

Capitol News!

February 1, 2012

Vol. 9, Issue 1

Dear NASHIA Member,

Greetings and Happy 2012! Welcome to *Capitol News*, Vol.9, Issue 1, which you receive as a member of NASHIA. In this issue you will find information regarding the federal budget and appropriations, as well as other legislation.

Plans are being made for the Congressional Brain Injury Task Force Awareness Day, scheduled for **March 21, 2011**, to be held in our nation's Capital. Please mark your calendar and plan to come. We hope to have the TBI Act Reauthorization ready for circulation for bill co-sponsors during that time. In addition, there will be ample time to meet with national and federal agency representatives who will be exhibiting their latest materials and resources, as well as a briefing featuring national speakers on emerging issues on TBI across the ages. Stay tune for further information and watch for updates on NASHIA's website; www.nashia.org.

This Week in Congress

The House of Representatives is scheduled **to vote today**, Wednesday, on H.R. 1173, the "Fiscal Responsibility and Retirement Security Act of 2011", a bill that would **repeal the CLASS Act**. (See CLASS Act below).



FY 2013 Budget & Appropriations

Obama to Release Budget Request Feb. 13

The Office of Management and Budget (OMB) will delay the release of the President's budget recommendations until Feb. 13, which by law, is to be released by Feb. 6. Of special concern will be how the Budget Control Act will affect program spending. Unless Congress and the President make an alternative deal, an automatic 9.1 percent across-the-board cuts, known as sequestration, will go into effect for most discretionary programs. This is the result of the Budget Control Act which called for a Super Committee to develop recommendations for reducing the federal budget by a November deadline. Since Congress was unable to agree to measures to reduce the budget, these automatic cuts are scheduled go into effect in 2013.

A number of key mandatory programs are exempt from sequestration, including Social Security, Medicaid, Children's Health Insurance Program (CHIP), Supplemental Nutrition Assistance Program (formerly known as the Food Stamp Program), child nutrition, Supplemental Security Income (SSI), refundable tax credits such as the Child Tax Credit and the Earned Income Tax Credit, TANF, veterans' compensation and other benefits, and federal retirement. However, **TBI Act programs will be subject to sequestration.**

Senate Votes to Increase Debt Ceiling

Last Thursday, the Senate voted to allow the President to increase the debt ceiling by \$1.2 trillion. This increase will ensure that the United States can pay its bills through the November 2012 elections. The measure passed with a 44-52 vote, which occurred mostly along party lines. Only one Republican, Senator Scott Brown (R-MA), voted in favor of the increase in debt ceiling, while two Democrats, Senators Joe Manchin (D-WV) and Ben Nelson (D-NE) voted against the increase.

House Bill Would Change Budgeting Process

House Budget Committee Chairman Paul Ryan (R-WI) and others have introduced H.R. 3577 that would move the federal budget from an annual to a biennial cycle. House Rules Committee Chairman David Dreier (R-CA) introduced his own biennial budgeting bill, H.R.

114. Proponents claim having a 2-year budget cycle will lead to more thoughtful and deliberative budgeting and allow more time for Congressional oversight. Many budget experts believe that the disadvantages of biennial budgeting outweigh the advantages and could adversely affect federally funded programs.

VA Independent Budget

NASHIA signed on in support of the the FY 2013 Independent Budget, a joint project of AMVETS, Disabled American Veterans, Paralyzed Veterans of America, and Veterans of Foreign Wars of the United States, who develop recommendations to improve and expand veterans benefits and health care provided through the US Department of Veterans Affairs. The full budget detail will be released on the same day that the President releases his budget.

Other Legislation

House to Vote on Repealing the CLASS Act

The House of Representatives is to vote on H.R. 1173 today, which would repeal the Community Living Assistance Services and Supports (CLASS) Act. CLASS is a volunteer insurance program for those who may eventually need long-term care and supports. NASHIA signed on to a Jan. 17th letter, along with several national organizations, opposing the repeal of this option. A copy of the letter is on the NASHIA website, under Public Policy, Key Issues.

A companion bill in the Senate, S. 720, has been introduced by only Republican cosponsors. Senator John D. Rockefeller (D-WV) issued the following statement: "The CLASS Act may not be perfect, but repealing this important long-term care law without a real alternative in place ignores the needs of millions of seniors, people with disabilities and their caregivers, leaving them out in the cold."

Stakeholders Work on TBI Reauthorization

NASHIA public policy staff, BIAA and NDRN circulated a sign-on letter to national organizations seeking support for introduction of legislation to reauthorize TBI Act programs. Fifty national organizations representing various disabilities, health, brain injury, prevention, veterans and related organizations signed on to the letter which will be sent to bill sponsors this week. Also this week, Rebecca Wolfkiel, NASHIA Governmental Relations Consultant, and TBI stakeholders are meeting with staff of the House sponsors, Rep. Bill Pascrell (D-NJ) and Rep. Todd Platts (R-PA) to discuss reauthorization language. Next week, they will meet with Senate sponsors, Senators Orrin Hatch (R-UT) and Senator Tom Harkin (D-IA), who is Chairman of the Senate Health, Education, Labor and Pensions Committee. Both NASHIA and BIAA surveyed its members/state affiliates to obtain input and recommendations with regard to any changes.

Senator Introduces Family Support Bill

Senator Bernie Sanders (I-VT) has introduced S. 2037 to reauthorize the Older Americans Act, the law that authorizes the National Family Caregiver Support Program to provide information and assistance to caregivers in accessing available services, counseling, respite care and other types of support. The program supports caregivers of persons with disabilities over the age of 60.

Congressional Briefings

CBITF Awareness Day

Invitations are going out from the Congressional Brain Injury Task Force with regard to the Awareness Day Fair, Briefing and Reception scheduled for March 21. The Fair will be held that morning in the House Rayburn Office Building Foyer, and the briefing is tentatively scheduled to be held in the US Capitol Visitor Center in the afternoon. A reception will be held that evening in the Rayburn House Office Building, Room B-354. NASHIA will be an exhibitor and a co-sponsor of the reception. Watch for further details as plans are finalized.

Other

Civil Rights Litigation

Last week, on Jan. 26, Virginia Governor Bob McDonnell announced that a settlement agreement had been reached between the Commonwealth and the U.S. Department of Justice (DOJ) regarding Virginia's compliance with the Americans with Disabilities Act (ADA) and the 1999 Supreme Court decision in the Olmstead case. The agreement requires Virginia to expand community-based services to serve people with developmental disabilities in their homes or other integrated community settings. These expansions include the creation of 4,170 new home and community-based waiver slots and an individual and family support program for 8,700 individuals with intellectual and developmental disabilities most at risk of institutional placement.

A lawsuit was also filed last week by Oregon disability advocates challenging the State's failure to provide supported employment services to more than 2,300 State residents who are segregated in sheltered workshops. The class action lawsuit (Lane v. Kitzhaber)

filed in U.S. District Court charged State officials with violations of the ADA and the Rehabilitation Act. The plaintiffs in the case are requesting that the court require the State to provide "an adequate array of integrated employment and supported employment services, as to avoid unnecessary segregation."

Briefing on Essential Health Benefits

The Alliance for Health Reform and the Commonwealth Fund are sponsoring a February 3 luncheon briefing on the "Essential Health Benefits: Balancing Affordability and Adequacy" at the Dirksen Senate Office Building, Room G-50. To attend participants need to RSVP by noon on Thursday, February 2. Under the Patient Protection and Affordable Care Act (PPACA), insurance plans offered through State insurance exchanges - as well as non-grandfathered plans offered in the individual and small group markets - will be required to cover a set of health benefits and services called the "essential health benefits" package. Guidance issued last month by the Department of Health and Human Services will give each State some discretion to specify benefits within the 10 categories specified in the law.

To address these and related questions, speakers are: John Santa, Consumer Reports; Janet Trautwein, National Association for Health Underwriters; and Chris Koller, Rhode Island Health Insurance Commissioner. Ed Howard of the Alliance and Sara Collins of Commonwealth will co-moderate. To register for this briefing, please contact the Alliance at info@allhealth.org or call (202) 789-2300.

CCD Meeting

Rebecca Wolfkiel, NASHIA's Governmental Relations Consultant, represented NASHIA at the Consortium for Citizens with Disabilities' (CCD) annual meeting this month. Over 100 national disability organizations met to elect board members and officers as well as to organize task forces around key issues. NASHIA belongs to the task forces working on fiscal policy, long-term services and supports, health, employment and training, and veterans. Speakers at the meeting included congressional staff of key House and Senate committees who provided an overview of legislative priorities for the year.

This update was prepared by Susan L. Vaughn, Director of Public Policy, publicpolicy@nashia.org
William A.B. Ditto, MSW, is Chair of the NASHIA Public Policy Committee
Rebecca Wolfkiel is Governmental Relations Consultant, rwolfkiel@ridgepolicygroup.com

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.



National Association of State Head Injury Administrators | PO Box 878 | Waitsfield | VT | 05673