Budget reduced the amount a county will be reimbursed for Early Intervention services claims from 100% to 98%, which only worsens the ever-increasing cost to municipalities and directly impacts the property taxpayers, and

WHEREAS, counties have historically been assured in statute of access to numerous funding sources to offset the high cost to New York State's taxpayers and that they would be payers of last resort, and

WHEREAS, those sources have been elusive or outright denied in spite of ongoing municipal efforts to access them, and

WHEREAS, legislation introduced in successive sessions which would close loopholes in existing law and mandate reimbursement by commercial health insurers for Early Intervention services has been unsuccessful to date, and

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WHEREAS, counties and the City of New York are billing more than ever before and in amounts exceeding the amounts billed to Medicaid, but that the percentage recoupment remain low and unchanged, and

WHEREAS, the most recent data shows a total of approximately 95.5 million was billed to commercial insurers and only \$10.6 million was recouped, the same 15% collection rate as in 2000, and

WHEREAS, the same data shows the total expenditure reported by municipalities for billing commercial insurers was \$3.8 million, with fully 24% of responding counties unable to collect enough commercial insurance payments to cover just the cost of their commercial insurance billing functions alone; however, when the cost of services and billing were considered together, the return was thirteen cents for every one dollar spent by counties overall, and

WHEREAS, the State must also explore the potential for family fees/co-payment system by directing the State Department of Health to undertake a survey of those states currently imposing such fees.

RESOLVED, that the Ulster County Legislature urges the Governor and the State Legislature to reform the Early Intervention Program by mandating third party health insurance coverage and exploring parental co-payment, and

FURTHER RESOLVED, it is the State's responsibility, to the integrity of the program and the rising number of children being served, to reform and overhaul the Early Intervention Program so that it is accountable to the children it serves and the taxpayers of the State, and

FURTHER RESOLVED, that the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor David Paterson, New York State Comptroller's Office, Senate Majority Leader Dean G. Skelos, Senate Minority Leader Malcolm Smith, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canestrari, Assembly Minority Leader James N. Tedisco, New York State Senators John J. Bonacic and William J. Larkin, Jr., New York State Assemblymen Kevin A. Cahill, Clifford W. Crouch, Peter Lopez and Thomas Kirwan, and the New York State Association of Counties,

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and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 30 NOES: 0
(Absent: Legislators Aiello, Felicello and Kraft)

FINANCIAL IMPACT:
UNKNOWN

1225