

NYLPI

**JUSTICE THROUGH
COMMUNITY POWER**

MEDIA CONTACT:

Erin Gaffney

egaffney@groupgordon.com

(212) 784-5720

In response to Governor Hochul's proposed 2024 Executive Budget, New York Lawyers for the Public Interest (NYLPI) issues the following statement on key policy announcements impacting Disability, Environmental, and Health Justice in New York:

Increasing Access to Health Care

We appreciate the Governor's commitment to strengthening our healthcare system and improving reimbursements for essential services.

However, we are deeply disappointed that the Executive Budget proposal does not address the exclusion of hundreds of thousands of New Yorkers from basic health coverage because of their immigration status - including so many who have rightly been praised as essential workers during a three-year pandemic emergency. The State's budget language appears to authorize filing a federal Innovation Waiver that would continue to exclude many non-citizen New Yorkers from eligibility for the Essential Health Plan, contrary to a commitment made during last year's budget process.

This would be both a moral and a fiscal failure, as a broader Innovation Waiver would allow the state to access hundreds of millions of federal dollars to expand basic insurance coverage for all New Yorkers earning below 250% of the poverty level.

We are encouraged by the Governor's proposals to invest in primary care services and community health workers. We urge that these programs include a transplant equity program that would utilize specifically trained community health workers to ensure that all New Yorkers can access life-saving and cost-efficient organ transplants, and thereby eliminate existing barriers to such care based on national origin, immigration status, race, and income. For New Yorkers with severe kidney disease, for example, equitable access to organ transplants can both save lives and save public funds by allowing patients to move away from costly and debilitating long-term dialysis treatments.

Advancing Climate and Environmental Justice

The Governor's announcement of a directive to create a Cap and Invest system could provide our state with the funding and tools necessary to rapidly reduce emissions, create tens of thousands of good, green jobs, and meet the mandates of the Climate Leadership and Community Protection Act (CLCPA). We strongly support the Governor's commitment to ensuring that the transition to a sustainable energy

economy also increases affordability for low- and moderate-income New Yorkers who struggle with high energy cost burdens in our current fossil fuel-intensive economy.

To create a successful Cap and Invest mechanism, New York must place equity and justice at the center of its design and implementation. NYLPI looks forward to working with the Governor's office, the Legislature, and state agencies to design a program that invests billions of dollars into climate solutions and New York's Just Transition.

We must also ensure that any Cap and Invest program specifically and rapidly reduces emissions and pollution in disadvantaged and other environmental justice communities and avoids any disproportionate burdens in ways that exacerbate environmental racism and injustice.

Given that the Department of Environmental Conservation would only be permitted to administer the "Cap" portion of the program, we call on Governor Hochul and the State Legislature to immediately pass and sign into law the Climate and Community Protection Fund legislation developed by NY Renews to allow for more equitable and effective implementation of the "Invest" portion of the program.

We strongly support the Governor's inclusion of authorization and funding for the New York Power Authority (NYPA) to rapidly build publicly owned renewable energy and storage facilities to ensure that New York complies with the mandates of the CLCPA and can retire and replace the state's most polluting fossil fuel power plants. We call for the Governor and the legislature to advance the target date for NYPA to replace its fossil fuel plants with renewable energy and storage solutions by 2030.

Similarly, we support the Governor's focus on making buildings sustainable and call for specific, historic investments in public and low-income housing across our state to ensure that communities most harmed by inefficient, unhealthy, and unreliable housing benefit from the state's drive for efficient, all-electric buildings.

Increasing Services for Individuals with Mental Health Diagnoses

NYLPI hails the Governor's proposal to invest in our citizens with mental health diagnoses by increasing spending on outpatient services, housing, services for children, and extended health insurance coverage. We are particularly pleased with the recommendation to expand the Intensive and Sustained Engagement Treatment (INSET) program, which we have long touted as an exemplary model of voluntary mental health service delivery which is driven by "peers" (individuals with lived mental health experience), and which serves as a much-needed alternative to forced outpatient commitment. We urge the Governor to build more permanent housing, which is key to avoiding debilitating crises.

NYLPI condemns the emphasis on additional hospital beds – especially any to be placed in psychiatric institutions that historically mistreated individuals with mental health diagnoses. The statement that individuals with mental illness are responsible for public safety breaches across the state is nothing shy of abhorrent. We are also most disappointed in a proposed cost of living adjustment for mental health

and substance use workers of a mere 2.5%, when the consumer price index rose by 8.5% and provider agencies already face high job vacancy rates.

NYLPI urges the Governor to transform the response to mental health crises by removing police entirely and substituting trained peers and health care workers.

Improving Transportation

NYLPI applauds the Governor's commitment to investing in transit accessibility, service, and sustainability through new revenue streams including the Central Business District tolling program. .

However, we are troubled by the budget proposal to shift 100% of the net costs of the MTA's Access-A-Ride paratransit service to New York City (currently a 50% contribution.). Access-A-Ride is unreliable, often dysfunctional, and severely restricts mobility, workforce participation, and social life for people with disabilities because the service requires them to book every trip more than 24 hours in advance and often does not show up or complete trips on time.

The City has far fewer resources and less ability to raise revenue than the state, and subjecting Access-A-Ride to greater budget instability is likely to make the service even worse and erodes the principle that people with disabilities should receive equal service and be charged equal fares to other MTA riders.

NYLPI calls for the state to change course and make substantial investments to expand the successful on-demand paratransit pilot program, which for the first time has allowed a few riders to secure paratransit rides on demand – just as most New Yorkers do with New York's largely inaccessible subways and buses.

Moreover, we call on the Governor and the Legislature to take the following urgent steps:

1. "Mind" -- and eliminate – the gaps between train cars and platforms which have resulted in numerous serious injuries to people with disabilities and render the trains and subways wholly inaccessible to others;
2. Fully fund and implement the MTA's Capital Plan, including making 95% of subway stations fully accessible.
3. Offer transit discounts to paratransit riders which are equal to those available to all other riders; and
4. Include wheelchair accessible taxis, wheelchair accessible for-hire-vehicles, and paratransit vehicles in a comprehensive, statewide plan for rapid electrification.

NYLPI looks forward to working with the Governor and the Legislature on budget amendments and legislation that will advance justice, sustainability, and lived equality for all New Yorkers.