

## Capitol News!

August 4, 2011

Vol. 8, Issue 10

Dear NASHIA Member,

Welcome to *Capitol News*, Vol.8, Issue 10, which you receive as a member of NASHIA. This issue features information on the debt ceiling legislation signed this week by the President and other bills introduced by Congress. For further information on public policy and past issues of *Capitol News* go to [www.nashia.org](http://www.nashia.org).

Today, August 4, HHS Secretary Sebelius will be joined by Centers for Medicare and Medicaid Services (CMS) Administrator, Dr. Donald Berwick, to make an important announcement about Affordable Care Act benefits for people with Medicare. The announcement is 11:30 AM (Eastern Time). DIAL IN: 888-946-7610; PASSCODE: HHS. A replay of the call will be available by calling 866-434-5265. No passcode is necessary.

### This Week in Congress



Members of both the House and Senate have returned to their home districts following the passage of the budget deficit bill. The Senate will reconvene Tuesday, Sept. 6, and the House will resume work on Wednesday, Sept. 7.

### Bills Signed

#### President Signs Debt Ceiling Bill

On Tuesday, President Obama signed the "Budget Control Act of 2011", which raised the debt ceiling before the August 2nd deadline and includes provisions for reducing the debt and overall spending. The law allows the US Treasury to borrow money now (\$400 billion), and also gives the Treasury authority to borrow another \$500 billion in the fall in order to raise the debt ceiling again, unless Congress votes against it by a two-thirds majority. The intent is to be able to cover the nation's financial obligations through the November 2012 elections.

In addition, the legislation calls for \$917 billion in spending cuts over 10 years, starting with \$21 billion in the fiscal year (FY) 2012, which starts October 1. While the bill makes no initial cuts to entitlement programs, such as Medicaid, Medicare, Social Security, and Food Stamps, the new law immediately establishes spending caps for discretionary spending from FY 2012 - 2021. This includes a cap for non-security discretionary spending (which includes non-entitlement health, education and disability programs) of \$359 billion in FY 2012. That amount is \$17 billion less than the cap set by the House budget plan introduced by Paul Ryan (R-WI) and nearly \$63 billion less than FY 2011 levels. (The TBI Act programs are discretionary programs as they are funded by way of appropriation bills.)

The bill creates a 12-member joint congressional committee which is to recommend a plan for reducing the nation's debt by an additional \$1.2 trillion to \$1.5 trillion. The bipartisan committee is to consider revenue increases (i.e. closing tax loopholes, tax increases), as well as entitlement reforms, and is to make its recommendations by November 23, 2011. Congress is to vote on the plan, with no opportunity for amendments, by December 23. If the joint committee's legislation is not enacted by Jan. 15, 2012, or does not achieve at least \$1.2 trillion in cuts, spending would be reduced automatically to ensure the combined savings are \$1.2 trillion over nine years. The cuts would be split evenly between security and non-security spending, and would apply to discretionary and mandatory spending. Medicare is prohibited from being reduced by more than 2 percent in a year with cuts limited to providers (not beneficiaries). Other exemptions include Social Security, Medicaid, and veterans benefits.

The bill provides \$17 billion for additional Pell grants through FY 2013. It would bar the student loan program from providing financial incentives for students who repay their loans on time, which the Congressional Budget Office (CBO) says would reduce spending by \$3.6 billion through FY 2021. The measure also would eliminate interest-free grace periods and deferments for most graduate students, saving \$18.1 billion over 10 years.

Finally, the deal requires that both the House and Senate vote on a balanced budget amendment to the Constitution between October 1 and Dec. 31, but that does not mean it necessarily has to pass.

## Legislation Introduced

### Full Funding for Special Education

On July 21, Sen. Tom Harkin (D-IA), Chairman of the Senate HELP Committee and 14 democratic cosponsors introduced S. 1403, the IDEA Full Funding Act. The bill would gradually increase federal funds for the Individuals with Disabilities Education Act (IDEA) over ten years to fund 40 percent of IDEA costs by 2021. The bill is fully funded by doubling taxes on cigarettes and small cigars and setting equivalent increases to other tobacco products. In a press release, Chairman Harkin stated, "This bill represents a necessary step for improving educational outcomes for students with disabilities and preparing them to reach their potential and secure competitive employment in our 21st century workforce."

### Educator Training on Social Emotional Needs of Students

On July 7, Representatives Judy Biggert (R-IL), Tim Ryan (D-OH), and Dale Kildee (D-MI) introduced H.R. 2437, the Academic, Social and Emotional Learning Act of 2011 (H.R. 2437). This bipartisan legislation would amend the Elementary and Secondary Education Act to include teacher and principal training in practices that address the social and emotional development needs of students, helping to make them more engaged, successful learners.

### Social Security

Representative Joseph Crowley (D-NY) and 18 cosponsors introduced H.R. 2590, the Seniors Protection Act of 2011, on July 19th. The bill provides a one-time \$250 payment to people who receive Social Security and certain other federal payments, due to there being no cost-of-living adjustment in 2011. The bill covers Social Security retirement, survivors', and disability insurance benefits and Supplemental Security Income (SSI) benefits. The bill was referred to three House committees.

Representative Bill Posey (R-FL) and six cosponsors introduced H.R. 2581, the Social Security Check Guarantee Act of 2011. The bill states that the public debt limit shall not prevent or limit timely payment of benefits from the Social Security Trust Funds. The bill would cover Social Security retirement, survivors', and SSDI benefits, but would not cover SSI.

### PABI Plan Funding

Rep. Leonard Lance (R-NJ) has introduced H.R.2600, the National Pediatric Acquired Brain Injury (PABI) Plan Act of 2011, for purposes of implementing the PABI plan as developed by the International Advisory Board of the Sarah Jane Foundation, a private non-profit foundation, prior to the enactment of this legislation. (The plan is on the Foundation's website).

The bill calls for using existing HHS discretionary funding not otherwise used for brain injury-specific programs and re-directing it to state lead centers (not state government) that are identified by the Foundation to carry out activities identified in the plan. (Discretionary funding refers to programs that receive funding through appropriation bills, as opposed to entitlement programs which are mandatory, such as Medicare and Social Security.) Pediatric brain injury is defined as individuals who are birth through age 25 with an injury to the developing brain due to trauma (i.e. traffic, sports, or war-related injuries; falls; Shaken Baby Syndrome) or a non-traumatic event such as stroke, brain tumor, meningitis, seizure, AIDS, poisoning, hypoxia or encephalopathy.

The bill calls for over \$2 billion to be spent from FY 2012 FY 2018 from existing programs and funding streams, meaning it is not new money. In accordance with the plan a portion would also be used by the foundation for its activities. Specifically, the bill calls for these funding levels:

- (A) \$380,000,000 for fiscal year 2012;
- (B) \$632,000,000 for fiscal year 2013;
- (C) \$632,000,000 for fiscal year 2014;
- (D) \$505,000,000 for fiscal year 2015;
- (E) \$379,000,000 for fiscal year 2016;
- (F) \$253,000,000 for fiscal year 2017; and
- (G) \$126,000,000 for fiscal year 2018.

## Have You Registered for the 22nd Annual State of the States in Head Injury Conference Oct. 4-6, 2011?

Go to [www.nashia.org](http://www.nashia.org)



**Pre-Conference: Oct. 3**

**Downtown Marriott Hotel  
Kansas City, MO**

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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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