



Alliance for the Betterment of
Citizens with Disabilities

Empowering People: Providers Shaping Policies

ABCD Response

Executive Order 283 Requiring Covered Workers in High-Risk Congregate Settings to Be Up to Date with Their Covid 19 Vaccinations

January 24, 2022

The ongoing success of the Murphy Administration during Covid is a result of their singular focus to reduce the spread of the virus and of their full appreciation of the crisis in context. Cleareyed, they recognized and responded to two concurrent crises in DD, Covid and staffing.

As we know, the DD staffing crisis predated the pandemic. For years, our model of care was based on the belief of the existence of an unlimited labor pool of women and women of color who could be relied upon to willingly be underpaid. A human service model that failed to fully support its workers. Early in the Murphy Administration this contradiction was faced head on. When Covid came to the state, understanding that the staffing crisis could be exacerbated by the pandemic, their policy decisions included preventative features. As a result, at the close of CY 2021, fatality rates in DDD licensed residential settings never rose above 1.46% and agencies weakened due to the sheer length of the pandemic remained standing and serving.¹

The Cavalry is Not Coming, and They All Know It.

Today, a closer look past the universal staffing crisis, under resourced system, and vacancy rates between 20 and 42% reveals:

- Staff who are out sick with Covid, exhausted working double shifts for days on end, and walking out the day program/group home doors for the final time.
- Managers who remarkably under these circumstances are staffing their programs and stepping into the fray as needed.
- Individuals with IDD who are caught in the middle and at risk because staffing ratios are at a minimum while staff are burned out.

¹ NJDHS, *DDD Coronavirus Disease 2019 Dashboard as of 12/26/21*

Battling Covid or Death by a Thousand Cuts?

If EO 283 is successful in raising our overall staff vaccination rate to 90%, an additional 10% of staff will no longer need to be tested to work but instead, completely unavailable to work. ABCD member agency presidents, chief executives and executive directors are charged with anticipating the needs of their organizations. Based on their knowledge and expertise, the projected best-case scenario for many agencies which provide both day and residential services is:

- Day programs and services will be sacrificed for residential. Programs which have not already, will immediately close. Others will be shrunk and prepared to close when the need arises.
- Despite the infusion of all day program staff, the previous consolidation of group homes and residents moved to their family homes, preparation will be made in the event group homes must be temporarily closed because there are no staff.
- Some agencies have expressed fears of total agency collapse.

Agencies are beginning to plan for possible closure which includes asking families if they would open their homes to a housemate, in addition to their adult child; preparing for shelter-like conditions; and asking the State for emergency placement.

Some day-only providers anticipate having to shrink their programs by an additional 20%. For most of our day-only providers finding staff, not staff vaccinations, is the primary issue. They will remain open to support as many individuals as they can, providing a necessary break for informal caregivers at home and because in our pay-as-you-go model, they must bring in resources to survive. For those programs which care for people with complex needs, there can be no doubt that they struggle mightily to keep their doors open.

Single Focus with a Wide-Angle View

How can anyone know exactly what to do? The Murphy Administration's efforts to fight this in context have had a positive impact and continue to make the most sense. To this end we believe:

- The implementation dates of EO 283 must be delayed so that in and of itself, staff compliance is not an immediate emergency.
- Short of cloning staff, additional financial resources must be provided and remain through the pandemic. Our current budgets do not support the wages we need to pay.