

Thank you for the opportunity to address your Economic Poverty Reduction Task Force. I am Dr. Stephen Block, the Executive Director of Denver Options, the Community Centered Board serving infants, school aged children, adolescents, adults and senior citizens with intellectual and developmental disabilities.

Your efforts to explore creative ideas that would lead to additional funding to serve individuals with developmental disabilities is a most worthy and necessary effort.

Sometimes in the zeal of coming up with a solution to a problem, what appears to be a good idea actually has unintended and adverse consequences. I am here today to inform you of the dire unintended consequences of the proposed idea to divert county mill levy dollars for the purpose of obtaining matching funds in the form of Medicaid dollars.

Should Denver mill levy funds be diverted away from Denver Options for the purposes of creating additional Medicaid dollars, the following critical impact would result from that action:

1. Approximately 800 of Denver's infants and toddlers (birth to three years old) would be immediately terminated from early intervention services. Annually, Denver Options serves more than 1200 infants and toddlers while receiving state funding to serve less than 400 children with special needs. More than two-thirds of children in early intervention services in Denver are provided services through the expenditure of the dedicated mill levy that Denver Options receives.
 - a. It is a known fact that the period between birth to three years of age is a critical developmental stage for cognitive, motor, speech and emotional development. In prior years, the General Assembly has been provided with the results of national research studies which demonstrated a tax savings ranging from \$9.00 to \$13.00 for every \$1.00 spent in early intervention services.
 - b. Data has previously been presented which demonstrates that approximately 25% of children receiving early intervention services will experience developmental growth to the level that costly Special Education will not be required when the child transitions into public school.
 - c. It is a known fact that the cost of adult developmental disability services is increased when the individual did not receive early intervention services as a child.
 - d. Colorado would be in violation of its agreement with the federal government to uphold the provisions of Part C of the Individuals with Disabilities Education Act.
2. Approximately 750 Denver families enrolled in Family Support Services would be immediately terminated. The state provides funding to provide services for 151 Denver families. Denver Options serves approximately 900 families who have sons and daughters ranging in age from three years of age and into adulthood. These are families that provide a home for their young children or their adult sons and daughters, as a way to avoid costly out of home placement and to keep the family intact.
3. More than 30 professional case managers serving children and adults would be terminated from employment.
 - a. Caseloads would be increased from approximately 55 per case manager to over 150 per case manager, thus eroding the ability to coordinate resources for individuals in service.

- b. Specialized staff that provide quality assurance monitoring and investigate allegations of abuse and neglect would be terminated. Thus, there would be no mechanism to ensure the health and safety of individuals.
4. A clinical team of ten professionals consisting of a psychiatrist, psychologists, behaviorists, and clinical social workers would be terminated thus eliminating approximately 5,000 hours of necessary mental health services per year.
 - a. Mental Health Centers in Colorado are often unequipped to provide therapeutic intervention for individuals with developmental disabilities that also have psychiatric diagnoses.
5. At least ten bilingual staff would be terminated.
 - a. Approximately 200 monolingual Spanish-speaking families would no longer be adequately served.
6. All translation services would be eliminated.
 - a. Ten percent of individuals and families served in Denver have a primary language other than English.
7. With more than \$1.5 million of unfunded and underfunded state mandates required of the Community Centered Board, Denver Options would become a bankrupt organization in less than two years.

The passage of legislation that would appropriate Denver Mill Levy dollars would harm the lives of vulnerable children and families who reside in Denver. I would imagine that a similar dreadful impact would be felt in other Colorado communities that rely on the use of county mill levy dollars for services and expenses not covered by Medicaid. Such a decision would also lead to the loss of jobs and create instability and the financial erosion of the Community Centered Board.

Beside the human toll that would result, there is an important legal consideration that needs to be underscored. In May 2004, approximately 70% of Denver voters agreed through their support of a ballot initiative to increase their property tax up to one mil. The Ballot language was clear that the funds raised by a mil levy and collected by the City & County were a dedicated funding source for Denver's Community Centered Board. In other words, the monies generated as a result of the voter's decision does not belong to the County. The County is the tax collector of those funds and has a legal responsibility to transfer those funds to Denver's Community Centered Board. If it were the case that the City & County of Denver had discretionary use of those funds, the City would have taken possession of some or all of the dollars to help offset its ailing budget.

Rather than venture a guess as to the legality of the state passing legislation that is being contemplated, I asked Richard Westfall, a partner in the law firm of Hale Friesen, LLP, to render an opinion about the home rule implications of a state statute that would attempt to divert Denver mill levy dollars for the state to use to match Medicaid funds. Many of you know Mr. Westfall's reputation as a legal expert on public policy issues and his understanding of Colorado law as a former Solicitor General of Colorado. For your consideration, I have attached Mr. Westfall's letter that outlines his explanation of Denver's home rule powers and the legal implications should the General Assembly attempt to appropriate the funds that were dedicated to the Community Centered Board.

As the founding Executive Director of Denver Options; the organizer of the Denver Mill Levy campaign sparked by the recognition that hundreds of Denver infants and toddlers were not being served; as a Steering Committee member of Amendment 51 that was unfortunately rejected by Colorado voters; and, a participant in many activities to further human services for vulnerable populations in Colorado and around the globe; I am committed to seeking additional funds that would increase services for individuals and families served by Denver Options and other human service organizations. With this commitment comes the obligation to bring to your attention the prospect of harm you would cause to the lives of the same population of individuals you wish to help.

I am appreciative that you gave me the opportunity to share crucial information that was overlooked during the search for a source of funds to provide supports and services to Colorado's most vulnerable population of children and adults. Thank you.

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