



News From

THE MONROE COUNTY DEPARTMENT OF COMMUNICATIONS

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FREQUENTLY ASKED QUESTIONS REGARDING MONROE COUNTY'S DECISION TO END RELATIONSHIP WITH CDR

Addresses Common Misconceptions Perpetuated by CDR

QUESTION: Why did Monroe County terminate its business relationship with the Center for Disability Rights, Inc. (CDR)?

ANSWER: Following a series of direct complaints from clients in the Consumer Directed Personal Assistance Program (CDPAP), the Monroe County Department of Human Services (DHS) launched an investigation. DHS visited 12 clients receiving CDPAP services through CDR – In 100% of these cases (12 of 12) investigators found an obvious lack of professionalism, care, concern, and diligence on the part of CDR, and an inability to ensure client safety as a vendor for Monroe County. The decision was made to remove CDR as a vendor in order to protect clients that were being put at risk.

QUESTION: Will clients currently receiving services through CDPAP be removed from the program?

ANSWER: NO. Monroe County recently sent a letter to CDPAP clients notifying them of the County's decision to remove CDR as a vendor. Because Monroe County still contracts with FIVE other service vendors for CDPAP, clients have the opportunity to maintain CDPAP services while seeing no interruption in coverage during the transition. While the County requested that clients make this decision within 10 days, more time will be given if needed.

QUESTION: Can CDPAP clients keep their personal aides as a result of the transition?

ANSWER: YES. It is likely that clients will be able to maintain their personal aide once they have selected one of five other CDPAP vendors. Each former CDR aide will be eligible to be hired by any of these five vendors, provided they pass a criminal background check, physical exam, drug test, and Tuberculosis screening test.

QUESTION: Are the five other contracted agencies ready to accept new clients?

ANSWER: YES, all five agencies are prepared to offer expedited services to hire aides to make the transition as seamless and efficient as possible for clients.

QUESTION: Should CDPAP clients follow the advice of CDR by refusing to select a new CDPAP vendor, fail to recertify, or complete relevant paperwork?

ANSWER: NO. Monroe County is working closely with CDPAP clients to ensure a seamless transition of care during the vendor selection process. Failing to select a new vendor or comply with the guidelines of that process could compromise care for those clients.

QUESTION: Have CDPAP aides employed by CDR been convicted of fraud or abuse in the CDPAP program?

ANSWER: YES. There are several cases that came to the attention of the New York State Attorney General's Office (AG), including what is commonly known as the "Bingo" case. CDR aides involved in this case were proven to have left a client's apartment to play Bingo for hours at a time, all while billing Medicaid for hours they were not caring for the client. Convicted CDR aides include:

- Loretta Lowry – charged w/ petite larceny on 12/10/2009. On 2/4/09 – sentenced to 3 years probation, 30 hours of community service and ordered to pay restitution of \$756.40.
- Patrina Mason – charged with Grand Larceny 4th, falsifying business record 1st on 6/19/09. on 8/13/09 sentenced to 3 months in jail, 5 years probation, ordered to pay restitution of \$947.40.
- Patricia McCauley – charged with Grand Larceny 4th, Falsifying Business records 1st on 6/19/09. On 8/13/09 sentenced to 24 weekends in jail, 5 years probation, and ordered to pay restitution of \$345.00.
- Denise Wright – charged with Petite Larceny, Falsifying business records 1st on 12/16/08. On 2/10/09 sentenced to 26 weekends in jail, 1 yr conditional discharge and ordered to pay restitution of \$747.00.

There are several other CDR aides currently under investigation by multiple State Agencies in relation to activities perpetrated while working for CDR.

QUESTION: Did CDR have prior knowledge of Monroe County's concerns regarding its performance as a vendor for the CDPAP program?

ANSWER: YES. Monroe County worked with CDR in earnest for nearly a year to rectify what was an unacceptable level of performance on the part of any County-contracted vendor. CDR acted, or failed to act, in a way that not only represents a disservice to taxpayers, but blatantly jeopardized the health and overall wellbeing of CDPAP clients.

QUESTION: How much was CDR's agreement with Monroe County to provide services as a CDPAP vendor worth?

ANSWER: Approximately \$15.4 million for calendar year 2009. However, compared with other regional CDPAP providers, CDR paid its aides the lowest average salary. Yet CDR was able to afford exorbitant salaries for its executives, including:

- CEO Bruce Darling - \$184,000 annual salary (in 2008, has likely grown since)

(SOURCE: IRS Form 990 Filings for income tax year 2008)

QUESTION: Will Monroe County's decision to remove CDR as a vendor for the CDPAP program ultimately cost taxpayers more?

ANSWER: Most likely not. While hourly compensation wages for aides working under the five other CDPAP vendors contracting with Monroe County could change, Monroe County anticipates that the overall cost of providing service for CDPAP clients will remain flat.

QUESTION: Will any amount of grandstanding or protesting by CDR Executives sway Monroe County's decision to end its business relationship with CDR?

ANSWER: NO. Monroe County's decision is final. The Monroe County Department of Human Services is working to facilitate the smooth transition of uninterrupted services to clients of the Consumer Directed Personal Assistance Program. If it truly cares about persons with disabilities, CDR should assist clients during the transition period rather than be disruptive. Multiple reports have indicated that CDR is instructing clients not to cooperate with the transition, which could impact their ability to continue receiving services.