



# New York Association of Alcoholism & Substance Abuse Providers, Inc.

1 Columbia Place, Suite 400 • Albany, New York 12207  
518-426-3122 • Fax: 518-426-1046 • E-Mail: [asap@asapnys.org](mailto:asap@asapnys.org) • [www.asapnys.org](http://www.asapnys.org)

## **PUBLIC POLICY RETREAT NOTES**

### **Executive Committee**

#### **President**

Chris Wilkins  
*DePaul Addiction Services*

#### **First Vice President**

Kathy Ayers-Lanzillotta  
*Catholic Charities Diocese  
of Rockville Centre*

#### **Second Vice President**

Ronald Williams  
*New York Therapeutic  
Community, Inc.*

#### **Third Vice President**

Herb Barish  
*Lower Eastside Service Center*

#### **Secretary**

Ellen Morehouse  
*Student Assistance Services*

#### **Treasurer**

Martin Teller  
*Finger Lakes Addictions  
Counseling and Referral  
Agency, Inc.*

#### **Immediate Past President**

Roy Kearse  
*Samaritan Village*

#### **Personnel**

Ira Marion  
*Albert Einstein College  
of Medicine*

#### **Public Policy**

Richard Pruss  
*Samaritan Village*

#### **By-Laws**

Luke Nasta  
*Camelot of Staten Island*

#### **Cultural Diversity**

Sonskeshana Korngay  
*Phase Piggy Back*

#### **Membership**

John Tavolacci  
*Odyssey House*

#### **Member-at-Large**

Abukarriem Shabazz  
*Phase Piggy Back, Inc.*

#### **Member-at-Large**

Kathleen Riddle  
*Outreach Project*

#### **Executive Director**

John J. Coppola

The ASAP policy retreat was held on September 16, 2009 in Albany immediately preceding our Annual Meeting.

**Welcome and Introductions:** Chris Wilkins and Richard Pruss greeted participants and discussed the agenda for the day.

**2008-09 Session Review:** David Weinraub and Paul Samuels led a discussion reviewing the recently concluded legislative session and forecasting the 2010 session.

*David Weinraub* gave an overview of current dynamics in the Capital, and how that may shape our approach to public policy. David emphasized the importance of programs having strong relationships with every Senator because, now, each of them has the power to pass or block a bill.

*Paul Samuels* gave his overview of Capital dynamics and his sense of how budget discussions will unfold. He indicated that this year's budget process is unclear (uncertainty about whether a special session will be convened) and that there was no predictable timeline for public discussion of the 2010-2011 budget. Paul noted that we are going into an election year and that budget and legislative action will be influenced by political concerns. Local relationships with legislators are critical. Paul also discussed the evolving dynamics between the Assembly and Senate noting that the Senate is tending to pass bills that are not "same as" Assembly bills, creating somewhat of a competitive environment between the Senate and Assembly.

Both Paul and David noted the great success of ASAP advocacy efforts last year particularly in advancing drug law reform, restoration of the PNA and avoiding across the board cuts. Credit was given to the organized advocacy and media strategies utilized by ASAP and its members.

*Paul* noted that, while OASAS received an allocation of Byrne funds to support treatment during implementation of drug law reform, it will be crucial for us to defend against attempts to cut the state budget for prevention, treatment and recovery services. *David and Paul* agreed that an organized strategy to advocate within the Senate, similar to what ASAP did last year, will be required- *David* asked that members contact him following *any* legislative visit.

**Priority Budget Positions for 2010 – 2011 NYS Budget:** Chris Wilkins facilitated a discussion of ASAP 2010-2011 budget priorities with considerable discussion among all meeting participants.

Discussion of the proposed elimination of the federal Safe and Drug Free Schools program was introduced by Ellen Morehouse. Ellen emphasized the importance of the Safe and Drug Free Schools program and the impact the cut will have on prevention services in the state if not restored. She stressed that there was a very tight time frame to advocate for a restoration and asked ASAP to re-send the action alert directing ASAP members to send an email to Congress asking for restoration of the funding.

The likelihood is that ASAP will have to fight for restoration of cuts again this year. ASAP will continue to make cost offset arguments (alternatives to incarceration, juvenile justice reform, prevention, child welfare) and aggressively make the case that OASAS should be spared cuts and instead entrusted with additional resources to create even more savings. We anticipate that a PNA cut could be back in the Governor's budget proposal this year and we are concerned that other state agencies might be trying to get some of the Rockefeller funding that has been set aside for OASAS. ASAP will be doing significant advocacy to prevent cuts and to gain restorations if cuts are proposed.

**Coalition Members** Addiction Treatment Centers of OASAS • Association of Addiction Recovery Care Homes • Association of New York City Addiction Programs • Central New York Alcohol & Drug Association • Coalition for Community Services • Coalition of Alcoholism & Substance Abuse Programs of Northeastern New York • Committee of Methadone Program Administrators of New York State • Consortium of Alcohol & Substance Abuse Services • Council on Addictions of New York State • Hudson Valley-Catskill Coalition • Nassau Coalition of Chemical Dependency Providers • Northern Tier Providers Coalition • Quality Consortium of Suffolk County • Recovery Net • Statewide Black & Puerto Rican/Latino Substance Abuse Task Force • Therapeutic Communities Association of New York • Westchester Putnam Coalition of Alcoholism & Substance Abuse Programs • Western New York Chemical Dependency Consortium

### **APG System, FAIR Proposal**

Henry Bartlett gave an overview of APGs (Ambulatory Patient Groups) and the work we are doing with OASAS to revise rates and payment methodologies for treatment. He noted that OASAS has SAMHSA funding to hire a consultant to assist in construction of APGs, but a hire has not been made yet. Roll-out date has been pushed to July, 2010.

Henry also reviewed the FAIR proposal, submitted to OASAS by ASAP (along with TCA and COMPA). The FAIR proposal recommends a pilot project that would change the distribution of net deficit funding for treatment programs to one that is based on a fee for service methodology instead of a grant. ASAP will be holding meetings with DOB and OASAS to advance this proposal.

A discussion ensued about whether our field is really appropriate for an APG structure considering the number of uninsured and working poor seen in our programs. It was noted that we should be prepared for APGs and their implementation regardless.

It was also noted that without either net-deficit funding, or a model like the FAIR proposal, there will be no way for providers to serve the working poor and uninsured.

*Henry* noted that, in a meeting with DOH, he received a verbal commitment that current carve-outs will continue under APGs. It was also noted that, if federal legislation creating federally qualified behavioral health centers is passed, there might then be an option for providers to opt out of the APG reimbursement structure.

### **Juvenile Justice System Funding**

*Kathy Riddle* provided a brief overview of NYS' need for juvenile justice reform based on the premise that more of NY's youth should be given the opportunity for treatment as an alternative to detention. A draft position paper has been developed, outlining the need for enhanced services for youth to support diversion from the juvenile justice system. *Kathy* noted that the Office of Child and Family Services will need to be a primary target in our advocacy efforts.

*John Coppola* discussed that the NYS Juvenile Justice Taskforce's recommendations for reform will be finalized in November and that our advocacy efforts will likely be shaped by these recommendations.

*Ellen Morehouse* stated that prevention services are integral to serving youth and their families, and preclude involvement in the juvenile justice system. *Ellen* agreed to work with *Kathy Riddle* to address these concerns in the position paper.

*Luke Nasta* discussed the complex clinical and behavioral challenges presented by some youth in the juvenile justice system and raised a concern that the structure and staffing of residential treatment services in our system may need to be addressed to ensure that our services lead to improved outcomes for youth. It was also noted that, in advocating for treatment as an alternative to detention for youth, we need to be very careful what expectations we set and realistic about the outcomes we anticipate. While it is clear that some youth would be better served in our system, concern existed that all youth were not appropriate and that there were limitations with our programs as they are currently designed.

The upcoming ASAP Child Welfare Summit (November 9-10 in Syracuse) will serve as a cornerstone event for policy work on juvenile justice reform.

### **Services for Seniors**

*Bill Rockwood* spoke about the importance of chemical dependence services for NY's senior citizens, a population that is growing exponentially. He indicated his commitment to working with other ASAP members to make this an area of priority for our advocacy efforts.

## **Budget Priorities**

Discussion among policy retreat participants resulted in creation of a budget priorities list that included:

- Housing (sober living environments both temporary/supportive and permanent)
- MATS (Managed Addiction Treatment Services – case management for Medicaid)
- Voc/Ed. Services
- DWI
- Rising cost of healthcare benefits for employees
- COLA
- Senior services
- Adolescent services
- Resources for prevention providers to meet clinical guideline introduced by OASAS

Participants accentuated the importance of ensuring that there are no new unfunded mandates. There was also agreement that new initiatives should not be funded at the expense of eroding funding to existing core treatment, prevention, and recovery services.

It was recommended that we support new revenue initiatives particularly dedicated tax revenues for alcohol and gambling. Specifically ASAP should support alcohol beverage tax increase proposals and advocate for dedicated funding to come from any new gambling initiatives.

Issues of payment from private insurers were discussed (managed care, late payments, payment/service denials, access to provider panels, and poor rates). It was agreed that ASAP would form a committee to address these issues (Chaired by Gary Butchen).

## **Priority Positions for 2010 -2011 Legislative Session**

### **• Social Work Licensure**

*John Coppola* provided an overview of the issue, what it means for our workforce, and ASAP's advocacy position.

It was suggested that we try to target members of the legislature who would have first-hand knowledge of the potential impact of the legislation (those with a background in human services). ASAP's position will highlight the potential loss of jobs and closure of facilities that will occur if an exclusion or extended exemption is not granted. ASAP will revise its position paper on this issue so that these points are included. We will arrange a meeting with NASW to discuss in greater detail the impact of the licensing statute on our workforce.

### **• Methadone Regulations**

*Ira Marion and Henry Bartlett* provided an overview of concerns related to outdated and onerous methadone regulations, as well as the ongoing issue of waiting lists for methadone programs.

It was noted that the work done by the Methadone transformation work group (MTAG) should be reflected in OASAS' clinical regulations.

### **• Veterans Services**

*Chris Wilkins* provided a brief overview of the work being done with the VA to create addiction services for veterans. He noted proposed legislation that includes convening an expert panel to assess the adequacy of veterans' services statewide and identify the unmet needs of veterans. ASAP will meet with Assemblyman Ortiz and work to find a Senate sponsor to help move this legislation along.

A strategy document will be developed focused on this issue at both a state and a national level. It was noted that services for family members, as well as specialized services focused on gambling need to be a part of any plan for Veteran's services.

### **• Tobacco Regulations**

*John Coppola* provided an overview of recent discussions with OASAS to promote implementation of the tobacco regulation that incorporates strategies to address challenges related to patient attraction and retention.

Discussion included a concern that OASAS auditors need to be informed of how the regulation may be interpreted by providers to avoid unnecessary penalties.

Work will continue with the Tobacco Advisory Group to address issues related to the regulation and its implementation.

- **Insurance Industry Payment Practice**

ASAP will work with OASAS and with the Attorney General's Office as necessary to address insurance company practices that are denying access to treatment and creating an unfair business climate for our field.

- **Other positions** noted included:

- Support raising the legal age for gambling to 21

- Support the DWI referral protocol developed by the Finger Lakes regional providers

- Building a comprehensive approach to rural issues

- Work to address OMIG issues (It was agreed ASAP would create a workgroup focused on this issue)

### **Federal Issues**

- **Healthcare Reform**

*Paul Samuels* discussed the Coalition for Whole Health, led by LAC, which advocates for SA & MH services to be included in healthcare reform proposals.

*Paul* reviewed the Senate Finance Committee bill which was recently introduced. The bill is of great concern because it has no minimum requirements for large group plans, has no parity requirement and does not include SA services as part of a Medicaid expansion. The House bill and the Senate HELP bill *do* include all of the above, but will have a higher cost to implement than the Senate Finance bill.

LAC will be disseminating a short list of advocacy points related to healthcare reform.

- **NYS Advocacy Day in D.C.**

Scheduled for October 20-21<sup>st</sup>, our goal is to have ASAP representatives from each Congressional district meet with their legislator in Washington to drive home our federal advocacy points.

### **Public Policy Committee Plan**

Richard Pruss reviewed the Committee function and responsibilities. He stated that the Committee continues to hold weekly conference calls on Mondays at 10:00AM to provide regular updates on all of ASAP's public policy priority issues and to discuss our positions and action strategies. He extended an open invitation to all those who wish to participate on those calls.

An advocacy day will be planned shortly, it will be vital to have regional representation on that day and to identify specific champions within the legislature on our issues.

### **Grassroots Campaign**

ASAP and LAC are working jointly to create a Campaign focused on advocacy for improving access to prevention, treatment & recovery services, improving funding to support those services, and decreasing stigma associated with addiction. This Campaign will hopefully generate funds to support the work of LAC and ASAP and create a sustainable infrastructure for advocacy work.