

CMS publishes annual federal poverty level standards. Read further for more information in this week's *Washington Weekly*.



**NATIONAL ASSOCIATION  
OF STATE HEAD INJURY  
ADMINISTRATORS**

## Washington Weekly!

by National Association of State Head Injury Administrators

February 25, 2022

### Administration

#### **CMS Publishes Federal Poverty Level Standards**

This week, the Center for Medicaid and CHIP Services published the poverty guidelines, which are updated at least annually, which are applied to eligibility criteria for programs such as Medicaid and the Children's Health Insurance Program (CHIP). The 2022 guidelines reflect the 4.7 percent price increase between calendar years 2020 and 2021. For a family or household of 4 persons living in one of the 48 contiguous States or the District of Columbia, the poverty guideline for 2022 is \$27,750. Separate poverty guideline figures are developed for Alaska and Hawaii, and different guidelines may apply to the Territories. See the guidelines [here](#).

To determine eligibility for Medicaid and CHIP, States generally use a percentage multiple of the guidelines (for example, 133 percent or 185 percent of the guidelines). Included with this informational bulletin is the 2022 Dual Eligible Standards chart that displays the new standards for the Medicare Savings Program categories. These standards are also available on [Medicaid.gov](https://www.Medicaid.gov). CMS notified State Medicaid directors of the 2022 guidelines in a [letter](#) sent this week.

#### **CMS Schedules Stakeholder Call to Advance Health Equity**

As a follow up to the announcement last week that the Administration has issued a Request for Information (RFI) to advance health equity and reduce health disparities, the Centers for Medicare & Medicaid Services (CMS) is holding a stakeholder call Tuesday, March 1, from 3:30-4:00pm (ET) on the RFI on access in Medicaid and CHIP programs. This session will provide additional information on the RFI, review how to access the online form, and outline the importance of providing feedback on this topic. This call is designed for all stakeholder groups that interact with Medicaid and CHIP. This includes, but is not limited to, health care providers, consumer groups and advocates, managed care organizations, and people enrolled in Medicaid and CHIP. The Zoom link will be provided following registration. RSVP [here](#).

The Administration is seeking feedback on topics related to health care access, such as enrolling in and maintaining coverage, accessing health care services and supports, and ensuring adequate provider payment rates to encourage provider availability and quality. This RFI is one of many actions CMS is taking to develop a more comprehensive access strategy in its Medicaid and CHIP programs. To read the RFI, visit [here](#).

#### **RRTC to Release Annual Disability Statistics Via Webinar**

The Rehabilitation Research & Training Center (RRTC) on Statistics & Demographics (StatsRRTC) will release the Annual Disability Statistics Collection virtually on Thursday, March 10 from 12:00 noon to 1:00pm (ET), with a repeated live broadcast on Friday, March 11. Registrants are welcome to attend either date. During the live broadcasts, experts from

StatsRRTC will provide, describe, and discuss the latest disability statistics from their annual collection of disability statistic tools including, *The Annual Disability Statistics Compendium*, *Annual Disability Statistics Supplement*, *State Reports for County-level Data*, *New and Updated Infographics*. This collection makes finding and using disability statistics easier for individuals working on legislative and other matters relating to persons with disabilities. Live captioning and ASL interpretation will be provided during each webinar. Register [here](#).

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## Federal Rules and Regulations

### DHS Publishes NPRM on Public Charge

This week, the U.S. Department of Homeland Security published a Notice of Proposed Rule Making (NPRM) on Public Charge Ground of Inadmissibility. The NPRM has a 60-day comment period; written comments and related material must be submitted on or before April 25th, 2022. Noncitizens who seek adjustment of status or a visa, or who are applicants for admission, must establish that they are not likely at any time to become a public charge, unless Congress has expressly exempted them from this ground of inadmissibility or has otherwise permitted them to seek a waiver of inadmissibility. Under this proposed rule, a noncitizen would be considered likely at any time to become a public charge if they are likely at any time to become primarily dependent on the government for subsistence, as demonstrated by either the receipt of public cash assistance for income maintenance or long-term institutionalization at government expense.

In August of 2019, DHS issued a different rule on this topic, which is no longer in effect. This proposed rule, if finalized, would implement a different policy than the August 2019 Final Rule. The NPRM can be found [here](#).

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## Federal Funding Opportunities

### Education Posts Notice of Funding for Teacher Preparation

Yesterday, the U.S. Department of Education announced a Notice Inviting Applications for the [Teacher Quality Partnership \(TQP\) program](#), which will award \$35 million to bolster teacher preparation programs at the undergraduate or "fifth-year" level (Pre-Baccalaureate Models), as well as teaching residency programs for individuals new to teaching that integrate relevant academic content and meaningful clinical experience (Residency Models). In keeping with [Secretary Cardona's priorities](#), this competition also includes four competitive priorities focused on educator diversity; student social, emotional, and academic needs; and student equitable access to opportunities and resources.

Applicants are also encouraged to apply for partnership grants for the establishment of Grow Your Own (GYO) Programs. The Biden-Harris Administration has called for more investment in high-quality teacher preparation, including GYO programs, to strengthen teacher pipelines and address shortages, and increase and support the growth of teachers. As with teaching residency programs, GYO programs can help address teacher shortages by increasing retention rates while also enhancing educator diversity. The Notice Inviting Applications is available [here](#).

Today, the U.S. Department of Education released a [new fact sheet](#) highlighting ways States and school districts are using American Rescue Plan funds to reengage students and enhance academic learning by expanding career and technical education (CTE) opportunities.

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## Reports and Resources

NIDILRR Researcher Interviewed by Washington Post

Allen Brown, MD, principal investigator for the NIDILRR-funded [Mayo Clinic Traumatic Brain Injury Model System Center](#), was interviewed for an article, [Bob Saget died of head injury after falling, autopsy says. Here's what to know about head trauma](#), in the [Washington Post](#). Dr. Brown explained the potential causes of traumatic brain injury (TBI), how to avoid serious trauma, and the importance of getting help after experiencing a TBI.

### **Education Produces New Fact Sheet on Providing Students with Disabilities FAPE During COVID and Compensatory Strategies Under Section 504**

This week, the U.S. Department of Education's (Department) Office for Civil Rights (OCR) issues a [fact sheet](#) to remind elementary and secondary public schools of their obligations under Section 504 of the Rehabilitation Act of 1973 to provide appropriate evaluations and services to students with disabilities during the COVID-19 pandemic, including schools' responsibility to provide compensatory services. The "Fact Sheet: Providing Students with Disabilities Free Appropriate Public Education During the COVID-19 Pandemic and Addressing the Need for Compensatory Services Under Section 504," emphasizes the responsibility for schools to comply with Section 504, regardless of how schools provide education: virtually, in-person, or with a hybrid learning model. In ensuring eligible students with disabilities receive free appropriate public education (FAPE) under Section 504, schools must make decisions that consider students' health, safety, and well-being.

Under Section 504, if a parent or guardian believes that their child has not received or is not receiving FAPE, does not have equal access to other services provided by the school, or did not receive or is not receiving appropriate compensatory services, they may seek a hearing under the school's Section 504 due process procedures or file a complaint with OCR. A school's agreement to provide compensatory services is one way OCR remedies disability compliance issues when appropriate.

### **ODEP Posts Blog on Data and Black Workers with Disabilities**

The Office of Disability Employment Policy (ODEP) posted a [blog](#) "Data Spotlight: Black Workers with Disabilities," authored by ODEP staff David Rosenblum, Amy Fong, Jackson Costa and Savi Swick, who presented data on the employment status of Black workers with disabilities. The full data analysis is available in the companion research brief "Black Workers with Disabilities in the Labor Force: Did You Know?"

### **Administration Issues New Fact Sheet on People with Disabilities in Response to and Recovery from COVID-19**

Yesterday, the Administration released a new fact sheet to address the needs of people with disabilities and older adults in response to and recovery from COVID-19. Over the past year, the Administration has collaborated and consulted with the disability community and taken several key actions to address the unique needs of individuals with disabilities. Among other actions, the U.S. government released key civil rights guidance to protect disabled individuals during the COVID-19 pandemic or any public health emergency; prioritized Long-COVID services, supports, and research in the context of disability; established a call line dedicated to ensuring individuals with disabilities can equitably utilize the Administration's at-home test distribution program; ensured disabled individuals and other high-risk individuals have access to at-home testing; and invested American Rescue Plan (ARP) resources to build COVID-19 vaccine confidence and access among people with disabilities. Access the fact sheet [here](#).

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## **Upcoming Webinars and Conferences**

### **Federal Agency Panel Scheduled to Address Long COVID and Disability Policy**

On March 3, from 3:00 – 4:00pm (ET), a policy panel will address "Long COVID" and Disability: A Panel on Emerging Law and Policy Issues with Assistant Secretary Taryn Williams and Director Lisa Pino. The purpose of this policy panel is to explore the legal implications of new guidelines stating that "Long COVID" constitutes a disability under the Americans with Disabilities Act (ADA). These guidelines include those issued by the Biden Administration, Department of Health and Human Services (HHS), and the Department of Justice (DOJ).

Assistant Secretary of Labor for Disability Employment Policy, Taryn M. Williams, and Director of the Office of Civil Rights within the HHS, Lisa J. Pino, will provide their professional expertise and insight to the emerging law and policy issues surrounding Long COVID being considered a disability in the areas of employment and health law, respectively.

This panel will be hosted by Taylor Hein, a Law Fellow with the Coelho Center for Disability Law, Policy, and Innovation. It intends to help scholars, lawyers, direct service providers, and advocates better understand these new guidelines, anticipate their repercussions in law and policy, and promote the rights of people with disabilities, especially those who have newly acquired a disability due to COVID-19. In addition, it is important that this panel acknowledges the fact that those with Long COVID constitute an entirely new generation of chronically ill people that could bring increased awareness to and understanding of non-apparent disabilities in disability law and policy.

[Register](#) to receive the Zoom information. Registration closes on Thursday, March 3 at 12:00m (EST).

### **New Housing TAC Offers Webinar Series Starting March 7**

The newly created Housing and Services Resource Center ((HSRC) is offering a two-part webinar series starting March 7. With new funding and flexibilities, States and local stakeholders have a not-to-be-missed opportunity to sustainably connect housing and services in ways that improve housing stability for older adults, people with disabilities, and people experiencing or at risk of homelessness. The sessions are:

- **March 7, 3:00 – 4:30pm (ET): Expanded Opportunities with Federal Funding for Housing and Services.** Federal agency leaders will highlight major funding streams for affordable, accessible, housing, home and community-based services, and behavioral and mental services. Presenters will offer models that braid federal funding so all can live successfully and stably in the community. Featured agencies include the Administration for Community Living, Centers for Medicare & Medicaid Services, the Substance Abuse and Mental Health Services Administration, and the Department of Housing and Urban Development. [Register for the webinar.](#)
- **March 15, 2:30 – 4:00pm (ET): State and Local Partnerships for Housing Stability.** States and communities have created cross-sector partnerships that improve housing stability by connecting people to housing and making it easier to obtain supportive services. Presenters from housing, home- and community-based services, and health services will feature their successful approaches. After a showcase of innovative collaborations that braid funding for housing and services, webinar participants will have ample time to ask questions. [Register for the webinar.](#)

After registering, you will receive a confirmation email containing information about joining the webinar. Also, the webinar will include real-time captioning and American Sign Language remote video interpreting. If you need any additional accommodations or have any questions, please send an email to the Housing with Services Resource Center at [HSRC@acl.hhs.gov](mailto:HSRC@acl.hhs.gov).

The Housing and Services Resource Center was created for people who work in the organizations and systems that provide housing resources and homelessness services, behavioral and mental health services, independent living services and other supportive services, and others who are working to help people live successfully and stably in the community. The goal is to foster collaboration and cross-sector partnerships, in order to streamline access to services, better leverage resources, and ultimately make community living possible for more people. The Center is part of a [partnership between the U.S. Department of Health and Human Services \(HHS\) and the U.S. Department of Housing and Urban Development \(HUD\)](#) to make community living a reality for all. This partnership will expand accessible, affordable housing; help people exit homelessness; improve home and community-based services; and address the institutional bias in America's long-term care system.

**NCIL Accepting Workshop Proposals for 2022 Annual Conference**

The National Council on Independent Living (NCIL) is accepting workshop proposals for the 2022 Annual Conference: Forging Justice, which will be held July 25-28, 2022. This will be a hybrid event, with the option for participants to join in-person and virtually. The NCIL Conference is designed to provide peer support, organizing, advocacy, and learning opportunities for the network to plan for the future of Independent Living. Priority will be given to workshops that address the theme of forging justice through the lens of intersectionality and disability justice.

Workshop applications are due on Monday, March 7, 2022 at 11:59pm (ET). [Click here](#) for more information.

#### **NASHIA Schedules Annual SOS: Save the Date**

The National Association of State Head Injury Administrators (NASHIA) urges you to “Save the Date” for the upcoming annual State of the States (SOS) Meeting, which will be held virtually Sept. 7-9, 2022. Registration opens May 1<sup>st</sup>. Watch for further information on the NASHIA website.

#### **ARCH and Respite Care Association to Co-host National Lifespan Respite Conference**

ARCH has announced that we it will be co-hosting the 2022 National Lifespan Respite Conference with the Respite Care Association of Wisconsin in Madison, WI, September 13-15, 2022. The theme is Reimagine Respite! The Lifespan Respite Grantee and Partner Learning Symposium will be held on September 13th, prior to the conference. The deadline for the [Call for Presentations](#) for the national conference to submit a proposal is March 1, 2022. Please visit the [website](#) for more information. Registration coming soon!

#### **ARCH Announces 2022 National Lifespan Respite Conference**

ARCH National Respite Network has announced that the Network will be co-hosting the 2022 National Lifespan Respite Conference with the Respite Care Association of Wisconsin in Madison, WI, September 13-15, 2022. The theme is *Reimagine Respite!* The Lifespan Respite Grantee and Partner Learning Symposium will be held on September 13th, prior to the conference. The [Call for Presentations](#) for the national conference is now open. Deadline to submit a proposal is March 1, 2022. Please visit the [website](#) for more information. Registration coming soon!

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**BREAKING  
NEW GROUND**



**33rd Annual State of the States  
in Head Injury Conference  
Virtual Event**

**September 7-9, 2022**



NATIONAL ASSOCIATION  
OF STATE HEAD INJURY  
ADMINISTRATORS

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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.

**Support States. Grow Leaders. Connect Partners.**



**NASHIA**

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