



THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

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65<sup>th</sup> Assembly District

**EPIC for the Disabled is Long Overdue**

Testimony by Assembly Member Micah Z. Kellner

Re: NYC Council Resolution No. 823

Before the Committee on Mental Health, Mental Retardation, Alcoholism,  
Drug Abuse, and Disability Services

Wednesday, October 24, 2007

My name is Micah Z. Kellner and I am the Assembly Member representing the 65th Assembly District including the neighborhoods of the Yorkville, part of the Upper East Side, and Roosevelt Island. Thank you to Committee Chair G. Oliver Koppell and Council Speaker Christine C. Quinn for the opportunity to testify today.

As a person with a mobility impairment, and as one of the 80 sponsors of the Assembly bill (A.5178) that would expand the Elderly Pharmaceutical Insurance Coverage (EPIC) program to the non-elderly disabled, I am here today to applaud this Committee for considering a resolution in support of this important piece of legislation. Nine other states – Connecticut, Delaware, Illinois, Maine, Massachusetts, New Jersey, Vermont, Maryland, and Wyoming - already provide pharmaceutical insurance coverage to the non-elderly disabled and it is wrong that New York is lagging behind on basic health coverage for some of our most vulnerable citizens.

Historically, programs, like social security and property tax breaks, originally designed for the elderly have eventually been expanded to include the non-elderly disabled community because policymakers have recognized that the experiences of seniors and the disabled are similar when it comes to the barriers each group has to independent living.

While advances in the pharmaceutical industry mean that more people with disabilities are able to be active in their communities, live independently, and maintain their employment, the declining availability of employer-provided health insurance, as well as caps on drug coverage by some insurance companies, mean that too often people with disabilities are without necessary or affordable drug coverage.

Right now, a disabled person unable to afford their prescription drugs has no choice but to “spend down” (in order to qualify for Medicaid) or miss taking their medicine, which can lead to unnecessary emergency or long-term care later – results that are both expensive to the state and inhumane to the disabled person.

Medicare’s prescription drug program provides us with a unique opportunity to take the money we need to expand the EPIC program from savings the program is seeing through

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coordinating with Medicare Part D. This method would keep dollars intended for EPIC being used to provide pharmaceutical insurance, as they were intended. Since Medicare Part D covers the disabled, EPIC's role would be to provide "wrap-around" coverage, filling in the gaps left by Part D.

Last summer, the New York State Department of Health studied the fiscal implications to the state of the pending legislation. The department found that by three years into the program's expansion, the costs would level out at \$181 million annually, serving approximately 85,000 non-elderly disabled persons across New York State.

Advocating for the passage A.5178 is one of my top priorities. To ensure that the program will be fully funded, I, along with the Assembly bill's sponsor, David Koon, and Assembly Health Committee Chair Richard Gottfried, wrote to Governor Spitzer's office this week, requesting that the funds be provided for in the 2008-09 Executive Budget.

Legislation to expand the EPIC program to the disabled enjoys strong support in both houses of the Legislature and Governor Spitzer has made clear his commitment to the further expansion of public healthcare benefits to underserved New Yorkers. A resolution from the New York City Council supporting the EPIC expansion bill is an important signal to leadership in the Assembly, State Senate, and Governor's office that the disabled community is important to all New Yorkers and that the issue of expanding EPIC is being watched and cheered on by a broader audience than just the constituents it serves. I applaud the Committee for its work on this issue and urge you to pass this resolution.

Thank you again for the opportunity to testify.