

Advocating for 12-Hour Split Shift Cases in Home Care

OVERVIEW OF CPC AND CPCHAP



Founded in 1965, **Chinese-American Planning Council, Inc. (CPC)** is a social services organization that empowers Asian American, immigrant, and low-income communities in New York City by ensuring they have equitable access to the resources and opportunities needed to thrive. Today, CPC is the nation's largest Asian American social services organization and is the trusted partner to 60,000 individuals and families. www.cpc-nyc.org



CPC's subsidiary, **The Chinese-American Planning Council Home Attendant Program, Inc. (CPCHAP)** was licensed in 1998 by the NYS Department of Health as a home care service agency. CPCHAP serves about 3,000 home care recipients – the majority of whom are homebound seniors and people with disabilities – and employs over 4,000 home care workers throughout the five boroughs of New York City. www.cpchap.org

BACKGROUND ON NYS MEDICAID-FUNDED HOME CARE SERVICES

Current Reality:

Since the 1970s, the 24-hour rule has been set and enforced by the State – workers have 24-hour shifts and are compensated for 13 hours. All of NYC's home care agencies – including CPCHAP – are held to reimbursement rates and requirements laid out by the State and union agreements.

Path to Abolishing 24-Hour Shifts:

The 24-hour rule must be banned and replaced with 12-hour split shifts, while still ensuring that everyone who needs home care gets it. CPC has been advocating for this and better wages for home care workers for years. Our NYS patients and caregivers deserve no less.

Only the Governor and State Legislature can end the 24-hour rule.

Join us in advocating for A3145 (Epstein) to require 12-hour split shifts instead.

It will cost the State at least \$1.1 billion (of a \$212 billion budget) to compensate two 12-hour split shifts.

FACTS ON CPC HOME ATTENDANT PROGRAM



CPCHAP has less than 1% of NYS 24-hour live-in cases

We represent a small minority of all cases, even though one case is too many – that's why CPC is advocating for a State-level solution for all.

PATIENTS

NYS has ~11,000 24-hour live-in cases

CPCHAP accounts for only 49 of those cases (0.45% of NYS)

WORKERS

NYS has ~33,000 home care workers with 24-hour cases

CPCHAP accounts for only 124 of those workers (0.37% of NYS)



24-Hour Care Lawsuits: An Industry Problem Created by State Government

140+ lawsuits

CPCHAP was one of 42 nonprofit home care agencies involved in 1199SEIU arbitration, some of whom were found to be in full compliance, while others fell short of compliance



Our home care workers are critically important to us:

- **Complying with home care grievance decision**
CPCHAP is one of 42 nonprofit home care agencies that will contribute over \$38 million collectively to a Special Wage Fund to support current and former 1199SEIU home care workers. CPCHAP specifically will contribute ~\$1.3 million into the fund. Home care workers' payments are determined by formula set by the arbitrator.
- **Ensuring compensation for interruptions before industry standard**
Our live-in workers receive 11 hours of sleep and meal time and are compensated for interruptions. We apply for split shifts any time a worker reports repeated interruptions.

- **Advocating for better wages**

After successfully advocating for a \$3 per hour increase over two years for all home care workers, CPC will continue advocating for home care workers to have increased wages at 150% of minimum wage.

- **Having a strong, healthy relationship with 1199SEIU – the union representing our workers**

Union benefits available to our workers include pension, health insurance, higher weekend rates, and more.



CPCHAP must retain all 24-hour cases. We cannot terminate any existing cases because of the Patients' Bill of Rights: When presented with a 24-hour case, CPCHAP strongly seeks State-authorization for split shifts, yet these requests are repeatedly refused by NYC and NYS. This is why the system must change.



As a nonprofit with government contracts, CPC cannot redirect funds to cover 24-hour shifts: More than 94% of our funding is provided by the government and restricted. Legally, according to those government contracts, CPC is prohibited from transferring funds to home care or any other programs. Funds may only be used for the programs for which they were designated.