

The Capitol Insider for the Week of February 13

Major Events Last Week

President Obama Tells The Arc, Disability Community "I've Got Your Back"

Last week, 150 leaders of The Arc from across the country met with a variety of senior White House officials at a Community Leaders Briefing to ask questions and discuss issues facing people with intellectual and developmental disabilities (I/DD). The session, held just for The Arc, included an unannounced visit from President Barack Obama. The President spoke of his commitment to people with disabilities saying, "I've got your back." To watch President Obama's remarks visit the White House YouTube page.

Another unannounced speaker was White House Chief of Staff Jack Lew, who reiterated the President's opposition to turning Medicaid into a block grant.

The day was organized by Kareem Dale, Special Assistant to the President for Disability Policy, who kicked off the agenda by welcoming guests and speaking about employment issues. The Arc heard from Cecilia Muñoz, Director of the White House Domestic Policy Council, who spoke of their commitment to providing services and supports to all in need. Other speakers included Carol Galante, Acting Assistant Secretary – Federal Housing Administration Commissioner, Department of Housing and Urban Development; Cindy Mann, Deputy Administrator, Centers for Medicare and Medicaid Services; Robert Gordon, Executive Associate Director, Office of Management and Budget; and Tom Perez, Assistant Attorney General for Civil Rights, Department of Justice.

This April, there will be additional opportunities to engage with disability policy experts in Washington, DC during the 2012 Disability Policy Seminar. Come together with other advocates, learn about the issues, and speak with your elected officials about what is important to you. Take advantage of special early registration and hotel rates available until March 20.

Long Term Services and Supports - Integrated coordinated healthcare plans for Duals

Executives of State Chapters of The Arc in states that are designing integrated healthcare plans for people eligible for both Medicare and Medicaid (Duals) met with officials from the Centers for Medicare and Medicaid Services (CMS), the Administration on Developmental Disabilities (ADD), and The Office on Disability. CMS is working with several states as they redesign their systems of healthcare for Duals in an effort to improve care and reduce costs. Approximately, one-third of Duals are individuals with disabilities. The state chapter executives shared their vast experience in designing services and supports for individuals with I/DD with federal officials. Numerous suggestions were offered concerning essential, non-negotiable elements that must be made part of any healthcare design that integrates medical care and long term services and supports for individuals with I/DD.

Health Care – Affordable Care Act rule announced

A final rule implementing a key provision of the Affordable Care Act was announced last week. People who renew or buy health insurance after Sept. 23 will receive a four-page briefing in plain English explaining what health plans will cover and what limitations or exceptions will apply to the policies they are buying. The rule is intended to standardize how benefits are explained in order to make it easier for consumers to compare plans. For more information:

<http://www.hhs.gov/news/press/2012pres/02/20120209a.html>

Housing – House Subcommittee marks up Section 8 reform bill

The House Financial Services Committee, Insurance, Housing and Community Opportunity Subcommittee approved by voice vote a discussion draft of the Affordable Housing and Self-Sufficiency Improvement Act of 2012 (AHISSA). The discussion draft would reform the Department of Housing and Urban Development (HUD) Section 8 housing choice voucher program and other HUD programs that assist low-income households. Subcommittee members discussed four amendments, and agreed to

defer all four until the full Committee mark-up, which may come as early as the end of February. Ranking Member Luis V. Gutierrez (D-IL) proposed two amendments of particular interest to people with disabilities. One would allow Public Housing Administrations, without HUD approval, to allow exception payment standards up to 120 percent of the Fair Market Rent (FMR) as a reasonable accommodation for people with disabilities (currently, HUD must approve any exception above 110 percent of FMR). A second amendment proposed deleting from the draft the increase in minimum rents from \$50.00 to \$69.45.

Education – Elementary and Secondary Education Act waivers

The Department of Education granted approval to 10 states to waive some of the requirements of No Child Left Behind - NCLB (the current name of the Elementary and Secondary Education Act - ESEA) in exchange for demonstrating how they will prepare students for college and careers and focus help on the worst performing schools. The first states to receive waivers are Colorado, Florida, Georgia, Indiana, Kentucky, Massachusetts, Minnesota, New Jersey, Oklahoma and Tennessee. New Mexico did not receive approval but is continuing to work with the Department.

The Peer Panel Notes for each state pointed out strengths and weaknesses of the requests that state's had to address prior to receiving final approval. The peer review panels found weaknesses (and made suggestions for technical assistance) in areas of the plans that failed to adequately address the needs of students with disabilities. How states plan to address those weaknesses is detailed in the final approved waivers.

Major Events This Week

Budget – President releases 2013 Budget Request today

President Obama unveiled his spending and revenue plan for the fiscal year starting on October 1, 2012. The President's Budget offers a replacement for the automatic spending cuts required by the Budget Control Act enacted last summer. It proposes to reduce the debt by about \$4 trillion over 10 years, through tax increases and other savings previously proposed by the Administration. The President also recommends other targeted spending increases, including hundreds of billions of dollars for infrastructure projects and job creation. If adopted in full, the President's budget would make the automatic cuts (known as a sequester) slated to take effect in January of 2013 unnecessary, according to an Administration official. The automatic cuts would cause disability-related and other non-defense discretionary programs to be cut by about 9% in 2013.

The President is proposing \$51 billion in Medicaid cuts over the next ten years. The cuts appear similar to previously proposed Medicaid reductions including reducing the Medicaid provider tax threshold, proposing a single blended matching rate for Medicaid and the Children's Health Insurance program, reducing reimbursement rates for durable medical equipment and changes to the funding for hospitals that serve a large number of low income individuals. The HHS budget statement reiterated the Administration's opposition to block granting and slashing the funding for Medicaid.

The Arc is reviewing the President's Budget for funding requests for specific disability-related programs which we will make available shortly.

Announcements

Americans with Disabilities Act – Department of Justice Project Civil Access

The Justice Department reached an agreement with the city of Humboldt, KS, to improve access to all aspects of civic life for individuals with disabilities, including polling places, parks, emergency shelters, the public library, and the city pool. The agreement was reached under Project Civil Access (PCA), the department's wide-ranging initiative to ensure that cities, towns and counties throughout the country comply with the Americans with Disabilities Act (ADA). The department has now reached 197 agreements under the PCA initiative, improving access to civic life for more than four million individuals

with disabilities nationwide. According to census data, the city population is just under 2,000, and just over 21 percent of Humboldt residents have a disability.

Americans with Disabilities Act - Accessible Medical and Diagnostic Equipment

The U.S. Access Board released accessibility standards for medical diagnostic equipment. The Affordable Care Act authorized the Access Board to develop proposed standards which address access for people with disabilities to examination tables and chairs, weight scales, mammography equipment, and other equipment used for diagnostic purposes. Public comments are due June 8. Although health care providers are not required to comply with the standards, the Department of Justice or other federal agencies may adopt the standards as requirements for health care providers under the Americans with Disabilities Act.

Technology – Assistive technology for people with disabilities

The U.S. Senate Committee on Health, Education, Labor and Pensions (HELP) held a hearing last week concerning assessable technology for people with disabilities. The Arc, as a member of the Consortium for Citizens with Disabilities (CCD), submitted testimony for the record. Given the ubiquitous nature of technology in today's world, ensuring access for people with all types of disabilities is more urgent than ever.