

**Testimony**  
**Senate Bill 2012 – Department of Health and Human Services Budget**  
**House Appropriations – HR Division Subcommittee**  
**Representative Jon Nelson, Chairman**

March 9, 2023

Chairman Nelson and Members of the HR Division of House Appropriations:

My name is Lorena Poppe. I am the owner and CEO of Poppy's Promise, a Bismarck-based provider of Developmental Disabilities services, and the President of the ND Association of Community Providers (NDACP).

NDACP membership represents a great deal of diversity. We are comprised of both large and small providers, and organizations that have been in operation from a few years to many decades. We are unique from each other in the types of services we provide and the locations of our operations. We experience the commonalities of striving to provide the highest quality services possible and being dependent almost exclusively upon Medicaid for payment of our services.

We know that you are hearing from everyone who comes before you about how difficult workforce issues are and have been since COVID-19 first impacted our realities. We don't deny that everyone is hurting but we do ask that you consider the unique position we are in as the caretakers of our state's most vulnerable citizens. Unlike some other service delivery systems, we serve people of all ages – from birth to death. We support many areas of disability. Some people in our care require extensive medical support. Others struggle with extremely challenging behavioral issues. Our Direct Support Professionals (DSPs) walk beside and support those we serve through virtually every phase of life, trial and tribulation. DSPs are among the first to help people they support celebrate successes and milestones. They are also the first to provide vital services when health conditions deteriorate, major life transitions occur, and when the aging process becomes crippling. A large number of people we support require care 24 hours a day, seven days a week. We do not have the option of cutting back on our hours of operation or being open only a few days a week. We struggle to be competitive with other industries while knowing how urgently our services are needed.

Many of you are no doubt familiar with the 1980 lawsuit brought against the state by the ARC of North Dakota and citizens with developmental disabilities. The lawsuit focused

on the poor conditions and treatment at what was then known as the Grafton State School (and prior to that the Institute for the Feeble-Minded). If you haven't already seen it, I highly recommend you watch the ARC of North Dakota's documentary "The Abolition of Shame: A North Dakota Homecoming." It can be found on the North Dakota Protection & Advocacy Project's YouTube channel. Following is a link to view it:

<https://www.youtube.com/watch?v=LBMBx6UFyC0&t=1045s>

I present this video as part of the training Poppy's Promise does during orientation for new employees. I have watched it hundreds of times and I never get past the extreme overcrowding, understaffing, abuse, and neglect that occurred before the lawsuit forced the state to develop community-based services. Smaller and varied service delivery settings in communities closer to families allowed people to have choice in where they lived, learned, played, and worked. We have come so far as a state in the last 40 years. As providers we fear continuing to lose employees to other industries because our reimbursement rates don't allow us to compete with wages offered at fast food chains or retail stores. Without adequate staffing, we fear services will slip backward to a place we never want to go again. We aren't asking for special treatment, just an opportunity to provide competitive wages for our employees so they can do the critical work they do.

We are very appreciative of the recommended 7% and 4% increase passed by the Senate. To clarify, we are not asking for an inflationary increase that is more than what other agencies may receive. We are asking for an hourly increase of \$1.88 in each of our service areas so that we are able to cover the cost of competitive wages for our employees.

In just a few minutes you will hear from Mike Remboldt with HIT, Inc. who will share detailed information and rationale with you about NDACP's needs relative to the DHHS budget.

To close my testimony this afternoon I want to share a concern that is specific to newer, smaller organizations like Poppy's Promise. ND DHHS has proposed that the cost of mandatory accreditation for DD providers be removed from the budget and become the responsibility of individual providers. Each accreditation visit can cost upwards of \$20,000, which is not something small providers can afford. I am asking that the cost of accreditation be restored in the budget or that the accreditation process be optional versus mandatory for providers.

I appreciate the opportunity to testify today. Thank you for your time and I would be happy to answer any questions you may have.