

The Utah Developmental Disabilities Council is concerned about the potential cuts to the state's budgets and the impact this will have on the community of individuals living with intellectual and developmental disabilities and their families, as well as the professionals and providers who work to ensure inclusion in the greater community and to support healthy, full lives. It is our position that the proposed budget cuts to social services could profoundly and negatively impact Utahns with disabilities, with long-lasting effects. We understand that these are difficult decisions and situations that have not been seen in our lifetimes, and we commend the legislature for its swift response to keep our communities safe and financially secure. Still, we encourage a thoughtful and deliberate approach to maintain the progress from the 2020 General Session toward positive systemic change. As the appropriation committees meet to address the potential \$1.2 billion revenue shortfall as a result of the COVID-19 pandemic response, we believe it is prudent that the spending reductions be as reflective as possible of the needs of all Utahns, especially those who live with disabilities and who rely on thoughtful policy every day.

It is clear from the 2020 General Session that our state legislature heard the disability community and strengthened their commitment to those who benefit from critical supports and services that foster independence through legislative actions such as the creation of programs that offer intervention and supportive services; community-based options for housing to keep individuals in their homes and out of institutions; supported employment opportunities that allow individuals to contribute to the state's economy; increased transportation funding to help individuals with disabilities access the greater community and allow service providers greater flexibility in supporting these transportation needs; and the recognition of the need to recruit and retain qualified staff who support individuals with disabilities wherever they choose to live.

Unfortunately, it appears that all these gains toward community inclusion and systems change have been sacrificed to support potential cuts of 2%, 5%, and 10%, which are harmful to the most vulnerable Utahns and would have a long-lasting impact if passed. Most notably, trimming the budget and staff for those with the most critical needs at the Utah State Developmental Center (USDC) and Utah State Hospital erases a large swath of gains from the past decade. While we are in favor of an individual having choice in their housing options, we believe that cutting critical community-based services and otherwise forcing individuals into segregated housing—and then reducing funding to those institutions—is potentially catastrophic, especially in the midst of a pandemic.

Cutting support services will flood the system with unmet needs and force families into crisis, and put individuals with disabilities who receive community services in a position where they must choose between living in the community or living in an institution. This is in conflict with the Americans with Disabilities Act, which mandates that individuals not be forced to live in segregated settings if they do not choose it, and is a public health risk as residents of intermediate-care facilities are at most risk for contracting COVID-19. Other institutional concerns include reduced or eliminated funding for local long-term care ombudsman programs and other oversight systems that protect vulnerable individuals across the state. We believe this could lead to abuse and neglect. Moreover, cutting staff and various services could actually push

the service system out of compliance with federal regulations for Home and Community-Based Setting (HCBS) services. Organizations that are found to be out of compliance with HCBS rules are then to be disenrolled from social service programs. Losing providers will add stress to the service system, overloading consumer needs while reducing the number of providers. This could push the state's system further into crisis, ultimately costing the state more money in the end.

Although the budget appears balanced, in reality these impacts will cost the state and its agencies more money in the long term. Community-based services should be seen as mandatory, not optional for cuts. Maintaining important community support to keep individuals at home, families intact, and everyone healthy should be an emphasis for a state that values strong families and communities. It is considerate of the state's financial goals as well, as preventative services and long-term supports and services (LTSS) are proven cost-saving measures with greater cost efficiencies than institutional care¹ or crisis services.²

Dismantling USDC's ability to retain qualified mental health and medical care providers, reducing overall staff, and removing additional sources of revenue will absolutely have long-lasting impacts. Trimming the Division of Services for People with Disabilities (DSPD) administrative and provider staff will severely impact DSPD's ability to provide quality services just at a time when these services are the most crucial. Additionally, rate increases have been a critical component to retaining qualified staff since the rates were slashed during the 2008 financial crisis, and while the legislature recognized that need and showed their commitment in the 2019 and 2020 General Sessions, those increases would be completely undone through these proposed changes. This threatens the community with increased turnover and hampers the ability to recruit and retain necessary support.

Stripping down daily "non-essential" activities is proposed, but this would be an absolute tragedy—individuals with disabilities losing elements of their lives that are truly essential to them is an unfair ask of this community. We believe this is an unacceptable option for individuals who have limited choice already, who then experience dwindling options in the face of crises. Finally, the loss of dental and respite services for individuals in the community would have far reaching consequences in both the physical health of people utilizing these services, and emotional and mental health of their caregivers. This budget cut could lead to burnout by staff in a time when turnover is already at crisis levels, increase medical need for at-risk individuals, and potential long-term institutional consequences for those desiring to live in the community.

The Utah Developmental Disabilities Council is a Governor-appointed board of community members and professionals who serve the disability community and seek ways to improve systems for Utahns with intellectual and developmental disabilities. Our Council Members and Leadership are happy to serve as a resource for greater understanding of the impacts of changes on the community of individuals living with disabilities and development of good policy.

¹ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3710567/>

² <https://le.utah.gov/interim/2019/pdf/00000959.pdf>