



The Honorable Kathy Hochul  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224

September 1, 2021

Dear Governor Hochul,

Congratulations on becoming New York's 57<sup>th</sup> Governor! We urge you to take action early in your administration to benefit young children with developmental delays and disabilities in New York State. There are two pieces of legislation awaiting your signature that would bring sorely needed resources to critical developmental services for children birth to age 5.

Assemblymember Amy Paulin and Senator Elijah Reichlin-Melnick led passage of **A.5339/S.5560-A, which creates a \$40 million Covered Lives assessment to significantly increase revenue from commercial insurance carriers into the Early Intervention program.** Senator John Mannion and Assemblymember Michael Benedetto secured unanimous passage of **A.8013/ S.6516-A, which will bring parity in school funding increases to preschool special education programs, linking annual growth in school district aid with growth in preschool special education rates.**

Under federal law, children with developmental delays or disabilities have the right to Early Intervention services (for children 0-3) and preschool special education services (for children 3-5) to provide them with intervention as early in life as possible. However, inadequate and inequitable access to service providers and teachers forces thousands of New York's young children and their families to wait for the therapies, support and instruction they need and have the right to receive. Because brain growth happens rapidly in the early years of a child's life, delays can have a long-term impact. The severe and growing shortage of Early Intervention providers and Preschool Special Education classrooms is caused by chronic underfunding of these two systems and low compensation for teachers, therapists, and other professionals.

**Covered Lives assessment for Early Intervention (A.5339/S.5560-A):** A Covered Lives assessment would generate revenue from commercial insurance carriers who regularly reject the majority of claims they receive. In New York, Commercial insurers reject 85% of EI claims, forcing the state/county escrow fund to pay on those claims. About 12% of the total cost of the Early Intervention program is billed to commercial insurance, yet they pay only 2%.

**Preschool special education parity (A.8013/ S.6516-A):** The funding parity bill reverses longstanding disparities in education funding by providing preschool special education programs, as well as state-approved non-public schools for students with significant disabilities, with the same rate increases as school districts receive each year, drawing more providers and agencies into the field and encouraging those currently in the system to stay.

**We write you as representatives of the NYS Kids Can't Wait campaign,** which was founded to advocate for reform and improvement of New York's Early Intervention and Preschool Special Education systems, bringing them into compliance with federal law and ensuring that young children receive the services and

therapy they need in a timely and equitable manner. **For your information, we have attached two organizational sign-on letters that demonstrate the broad support for these two pieces of legislation.**

**Governor Hochul, we strongly urge you to begin your term by creating a brighter future for New York's children: Please sign A.5339/S.5560-A and A.8013/S.6516-A into law.**

Sincerely,