



Capitol News!

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Dear NASHIA Member,

Welcome to Vol. 7, Issue 9, of *Capitol News*, which you receive as a NASHIA member. For further information on legislation and past issues of *Capitol News*, visit NASHIA's website: www.nashia.org.

This Week in Congress

Congress has returned to their home districts for the November elections, which takes place tomorrow, November 2. Congress is expected to reconvene November 15th for a "lame duck" session.



Legislation Signed

WIPA and PABSS Programs Extended

On October 13th, President Obama signed H.R. 6200, the Work Incentives Planning and Assistance (WIPA) program and the Protection and Advocacy for Beneficiaries of Social Security (PABSS) Program Act of 2010, into law (P.L. 111-280). The law extends authorization for funding of the WIPA and PABSS programs through FY 2011 to help beneficiaries, including those with disabilities, return to the workforce.

The Social Security Administration (SSA) provides funding to each state Protection & Advocacy (P&A) System to provide information, assistance, advice, and individual representation to Social Security beneficiaries with disabilities regarding vocational rehabilitation services, employment services, and other support services from employment networks and other service providers that eligible beneficiaries with disabilities may need to secure, regain or retain gainful employment.

Authorization for the WIPA and PABSS programs was signed into law on December 17, 1999, which also established the Ticket to Work and Self-Sufficiency Program, expanded the availability of health care coverage for individuals with disabilities, and authorized several demonstration projects and studies. The Ticket to Work Program, administered by the SSA, allows Disability Insurance (DI) and Supplemental Security Income (SSI) disability recipients to obtain rehabilitation and vocational services that provide enhanced opportunities for those who wish to work.

The WIPA program funds community-based organizations that assist beneficiaries in understanding the SSA's complex work incentives policies and the effect that employment has on their benefits. The SSA contracts with Virginia Commonwealth University to provide all technical assistance and training on the SSA's disability programs and work incentives, the Medicare and Medicaid programs, and other federal work incentives programs.

Administration

Department of Defense Trauma Spectrum Conference

The Defense Centers of Excellence for Psychological Health & Traumatic Brain Injury (DCoE), National Institutes of Health (NIH), and the Department of Veterans Affairs (VA) are sponsoring the Third Annual Trauma Spectrum Conference: Emerging Research on Polytrauma, Recovery and Reintegration of Service Members, Veterans and their Families, December 7-8, 2010, at the Natcher Conference Center, NIH, Bethesda, MD. There is no registration fee to attend the Third Annual Trauma Spectrum Conference. Go to <http://registration2.experient-inc.com/ShowTSC101/Default.aspx> to register to attend the 2010 Trauma Spectrum Conference.

The purpose is to enhance and promote continued collaboration among the DoD, NIH, VA and key stake holders such as researchers, academics, other federal partners and military and civilian personnel dedicated to improving the lives of service members, Veterans and their families.

Department of Health and Human Services

HHS TBI Program Welcomes New Staff

Donelle D. McKenna has assumed the role of the Director of the Federal TBI Program, replacing Janie Martin-Heppele who has retired, and Rebecca Desrocher as the Assistant Director of the Federal TBI Program. Donelle received her Masters in Health Services Administration with a concentration in Health Systems Management from the George Washington University and her Bachelors in Community Health Education from Morgan State University. She joined HRSA in 2005 as a HRSA Scholar, where she worked at HRSA offices including the Office of Legislation, Office of Rural Health Policy, Office of Management, and the Maternal & Child Health Bureau. While at HRSA, she was also commissioned as a Lieutenant in the United States Public Health Service.

Rebecca Desrocher joined HRSA this year after spending five years as a Health Program Specialist with the National Institute of Neurological Disorders and Stroke (NINDS) at the National Institutes of Health. Her primary responsibilities at NINDS were providing technical assistance to the grantee community, monitoring a portfolio of 80 grants, and conducting evaluations of 19 different grant programs. Prior to accepting a position with NINDS, she completed a fellowship with the Department of Health and Human Services (HHS) Emerging Leaders Program. Her background is in neuropsychological assessment and cognitive rehabilitation for adults with traumatic brain injury, and she has conducted research on the relationship between cognitive and emotional functioning in this population. She also recently completed a graduate Certificate from George Washington University in Special Education and Transition for TBI.

HHS Disability Website

The U.S. Department of Health and Human Services (HHS) has launched a new web site for the Center of Excellence for Research on Disability Services, Care Coordination and Integration. In May 2010, Office on Disability in HHS awarded Mathematica Policy Research Inc. a two-year, \$7 million contract, funded under the American Recovery and Reinvestment Act (ARRA), to establish the center. The Center seeks to: identify and review evidence on effective services and care models; develop and prioritize critical research questions; create unique linked datasets to help research these question; establish criteria and standards for assessing the effectiveness of services and models; and conduct original research that applies these standards. The Center's web site can be found at: <http://www.hhs.gov/disabilityresearch/index.html>.

Health Reform - HHS Plan

NASHIA signed on to the CCD letter to the U.S. Health and Human Services Secretary Kathleen Sebelius regarding the development of a National Health Care Quality Strategy and Plan as mandated in the Affordable Care Act. The letter urges HHS and AHRQ (Agency for Healthcare Research and Quality) to include in the plan improvement of the health of people with disabilities and those with chronic health conditions; recognition that people with disabilities are major stakeholders in all quality initiatives; and to ensure that people with disabilities are included in healthy people/community health initiatives.

Health Care Reform Law Suits

A federal judge in Florida has issued a ruling allowing a lawsuit filed by 20 states to go forward challenging the constitutionality of the Affordable Care Act (ACA). Led by Florida, the lawsuit was filed against the federal government to halt implementation of the new health reform law. The ruling outlines which issues the states will be allowed to proceed with in the case, including: whether the law's individual mandate requiring people to buy health insurance exceeds Congress's constitutional authority; and whether the law's expansion of Medicaid eligibility to additional low-income people violates state sovereignty because it will require states to spend

billions more on the program.

Department of Justice and State of Georgia

The U.S. Department of Justice entered into a settlement agreement to resolve the Civil Rights Division's complaint against the State of Georgia regarding the state's failure to serve individuals with developmental disabilities and mental illness in the most integrated setting appropriate to those individuals' needs. Under the Agreement, Georgia will cease all admissions of individuals with developmental disabilities to their state hospitals by July 1, 2011.

Georgia will also transition all individuals with developmental disabilities in the state hospitals from the hospitals to community settings and create 1150 home and community-based waivers for individuals with developmental disabilities by July 1, 2015: 750 waivers to help transition individuals from the state hospitals to community settings, and 400 waivers to help prevent the institutionalization of those individuals currently living in the community.

Justice's Disability Rights Publication

Disability Rights Online News is the Department of Justice's monthly newsletter covering civil rights developments across the country. The September issue includes summaries of ADA, Fair Housing, and National Voting Rights Act cases. See: <http://www.ada.gov/disabilitynews.htm>.

Education Commemoration

In November, the U.S. Department of Education and the Office of Special Education and Rehabilitation Services (OSERS) will host a celebration in Washington, D.C. in honor of the 35th anniversary of the Individuals with Education Act (IDEA). Passed in 1975, the law was then known as The Education for All Handicapped Children Act, P.L. 94-142, to guarantee all children with a free appropriate public education. OSERS is seeking input from people who have had a personal experience with IDEA or have witnessed its impact. As part of their celebration, OSERS is welcoming stories, poetry, photography, art work and video clips from individuals with disabilities, students, teachers, principals, researchers, parents, teacher trainers and others across the country for possible inclusion during the celebration. Submissions will be accepted through November 8, 2010 via: <https://www.osep-meeting.org/idea35th/>.

Education Transition Grants

On October 5th, U.S. Secretary of Education Arne Duncan announced the award of \$10.9 million for 28 grants under two new federal programs that create opportunities for students with intellectual disabilities to attend and be successful in higher education. Of the \$10.9 million, \$10.564 million is being awarded to 27 two- and four-year institutions of higher education or consortia of institutions under the model comprehensive Transition Programs for Students with Intellectual Disabilities (TPSID).

The Institute for Community Inclusion at the University of Massachusetts-Boston will receive a separate grant of \$330,000 to fund a coordinating center to support these TPSID grantees as well as other programs around the country that are working to transition students with cognitive disabilities into higher education. The center will develop evaluation systems, standards and best practices around program components in academic, social, employment and independent living areas.

The 27 TPSID grantees, located in 23 states, will create or expand programs that focus on academics and instruction, social activities, employment experiences through work-based learning and internships, and independent living. Grantees will provide individualized supports for students and opportunities to be involved in college experiences with their peers without disabilities. Evaluating what works and does not work is a key component of each grant.

The grants were awarded to: University of Alaska-Anchorage, University of Arizona, California State University-Fresno, University of California at Los Angeles (UCLA), West Kern Community College District, Colorado State University, University of Delaware, University of South Florida-St. Petersburg, University of Hawaii, Indiana University, University of Iowa, University of Kentucky, Louisiana State University, Central Lakes College (MN), University of Rochester, Bergen Community College (NJ), College of New Jersey, Western Carolina University, Minot State University (ND), Ohio State University, Kent State University, College of Charleston, University of Tennessee, Houston Community College, University of Vermont and State Agriculture College, Virginia Commonwealth University, and Highland Community College (WA).

Social Security / Cost of Living Adjustments (COLAs)

On October 15, the Social Security Administration (SSA) announced that monthly Social Security and Supplemental Security Income (SSI) benefits will not automatically increase in 2011 because there was no increase in the Consumer Price Index from the third

quarter of 2008 (the last year a COLA was determined) to the third quarter of 2010. This will be the second consecutive year without an automatic COLA. With regard to the SSI program, the maximum federal payment for an individual will remain at \$674 per month. For couples, the maximum federal payment will remain at \$1,011 per month. SSI resource limits will remain at \$2,000 for individuals and \$3,000 for couples.

SSA announced that it will also not increase the 2011 substantial gainful activity (SGA) level used to determine disability. Therefore, the SGA level for people with disabilities will remain at \$1,000 per month in 2011, while the SGA level for people who are blind will remain at \$1,640 per month. Similarly, while last year SSA increased the amount of earnings required to earn quarters of coverage, or work credits (used to determine whether an individual has contributed enough to the Social Security system to be eligible for disability, retirement, and survivor benefits), SSA has indicated that the earnings needed to earn a quarter of coverage will not increase for 2011. For more information, see: <http://www.socialsecurity.gov/pressoffice/pr/2011cola-pr.htm>.

Other

NASHIA Members Adopt Public Policy Priorities

During its annual membership meeting held in October during the NASHIA/NABIS conference in Minneapolis, NASHIA members adopted public policy priorities for the 112th Congress. These priorities include: (primary support) TBI Act program funding; TBI Act reauthorization; funding and programs to support returning servicemembers and veterans with TBI; employment and transition programs; policies and funding to support TBI and dual diagnosis; and (secondary support) necessary funding and legislation for an array of health and disability programs, including education, EMS/trauma care, health care, prevention, research, aging and community supports. These priorities will be outlined in the Public Policy Platform document and accompanying brochure after the first of the year.

Former EEOC Commissioner Dies

Former Equal Employment Opportunity Commission (EEOC) Commissioner Paul S. Miller, the first representative to the EEOC with a disability -- and a major national champion for the civil rights of people with disabilities within two White House Administrations and in the broader community and public -- has died. Paul Miller, a lawyer who was born with achondroplasia, graduated from Harvard Law School and served as an adviser to two presidents -- Bill Clinton and Barack Obama. He was a law professor and an expert on the intersection of disability law, employment discrimination and genetic science. For 10 years before joining the faculty in 2004, he was a commissioner of the federal Equal Employment Opportunity Commission. At the same time, he was the Clinton administration's liaison to disability organizations, a role he reprised in the first nine months of the Obama presidency.

AAHD Entertains Scholarship

In 2009, the American Association on Health and Disability (AAHD) created the AAHD Scholarship Program, to support students with disabilities who are pursuing higher education. Preference is given to students who are enrolled in undergraduate/graduate studies in the field of public health, health promotion, medical fields, and disability studies, to include disability policy and disability research. Royalties from the Disability and Health Journal will fund the AAHD Scholarship Fund. Scholarships will be limited to under \$1,000. The AAHD Board of Directors Scholarship Committee will evaluate each of the applicants and make a decision in December of each calendar year. For further information email contact@aahd.us and place Scholarship in the subject line. Please visit the AAHD website to learn more about the AAHD Scholarship Program at www.aahd.us.

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The National Association of State Head Injury Administrators assists State government in promoting partnerships and building systems to meet the needs of individuals with brain injuries and their families.

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