



MEMORANDUM

To: Randi DiAntonio, Vice President
From: Patrick Lyons, Legislative Director
Date: February 7, 2023
RE: Preliminary 2023-24 Executive Budget Analysis

Please see below for the PEF Legislative Department’s preliminary analysis of the various 2023-24 Executive Budget Proposals affecting PEF members and the services they provide:

PEF 2023-24 Executive Budget Analysis

Education, Labor and Family Assistance (ELFA): <https://www.budget.ny.gov/pubs/archive/fy24/ex/artvii/elfa-bill.pdf>

Section	Short Title	Program Description	Issues
Part S	Indexing Minimum Wage to Inflation	Increases the minimum wage, consistent with the year-over-year Consumer Price Index-W for the Northeast Region. To ensure that no single-year increase would threaten employment, annual increases would be capped, and increases could be paused in the event of certain economic conditions.	SUPPORT
Part U	Child Care Program Expansion	Increases eligibility for child-care assistance from 200% to 300% of the federal poverty line up to 85% of the state’s median income (currently \$93,250 for a family of four)	SUPPORT
Briefing Book	Create the Office of Just Energy Transition	Creates and funds operations of an office which will support both conventional energy workers and communities burdened by fossil fuel infrastructure as they navigate the transition to a clean energy economy in the coming years.	SUPPORT - The establishment of this office was requested by PEF

Briefing Book	Invest in State Youth Facilities	The budget includes \$16 million in additional capital funding to renovate and maintain vital infrastructure at OCFS youth facilities. This investment is aimed at providing quality space and resources, while ensuring the safety and security of the youth living in the facility.	SUPPORT
Briefing Book	Expand Nurses For Our Future	Expands the Nurses For Our Future Scholarship to grow the New York State Health Care Workforce by addressing the critical nursing shortage facing our health care sector and state agencies. The scholarship program will support tuition costs for nursing students at either a public or private college or university.	SUPPORT
Briefing Book	Modernizing State office buildings owned and leased by the Office of General Services	Provides \$4.5 million to study and pilot projects to modernize and update state office buildings to facilitate hybrid work schedules, while increasing collaboration and productivity. The reconfiguration of spaces to complement a hybrid workforce promotes the culture of the tenant agency and the health and satisfaction of New York State employees.	SUPPORT

Public Protection and General Government (PPG): <https://www.budget.ny.gov/pubs/archive/fy24/ex/artvii/ppgg-bill.pdf>

Section	Short Title	Program Description	Issues
Part S	Continuous Recruitment for Open Competitive Positions	Allows for continuous recruitment exams for open competitive positions	SUPPORT – Reflects PEF Fund Our Future proposal
Part T	Section 55-b (disabled) and 55-c (veterans)	Expands the number of disabled New Yorkers and veterans who may take state employment from 1,200 to 1,700 and allows for their potential transfer into positions in the classified service.	SUPPORT
Briefing Book	Centers for Careers in Government	Provides \$2 million to establish 12 regional civil service offices to administer testing and to facilitate onboarding of staff	SUPPORT – Reflects PEF Fund Our Future proposal
Briefing Book	Modernize and Streamline the State's Training and Employment Infrastructure	Transforms DOL Career Centers into "Community Training and Career Centers," with additional professional skills trainers to provide unemployed and underemployed New Yorkers with no-cost	SUPPORT – Reflects PEF Fund Our Future proposal

		training in high-need areas such as digital and financial literacy and entrepreneurship.	
Briefing Book	Public Service Matters Campaign	Establishes a widespread public outreach campaign to reach the next generation of State government leaders. The Executive Budget provides \$2.3 million to create and air this campaign in multiple languages to reach a broader, more diverse audience and to strengthen outreach on difficult-to-fill and high-need State titles.	SUPPORT
Briefing Book	Modernize Civil Service Pay Structure	Provides \$2.2 million to develop a job evaluation system that will review the statewide civil service structure for all job titles to ensure they meet the needs of employers, align with the current job market, consider title pay equity, and level the playing field with the private sector.	SUPPORT – Reflects PEF Fund Our Future proposal. PEF supports raising all state salaries by two grades in order to enhance the State’s ability to recruit and retain top talent.
Briefing Book	Expand Enhanced Parole Supervision Program	Provides \$7.4 million in additional funding to establish a Supervision Against Violent Engagement (SAVE) program and expand the State’s response to gun violence among the parolee population in Gun Involved Violence Elimination (GIVE) jurisdictions.	Support
Briefing Book	Triple Investment in Reentry Services	Provides \$7.7 million in additional State funding, for a total of \$11.5 million, to reduce repeat or further offenses by meeting the behavioral, health, employment and educational needs of individuals returning to their communities after incarceration.	SUPPORT WITH MODIFICATION – Many areas around the state do not have private providers for these services. PEF believes that it is important for OMH, DOL, OASAS and other state-agencies to develop and support a comprehensive package of programming across the state so all formerly incarcerated individuals have access to services and so the state can track progress and gather data on outcomes to inform future policy
Briefing Book	Expand Access to Paid Paternal Leave	Expands New York’s Paid Family Leave law by taking steps to offer State employees 12 weeks of fully paid	SUPPORT - subject to bargaining

		parental leave to use for bonding with a newborn, fostered, or adopted child. The Governor will direct the Office of Employee Relations to engage state unions to make progress toward this goal through collective bargaining.	
Briefing Book	Technology and Digital Services	Expands New York State's capacity to improve and expand digital services by growing the team of user experience researchers and designers within the Office of Information Technology Services and the Office of General Services Digital Team.	SUPPORT provided this plan serves to build state-operated capacity and to protect taxpayer and other data from third party providers

Health and Mental Hygiene: <https://www.budget.ny.gov/pubs/archive/fy24/ex/artvii/hmh-bill.pdf>

Section	Short Title	Program Description	Issues
Part W	Allow Health Care Providers to Do More	Allows pharmacists, physician assistants and nurses to issue non-patient orders for HIV-preventative medication, tests for COVID-19 and flu; and authorizes the State to enter into the Interstate Licensure Compact and the Nurse Licensure Compact	OPPOSE – The State should not enter into the Interstate Nurse Licensure Compact unless and until all of the credentialing requirements are aligned for all participating states.
Part X	Agency Nursing Staffing Practice Reporting	Establishes registration and reporting requirements for Nurse Staffing Agencies	SUPPORT
Part CC	Transfer Oversight for Licensed Health Care Professions	Transfers oversight of health care workers from SED to DOH	OPPOSE – Professional titles should be established and regulated by independent professional boards of peers under SED which is insulated from gubernatorial influence.
Part FF	OPWDD Flexibility for Delegated Nursing Tasks	Allows certain nursing tasks to be performed by unlicensed employees (DSPs) of providers certified by OPWDD in non-certified community-based settings.	NO OBJECTION
Part GG	Qualified Mental Health Associate Credentialing	Establishes qualifications and credentials for “qualified mental health associate” to render mental health services	ADDITIONAL INFO NEEDED

Part HH	Joint OMH/OASAS Licensure for Certified Community Behavioral Health Clinics	Authorizes OMH/OASAS to develop joint licensure for community behavioral health clinics to render mental health, substance abuse disorder, and physical health treatments, and establishes an indigent care program for low-income individuals	ADDITIONAL INFO NEEDED
Part II	Insurance Reforms for Access to Behavioral Health	Requires insurers to cover costs for behavioral health services including medications for substance abuse disorders.	SUPPORT
Part JJ	Penalties for Facilities that Close OMH Funded Beds	Increases penalties that may be imposed by the Commissioner of Health against State-funded facilities that close inpatient psychiatric beds from \$1,000 to \$15,000.	NO OBJECTION, but financially penalizing facilities that don't provide mental health services will not adequately support the provision of quality care for this population.
Briefing Book	Financing SUNY Hospital Uncompensated Care	Provides an additional \$72 million, growing to \$106 million for Disproportionate Share Hospital (DSH) payments, for under and uncompensated care provided by the three State University of New York teaching hospitals.	SUPPORT, but more financial support is needed (total \$175 million for SUNY Hospitals)
Briefing Book	Rebuilding the Wadsworth Laboratories	Provides \$967 million in additional funding to complete the consolidation of Wadsworth's five unconnected sites located throughout the greater Albany area into one new, state-of-the-art facility on Albany's W. Averell Harriman Campus to ensure Wadsworth remains at the forefront of international public health research and is well equipped to respond to new public health threats.	SUPPORT with Added Staffing: Dedicating sufficient resources to upgrade the Wadsworth lab is essential. It is equally essential for the lab to fill the more than 200 researcher vacancies so they can work to protect the public health and safety.
Briefing Book	Conduct an Independent Study on the Institute for Basic Research in Developmental Disabilities (IBR)	Includes funding for a two-year independent study focused on how IBR's functions align with OPWDD's strategic goals and the feasibility of revitalizing the facility.	SUPPORT WITH MODIFICATIONS: IBR is a jewel in the public research arena. All stakeholders must be at the table when discussing the future of this important facility and the services and research it provides.
Briefing Book	Evaluate an OPWDD Transition to Managed Care	Assess the potential effectiveness and sustainability of the proposed delivery system to ensure	OPPOSE. Managed care simply equates to authorizing a third-

		<p>individuals continue receiving appropriate services in the most cost-effective manner. The State is evaluating how managed care could assist OPWDD in improving services and supports for people with intellectual and developmental disabilities. Work is being done to analyze existing research, data and implementation trends, and stakeholder feedback to assess whether other service delivery models, including managed care, should be pursued to advance the stated goals and objectives of the OPWDD Strategic Plan.</p>	<p>party administrator to limit services and expenses to balance the budget on the backs of clients. The State needs to recognize that using third parties to address public health issues like IDD costs too much, isn't an efficient or effective service delivery model, fails to provide the data necessary to calibrate future policy and lacks appropriate oversight.</p>
Briefing Book	Expand Inpatient Bed Capacity	<p>Provides funding for the opening of 1,000 inpatient psychiatric beds, which is part of a multi-year plan to increase operational capacity at mental health facilities. These beds will help to meet the increased need for mental health services across the State. Added beds include 850 currently offline, inpatient psychiatric beds at public hospitals licensed under Article 28; and 150 new State-operated inpatient psychiatric beds.</p>	<p>SUPPORT – Reflects PEF Fund Our Future proposal – PEF supports expansion of State-operated inpatient stabilization beds to meet increased demand from the mental health crisis. PEF believes that taxpayer dollars should be focused on expanding capacity at state-operated facilities to ensure efficient and effective delivery of services for all New Yorkers.</p>
Briefing Book	Expand Outpatient Services	<p>Expands outpatient mental health services throughout the State by funding 12 new Comprehensive Psychiatric Emergency Programs, including \$60 million in capital; 42 new Assertive Community Treatment (ACT) teams; eight new Safe Options Support teams, to expand the Critical Time Intervention (CTI) initiative started in 2022; 42 new Health Home Plus Care Managers; and start-up funding and operating costs for expanded clinic capacity at 20 sites.</p>	<p>SUPPORT WITH MODIFICATIONS: PEF supports the expansion of outpatient services with new ACT Teams attached to each of the State-operated mental health facilities to coordinate and calibrate care, to track clients, to coordinate with local law enforcement/health care and to ensure appropriate care for at-risk New Yorkers.</p>
Briefing Book	OPWDD Ombudsman Program	<p>Provides \$2 million to fund the OPWDD Ombudsman Program</p>	<p>SUPPORT</p>
Briefing Book	OPWDD Finger Lakes ITO	<p>Provides \$11.7 million in capital funding to develop additional Intensive Treatment Option (ITO) units at</p>	<p>SUPPORT</p>

		the former Finger Lakes Developmental Center campus. Once operational, these units will have the capacity to serve 39 individuals who require this level of support. ITOs are inpatient treatment settings that are certified as Intermediate Care Facilities (ICFs).	
--	--	---	--

Transportation and Economic Development (TED): <https://www.budget.ny.gov/pubs/archive/fy24/ex/artvii/ted-bill.pdf>

Section	Short Title	Program Description	Issues
Part H	Transportation Worker Assault Prevention	Increases to assault in the 2 nd degree attacks against traffic checkers, motor vehicle inspectors, motor vehicle representatives, highway workers, motor carrier investigators and inspectors	SUPPORT

Other Programming Included in Executive Budget Legislation:

- (1) **Roswell Park:** \$6 million reduction in capital expenses for Roswell Park (\$57 million to \$51.3 million). The operating supplement is authorized again at the 2022-23 level at \$55.4 million.
- (2) **Summer School for the Arts:** This program is reduced from \$2 million to \$1,481,000.
- (3) **OITS Training Supplement:** The \$1.7 million represents a reduction of \$300,000. However, it is our understanding that these monies are never utilized for their intended purposes.