



Capitol News!

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Dear NASHIA Member,

Welcome to Vol. 8, Issue 1, of **Capitol News**, the first publication of 2011. As a NASHIA member, you receive publications of *Capitol News*, *Action Alerts* and other public policy information. This information is regularly posted on the NASHIA website at www.nashia.org. Last week, a new Congress assumed its duties. Over the next few weeks, NASHIA's website will be updated to reflect the new members and committees, as well as NASHIA's priorities for 2011-2012.

This Week in Congress

Members of the 112th Congress are on break this week. The House leadership had planned to vote on legislation to repeal the new health reform law this week; however, following the shootings in Tucson that included Rep. Gabrielle Giffords (D-AZ), the House leadership has postponed the health care repeal vote until next week. The House will return January 18th, the day after the Martin Luther King holiday, and the Senate is in recess until January 24. The President will deliver his message on January 25th.



Bills Signed

Supportive Housing Investment Act

On January 4, 2011, President Obama signed a number of bills, including S.1481, the Frank Melville Supportive Housing Investment Act of 2009, which is now Public Law (P.L.) 111-374. Sponsored by Sen. Robert Menendez, (D-NJ) the new law amends the Cranston-Gonzalez National Affordable Housing Act (the Act) to revise requirements for supportive housing for persons with disabilities. The law authorizes appropriations for such assistance under section 8 (rental voucher program); modifies project rental assistance contract requirements; and requires the Comptroller General to study and report to Congress on the program's adequacy and effectiveness in assisting households of persons with disabilities.

Pedestrian Safety Enhancement Act of 2010

Sponsored by Sen. John Kerry (D-MA), the President signed the Pedestrian Safety Enhancement Act (P.L. 111-373) on January 4, 2011, which directs the Secretary of Transportation to study and report to Congress on the minimum level of sound that is necessary to be emitted from a motor vehicle, or some other method, to alert blind and other pedestrians of the presence of operating motor vehicles while traveling.

Improved Post-9/11 GI Bill

Also on January 4, 2011, President Obama signed S. 3447, the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, which among other provisions, enables veterans to use their benefits for vocational and on-the job training and distance learning programs; and extends the time severely injured veterans and their caregivers have to use their benefits. The bill is now P.L. 111-377.

Congressional Rules/Committees

Appropriations/Budget Process

The House passed a rules package that will, among other things, give the incoming Budget Committee Chairman, Rep. Paul Ryan (R-WI), the authority to set spending levels for fiscal years 2011 - 2015 in the Congressional Record without a vote. Rep. Ryan has said that he plans to file a discretionary spending limit that would take non-security spending back to its pre-bailout, pre-stimulus levels, meaning FY 2008 levels. The rules package also replaces the so-called "pay-as-you-go" rule from the last Congress with a "cut-as-you-go" rule, requiring any new mandatory spending to be offset by equal or greater spending cuts in existing programs. The rule does not apply to tax cuts, however.

House Republican leaders named Rep. Harold Rogers (R-KY) as chairman of the House Appropriations Committee and Rep. Denny Rehberg (R-MT) as chairman of the House Labor-HHS-Education Subcommittee, which has jurisdiction over TBI Act and NIDRR research programs. In addition, Rep. Rogers also announced that Rep. Jerry Lewis (R-CA) and Rep. Bill Young (R-FL) will be given the title of "Chairman Emeritus" of the Appropriations Committee.

CBITF Brain Injury Awareness Day - March 16th

The Congressional Brain Injury Task Force (CBITF) and TBI stakeholders are making plans for the annual CBITF Awareness Day activities scheduled for Wednesday, March 16th, 2011. As in past years, the Awareness Fair will be held in the Rayburn House Office Building Foyer from 10:00 am until 2:00 pm. A briefing featuring pertinent issues and key speakers are being planned for the afternoon. Stay tune for details as they materialize.

The mission of the Congressional Brain Injury Task Force is to further education about and awareness of brain injury incidence, prevalence, prevention and treatment. Rep. Bill Pascrell, Jr. (D-NJ) and Rep. Todd Platts (R-PA) co-chair the Task Force.

Administration

HHS Creates Office of CLASS

The US Department of Health and Human Services (HHS) Secretary Kathleen Sebelius, which is responsible for implementing the Community Living Assistance Services and Support (CLASS) Act provision in the Affordable Care Act (ACA), has announced a new Office of CLASS has been created within the Administration on Aging (AoA) to carry out these provisions. The new office will be overseen by Assistant Secretary for Aging Kathy Greenlee.

CMS Creates Federal Coordinated Health Care Office

The Centers for Medicare and Medicaid Services (CMS) has announced the formal establishment of the CMS Federal Coordinated Health Care Office, which was created by Section 2602 of the ACA in order to more effectively integrate benefits for beneficiaries enrolled in the Medicare and Medicaid programs. The Federal Coordinated Health Care Office will be led by Melanie Bella, and will focus its efforts on those who are dually eligible for both Medicaid and Medicare by:

- Fostering overall improvements in the quality of health care and long-term services for individuals who are dually eligible for both Medicaid and Medicare,
- Simplifying processes for dual eligible individuals to access items and services available to them,
- Increasing dual eligible individuals' understanding of and satisfaction with coverage under the Medicare and Medicaid programs,
- Eliminating regulatory conflicts between rules under the Medicare and Medicaid programs, and
- Improving coordination between the Federal Government and States

HUD/HHS Announces Housing Vouchers for Persons with Disabilities

U.S. Housing and Urban Development (HUD) Secretary Shaun Donovan and HHS Secretary Kathleen Sebelius recently announced a joint partnership between the two agencies to help nearly 1,000 non-elderly Americans with disabilities living in nursing homes or other healthcare facilities to live independently in the community. The partnership is part of President Obama's *Year of Community Living* initiative. For the first time, two federal agencies will offer a combination of rental assistance, health care and other supportive services targeted to this population to allow them rent private apartments. Health and social supports will be funded by the Money Follows the Person grant program, which allows individuals who qualify for Medicaid-funded nursing home or other institutional care

to receive supports in the community instead. HUD will provide \$7.5 million in rental assistance vouchers for public housing in 15 states. For more information: <http://www.hhs.gov/news/press/2011pres/01/20110106a.html>.

Employment - Labor Department Report

The U.S. Department of Labor's Bureau of Labor Statistics has released disability employment statistics for December showing that the percentage of people with disabilities in the labor force was 21.0. By comparison, the percentage of persons with no disability in the labor force was 69.6. The unemployment rate for those with disabilities was 14.3 percent, compared with 8.9 percent for persons with no disability, not seasonally adjusted. The apparent discrepancy between the 21 percent employment rate and 14.3 percent unemployment has to do with how unemployment is defined. Not being in the labor force is not the same thing as being "unemployed". People are classified as unemployed if they had no employment during the reference week; they were available for work at that time; and they made specific efforts to find employment sometime during the 4-week period ending with the reference week. For more information go to <http://www.bls.gov/news.release/empsit.t06.htm>.

Healthy People 2020 Objectives Now Available

On December 2nd, 2010, the HHS unveiled the Nation's new 10-year goals and objectives for health promotion and disease prevention. For more details about Healthy People 2020 and how you can get involved, visit the newly redesigned Healthy People Web site at www.healthypeople.gov. NASHIA is a partner organization to promote this initiative.

CMS Proposed Rule on Medicaid Eligibility Systems

NASHIA signed on to comments that were recently submitted to CMS in support of the proposed rule that would allow new federal funding to upgrade their Medicaid eligibility systems. Over 200 organizations from 41 states and the District of Columbia signed on in support of the proposed rule on providing enhanced matching funds for state efforts to modernize their Medicaid eligibility systems. The letter encouraged CMS to extend the availability of enhanced match for some period of time beyond December 31, 2015; promote transparency and provide opportunities for beneficiary input; establish stronger federal guidelines for enrollment and renewal procedures to accompany new eligibility systems; ensure eligibility systems comply with all civil rights laws and provide beneficiaries with the opportunity to secure information in a culturally and linguistically appropriate manner; retain and strengthen the focus on supporting communication with providers, beneficiaries, and the public; and clarify the availability of enhanced match for all Medicaid eligibility determinations including "traditional" determinations.

AOA Soliciting Input on Respite Care Reauthorization

The US Administration on Aging (AoA) is soliciting input for the reauthorization of the Lifespan Respite Care Program (LRCP). The LRCP was authorized by Congress in December 2006. In 2011, Congress will consider reauthorization of the LRCP effective in FY 2012. In anticipation of this process, AoA is soliciting input concerning the reauthorization via the AoA web site at http://www.aoa.gov/AoAroot/AoA_Programs/HCLTC/LRCP/Reauthorization/Index.aspx. AoA encourages anyone who wants to provide input into the reauthorization of the Program to submit their ideas and suggestions. The deadline for submission of input is March 31, 2011.

Other

Kaiser Foundation Releases Report on State Medicaid and CHIP Coverage Policies

On January 11, 2011, the Kaiser Family Foundation's Commission on Medicaid and the Uninsured released its new 50-state survey on Medicaid and Children's Health Insurance Programs (CHIP) eligibility and enrollment rules in 2010 during a public briefing at its office in Washington, D.C. The survey was conducted in collaboration with the GeorgetownUniversityCenter for Children and Families.

The report noted that nearly all states maintained or made targeted expansions or improvements in their Medicaid and CHIP eligibility and enrollment rules in 2010, preserving the programs' ability to provide coverage to millions of low-income Americans who otherwise lack affordable options. However, eligibility for their parents and other low-income adults continued to lag behind. The stability of such programs during a recession that has produced sharp increases in unemployment and declines in state tax revenues arises in large part from the temporary federal fiscal relief for Medicaid provided by the American Recovery and Reinvestment Act of 2009 (ARRA).

That enhanced federal assistance, which will end in July, was tied to requirements for states to maintain Medicaid coverage policies. To help provide a base for the future Medicaid expansion, the health reform law also requires states to maintain public coverage for adults until broader health reform goes into effect in 2014 and until 2019 for children. However, in the coming year

states continue to face significant budget pressures as demand for the programs remains high and state revenues continue to be depressed amidst the slow economic recovery. For more information go to <http://www.kff.org/medicaid/Medicaid-CHIP-Coverage-Recession-Health-Reform.cfm>.

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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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