

Agency Programs/Activities: Inventory and Key Data  
Commission on Quality of Care and Advocacy for Persons with Disabilities

Relation to Core Mission (H/M/L)	Spending Category (SO, ATL, CAP)	3/31/09 FTEs (All Funds)	General Fund Disbursements (\$000s)				State Special Revenue Funds Disbursements (\$000s)				TOTAL General Fund and Special Revenue Funds (\$000s) *			
			2006-07 Actual	2007-08 Actual	2008-09 Plan	2009-10 Projected	2006-07 Actual	2007-08 Actual	2008-09 Plan	2009-10 Projected	2006-07 Actual	2007-08 Actual	2008-09 Plan	2009-10 Projected
H	Quality Assurance/Investigations	73	1,937	2,366	3,244	3,625	2,200	2,224	2,666	2,907	4,137	4,590	5,910	6,532
	Surrogate Decision Making Committee	12	584	631	652	664	343	345	414	451	927	976	1,066	1,115
	SDMC Contracting	0	141	123	534	654	214	224	250	439	355	347	784	1,093
H	SDMC TOTAL	12	725	754	1,186	1,318	557	569	664	890	1,282	1,323	1,850	2,208
	P&A ( 9 Federal Programs)	9	115	135	139	142	5,893	5,533	6,448	7,048	6,008	5,668	6,587	7,190
	P&A (Conference Fee and Resident Council)	0	0	0	0	0	15	2	185	185	15	2	185	185
	P&A (CIAD and Adult Home Contracts)	0	283	243	290	290	0	0	0	0	263	243	290	290
H	PROTECTION AND ADVOCACY TOTAL	9	398	378	429	432	5,908	5,535	6,633	7,233	6,306	5,913	7,062	7,665
M	Fiscal Investigations	8	115	135	139	142	796	802	961	1,048	911	937	1,100	1,190
M	Policy	5	370	389	402	410	69	37	44	48	439	426	446	458
M	Advocacy and Outreach	13	487	518	686	698	285	192	230	250	772	710	916	948
L	Support for External Collaboration	3	180	190	196	199	24	26	31	34	204	216	227	233
	TOTAL	123	4,212	4,730	6,282	6,824	9,839	9,385	11,229	12,410	14,051	14,115	17,511	19,234

\* The Commission does not have any Capital Projects Funds so they are not included on this table.

Commission on Quality of Care and Advocacy for Persons with Disabilities  
PROGRAM INFORMATION SHEET

**Program:** Quality Assurance/Investigations

**Mandate:**

Mental Hygiene Law Article 45.07 (c) (1) (2-5) (d), (e), (w), (z)  
Mental Hygiene Law Article 45.10  
Mental Hygiene Law Article 45.15, 17

Division of the Budget  
Received  
OCT 17 2008  
Mental Hygiene Unit

**Mandated Funding Level:**

None

**Brief Description/History/Background:**

Responsible for monitoring the quality of care and treatment received by individuals in programs licensed or operated by the Department of Mental Hygiene and in Adult Homes serving people with mental disabilities licensed by the Department of Health by:

- responding to complaints about the quality of care;
- investigating allegations of abuse, neglect and unusual or unnatural deaths within mental hygiene facilities and programs;
- investigating all allegations of child abuse/neglect in OMH, OMRDD and OASAS (effective 1/09) children's residential programs upon referral from the State Central Register.

This function was first established with the creation of the Commission in 1977.

**Issues:**

Effective 7/1/08 under the SHU bill, the Commission has been charged with overseeing the quality of mental health care provided to inmates in the State prison system. The State's current and future fiscal difficulties may impact our implementation of this new initiative.

**Population Served:**

Persons with mental, physical and/or sensory disabilities.

**Performance Measures:**

For SFY 07-08

Number of Death cases received and reviewed: 2,940  
Number of Death Investigations: 317  
Number of Abuse/Neglect allegations received and reviewed: 7,711  
Number of State Central Register cases investigated: 352  
Number of Care and Treatment cases investigated: 237

Commission on Quality of Care and Advocacy for Persons with Disabilities  
PROGRAM INFORMATION SHEET

**Program:** Surrogate Decision Making Committee (SDMC)

**Mandate:**

Mental Hygiene Law Article 45.07 (q)

**Mandated Funding Level:**

None

**Brief Description/History/Background:**

Responsible for securing informed consent for major medical treatment by or on behalf of mentally disabled persons who reside in facilities or programs licensed, operated or funded by the Department of Mental Hygiene. The SDMC Program was established as a demonstration project in SFY 1985-86 and made a permanent part of the Commission in SFY 1990-91.

**Issues:**

Legislation passed during SFY 08-09 expands SDMC jurisdiction to include persons who have ever resided in an OMR or OMH setting who have moved to other residential settings (nursing homes), and to include the withholding or withdrawing of life sustaining treatment under certain circumstances on behalf of persons with developmental disabilities. Funding for this program expansion has been included in the projections.

**Population Served:**

Persons with mental disabilities

**Performance Measures:**

For SFY 07-08

Number of cases processed: 989

Number of volunteer panelists trained: 262

**Commission on Quality of Care and Advocacy for Persons with Disabilities  
PROGRAM INFORMATION SHEET**

**Program:** Protection and Advocacy

**Mandate:**

Mental Hygiene Law Article 45.07 (p); and

Various Federal Laws requiring states to have protection and advocacy systems in place for persons with disabilities.

**Mandated Funding Level:**

Total of all nine federal program grant awards (FFY 08) = \$6,494,233

**Brief Description/History/Background:**

Responsible for administering 9 federal programs, 2 ATL programs, 1 fee based program and 1 SO SRO Program which are designed to protect and advocate for the rights of people with disabilities. The Programs are detailed below:

1. PADD - Protection and Advocacy for Persons with Developmental Disabilities - This federally funded grant ensures that individuals with Developmental Disabilities have access to a full range of advocacy services.
2. PAIMI - Protection and Advocacy for Individuals with Mental Illness - This federally funded grant assists individuals with a diagnosis of serious mental illness in obtaining advocacy services, and investigates claims of abuse and neglect of mentally ill individuals.
3. TBI - Protection and Advocacy for Traumatic Brain Injury - This federally funded grant provides legal and non-legal advocacy services for persons with traumatic brain injuries.
4. CAP - Client Assistance Program - This federally funded grant assists individuals with disabilities who are requesting or receiving rehabilitation services to ensure that they receive all the benefits available to them under the Federal Rehabilitation Act.
5. PAIR - Protection and Advocacy for Individual Rights - This federally funded grant provides assistance to individuals with disabilities who are ineligible for services under the PADD, PAIMI and CAP programs and ensures that their rights under the ADA, NYS Human Rights Law, the Fair Housing Act, and the Individuals with Disabilities Education Act are protected.
6. HAVA - Help America Vote Act - This federally funded grant ensures that individuals with disabilities have full participation in the electoral process.
7. PAAT - Protection and Advocacy for Assistive Technology - This federally funded programs provides legal and non-legal advocacy services to individuals with disabilities who encounter problems accessing assistive technology devices and service.
8. TRAUD - Technology Related Assistance for Individuals with Disabilities - This federally funded program ensures that individuals with disabilities have access to appropriate assistive technology devices and services.
9. PABSS - Protection and Advocacy for Beneficiaries of Social Security - This federally funded program assists individuals who receive SSDI and SSI with problems they encounter obtaining, maintaining or regaining employment.
10. CIAD - Coalition of Institutionalized Aged and Disabled, Inc. - This Aid to Localities Member item improves the quality of life and care for adult home residents by protecting their rights, providing advocacy services, supporting the development and operation of Resident Councils, negotiating resolution to resident problems, and involving residents in public policy issues.
11. Adult Homes - This Aid to Localities Program provides legal, administrative, and other remedies to protect and promote the rights of residents of adult care facilities.
12. Conference Fee Account - This State Operations - SRO Account collects fees from conference participants and vendors to be used to defray the costs of Commission conferences.
13. Resident Council - This SO SRO Program protects and promotes the rights of residents with mental disabilities who live in Adult Homes in Nassau and Suffolk counties to improve the quality of their lives by establishing and supporting Resident Councils.

**Issues: None**

**Population Served:**

Persons with mental, physical and/or sensory disabilities.

**Performance Measures:**

For FFY 2007

Number of cases handled: 7,192

Number of individuals trained: 13,409

Number of individuals receiving information and referral: 6,726

Commission on Quality of Care and Advocacy for Persons with Disabilities  
PROGRAM INFORMATION SHEET

**Program:** Fiscal Investigations

**Mandate:**

Mental Hygiene Law Article 45.07 (b)

**Mandated Funding Level:**

None

**Brief Description/History/Background:**

Responsible for performing fiscal investigations, audits and cost-effectiveness studies to review, analyze and develop recommendations to improve the efficiency and safeguard the fiscal integrity of programs operated or licensed by the Department of Mental Hygiene, and of Adult Homes which serve individuals with mental disabilities and are licensed by the Department of Health. This function was established with the creation of the Commission in 1977.

**Issues:**

Fiscal reviews have identified systemic financial vulnerabilities, generated revenue and promoted greater cost-effectiveness in service delivery. In times of fiscal crises, however, investigatory and other activities which directly affect the health and welfare of vulnerable individuals with disabilities must be afforded a higher priority than discretionary reviews focused on the business practices of service providers.

**Population Served:**

Persons with mental, physical and/or sensory disabilities

**Performance Measures:**

For SFY 07-08

Number of systemic fiscal studies conducted: 5

Number of agency-specific investigations conducted: 34

Commission on Quality of Care and Advocacy for Persons with Disabilities  
PROGRAM INFORMATION SHEET

**Program:** Policy Activities

**Mandate:**

Mental Hygiene Law Article 45.07 (a)

**Mandated Funding Level:**

None

**Brief Description/History/Background:**

Responsible for performing analyses, studies and program reviews to assess the adequacy, effectiveness and impact of laws, regulations and practices to provide information and recommendations to the Governor, Legislature and other State agencies to improve the quality of care provided to persons with disabilities. This function was established with the creation of the Commission in 1977.

**Issues:**

Policy review and analysis is a critical component of the Commission's statutory mandate, and such reviews have resulted in significant improvements in the quality of services provided. In times of fiscal crises, however, investigatory and other activities which directly affect the health and welfare of vulnerable individuals with disabilities must be afforded a higher priority than discretionary systemic reviews.

**Population Served:**

Persons with mental, physical and/or sensory disabilities

**Performance Measures:**

For SFY 07-08

Number of systemic policy studies conducted: 7

Number of recommended systemic changes generated: 21

Commission on Quality of Care and Advocacy for Persons with Disabilities  
PROGRAM INFORMATION SHEET

**Program:** Advocacy and Outreach

**Mandate:**

Mental Hygiene Law Article 45.07 (l) to (o) and (r) to (u)

Mental Hygiene Law Article 47.21

**Mandated Funding Level:**

None

**Brief Description/History/Background:**

Responsible for advocating, through outreach, training and technical assistance activities, on behalf of persons with disabilities to assure they are afforded the opportunities to exercise all the rights and responsibilities accorded to NYS citizens. This function was initially a responsibility of the former Office of Advocate for Persons with Disabilities (OAPD). This function was transferred to the Commission as a result of the merger of the OAPD with the CQC during SFY 2005-06.

**Issues:**

Under legislation effective 7/1/08 the Commission has been charged with coordinating the activities of the Interagency Coordinating Council for Services to Persons who are Deaf, Deaf-Blind, or Hard of Hearing and providing the Council with support services. Although funding for this program has been included in these projections, the State's current and future fiscal difficulties may affect how we discharge this responsibility.

**Population Served:**

Persons with mental, physical and/or sensory disabilities.

**Performance Measures:**

For SFY 07-08

Total number of trainings: 60

Number of individuals trained: 2,710

Commission on Quality of Care and Advocacy for Persons with Disabilities  
PROGRAM INFORMATION SHEET

**Program:** Support for External Collaboration

**Mandate:**

Mental Hygiene Law Article 45.07 (s), (t), (u)

**Mandated Funding Level:**

None

**Brief Description/History/Background:**

The activities subsumed under this function relate to participating in and providing support to interagency councils and other groups and their activities, and providing technical assistance and support to political sub-divisions and educational institutions. Program activities include:

- providing training to facility and voluntary agency personnel on how to conduct investigations;
- representing the Commission on various interagency and organization task forces and working groups;
- implementing a new multi-year collaborative project known as the "Quality Initiative" which is designed to identify what constitutes a good quality of life for persons with disabilities with the aim of improving the quality of life for those citizens;
- assisting political subdivisions and educational institutions in developing courses of study and local programs for persons with disabilities; and
- providing speakers at the public's request to address various groups on issues related to persons with disabilities.

**Issues:**

None

**Population Served:**

Persons with mental, physical and/or sensory disabilities

**Performance Measures:**

For SFY 07-08

Number of individuals trained on investigation techniques: 103

Number of Interagency and Organization Task Forces with CQCAPD representation/participation: 72

Number of Focus Groups/Coalition Meetings planned for the "Quality Initiative": future performance measure

Number of individuals in political subdivisions and educational institutions receiving training: 2,474

Number of individuals attending forums presented by CQCAPD speakers: 989