



# Washington Weekly!

**September 30, 2022**

## **Administration**

### **Congress to Pass CR to Fund Federal Government**

Both the House of Representatives and the Senate have been working to pass a continuing resolution (CR) to keep government open past midnight when the federal fiscal year 2022 ends. Yesterday, the Senate passed the “Continuing Appropriations and Ukraine Supplemental Appropriations Act, 2023,” and the House is to consider it today. The CR would fund government through December 16. It also includes an additional \$1 billion for the Low-Income Home Energy Assistance Program (LIHEAP) and funding to help communities recover from natural disasters. The House is expected to pass the measure today.

### **CMS Releases SPA Template to Cover Health Home Services for Medicaid-eligible Children**

This week, the Centers for Medicare & Medicaid Services (CMS) released a State Plan Amendment (SPA) template and implementation guide for the Medicaid State Plan option to cover health home services for Medicaid-eligible children with medically complex conditions, enacted as part of the Medicaid Services Investment and Accountability Act of 2019. CMS has posted reference documents on [Medicaid.gov](https://www.medicaid.gov) for States to view, and any official SPA submissions must be submitted through the MACPro system.

The Medicaid Health Home State Plan Option, authorized under the Affordable Care Act (Section 2703/1945 of the Social Security Act), allows States to design health homes to provide comprehensive care coordination for Medicaid beneficiaries with chronic conditions. Health homes integrate physical and behavioral health services (both mental health and substance abuse) and long-term services and supports for high-need, high-cost Medicaid populations. Medicaid health homes must be targeted to beneficiaries with chronic conditions or serious mental illness. States should carefully define their target population to maximize program impact. Lean more [here](#).

### **HHS Swears in New IHS Director**

Yesterday, U.S. Department of Health and Human Services (HHS) Secretary Xavier Becerra formally swore in Roselyn Tso as Director of the Indian Health Service. Director Tso is a member of the Navajo Nation and previously served as the IHS Navajo Area director. She has served in various leadership roles at IHS for nearly four decades. As Director, Ms. Tso will lead a nationwide health care delivery system that is responsible for providing preventive, curative, and community health care to approximately 2.7 million American Indians and Alaska Natives in hospitals, clinics, and other settings throughout the United States.

Prior to her new role, she served as the director of the IHS Navajo Area – a role she had held since 2019 – where she led a federal, tribal, and urban Indian health care delivery system for over 244,000 American Indians and Alaska Natives throughout Arizona, New Mexico, and Utah. The IHS Navajo Area is the largest IHS area with 4,000 employees and a budget of nearly \$1 billion.

### **HRSA Awards Funding to Grow the Community and Public Health Workforce**

Today, the U.S. Department of Health and Human Services (HHS), through the Health Resources and Services Administration (HRSA), awarded more than \$266 million in American Rescue Plan funding to grow the community and public health workforce. HRSA is awarding \$225.5 million to 83 grantees as part of the **Community Health Worker Training Program**, which is a new multiyear program that will support training and apprenticeship to support an estimated 13,000 new community health workers. Community health workers connect people to care, build trust within communities and facilitate communication between patients and health care providers. They can also be known as promotores de salud, community health advisors, outreach workers, patient navigators and peer counselors.

### **HHS Approves Groundbreaking Medicaid Initiatives in Massachusetts and Oregon**

On Wednesday the U.S. Department of Health and Human Services (HHS), through the Centers for Medicare & Medicaid Services (CMS), approved groundbreaking Medicaid section 1115 demonstration initiatives in Massachusetts and Oregon. Both demonstrations aim to test improvements in coverage, access, and quality with innovative approaches to ensure more eligible people retain their Medicaid coverage.

The initiatives also take steps to address unmet health-related social needs, such as by giving Massachusetts and Oregon new authority to test coverage for evidenced-based nutritional assistance and medically tailored meals, clinically-tailored housing supports, and other interventions for certain beneficiaries where there is a clinical need. Oregon's demonstration is designed to keep children enrolled in Medicaid up to age six — preventing gaps in coverage that can cause children to lose access to needed care in their formative early years. Massachusetts will provide up to 12 months of continuous coverage for Medicaid and Children's Health Insurance Program (CHIP) beneficiaries upon release from correctional settings and 24-months of continuous eligibility for beneficiaries with a confirmed status of chronic homelessness, eliminating gaps in coverage for these vulnerable populations.

Evidence indicates that health-related social needs, such as food insecurity and housing instability, are critical drivers of an individual's health outcomes. With this demonstration, Massachusetts will receive expanded authority to provide certain time-limited housing supports, clinical nutrition education, and medically-tailored food assistance services when medically appropriate.

### **CDC Issues Invitation to Celebrate the 35<sup>th</sup> Anniversary of the ICRC Program**

The Centers for Disease Control and Prevention (CDC) has issued an invitation to help them celebrate the 35th Anniversary of the Injury Control Research Center (ICRC) program with a webinar on October 6, 2022, from 4:00-5:00 pm (EST). The webinar features CDC's Acting Principal Deputy Director Dr. Deb Houry along with current and former ICRC directors who will discuss their thoughts on the past, present, and future of the program. CDC's National Center for Injury Prevention and Control (NCIPC) funds ICRCs to study ways to prevent injuries and violence and to work with community partners to put research findings into action. Underlying all other ICRCs core functions is their ability to bring together multiple stakeholders from disparate disciplines, perspectives, and agencies to join forces and tackle critical public health problems. Through leadership that combines their injury topic and core areas of expertise—research, outreach, and training—they continue to advance the field of injury and violence prevention. Register [here](#).

### **ACL Schedules LTSS Open Forum on National Strategy to Support Family Caregivers**

The Administration for Community Living (ACL) has announced that the next Long-Term Services and Supports (LTSS) Open Door Forum is scheduled for this Tuesday, October 4th, from 2:00pm - 3:00pm (ET). The webinar will provide an overview of the **2022 National Strategy to Support Family Caregivers** which was delivered to Congress and posted on September 21, 2022.

The strategy was developed jointly by the advisory councils established by the **Recognize, Assist, Include, Support, and Engage (RAISE) Family Caregivers Act** and the **Supporting**

**Grandparents Raising Grandchildren (SGRG) Act**, with extensive input from family caregivers, the people they support and other stakeholders. Agenda forthcoming with dial information.

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## Judiciary

### **Democratic Leaders and Others File Amicus on Federal Program Beneficiaries' Rights**

This week, U.S. House of Representatives and Senate Democratic Leaders filed a friend of the court brief which is also supported by 42 other legal organizations, with the U.S. Supreme Court in *Health & Hospital Corporation of Marion County, Indiana v. Talevski*. At issue is whether provisions of statutes enacted pursuant to Congress's spending clause authority can ever be enforced by the beneficiaries of those statutes. The specific laws at issue in this case restrict Medicaid-participating nursing facilities from using physical and chemical restraints on patients or involuntarily transferring them.

The case refers to Gorgi Talevski, who had dementia and experienced multiple violations of his rights at a nursing home. His wife sued his nursing home and its affiliates for violating his rights as a nursing home resident under the Federal Nursing Home Reform Act (FNHRA). A lower court ruled in Talevski's favor and on appeal the U.S. Court of Appeals for the Seventh Circuit concurred. The Appeals Court ruled that the law was intended to protect the rights of vulnerable nursing home residents and that the rights are enforceable under 42 U.S.C. § 1983 (Section 1983). Section 1983 is a longstanding federal law that allows individuals to sue for violations of their rights under the Constitution or federal laws. The Seventh Circuit's ruling, however, is now in jeopardy as the Supreme Court prepares to hear the case in November.

The Democratic Leaders and numerous national organizations are in support of the ability of individuals to use federal courts to enforce the requirements of certain federal programs, including Medicaid, the Supplemental Nutrition Assistance Program, Section 504 of the Rehabilitation Act of 1973, the Fair Housing Assistance Program, the Children's Health Insurance Program, Head Start, and the Veterans Rehabilitation program. Lawmakers expressed concern that should the Court reverse the Seventh Circuit's decision and restrict a nursing home residents' ability to sue for certain violations of FNHRA, it would impede Congress's explicit intention to provide efficient and effective means of redress for nursing home quality-of-care violations, impinge on congressional authority, and imperil the separation of powers between Congress and this Court. The case is set for oral argument on November 8, 2022.

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## Funding Opportunities

### **Foundation Announces Brain Awareness Week Grants**

The Dana Foundation has announced that the **International Brain Research Organization (IBRO)/Dana Foundation Brain Awareness Week** Grants Program is now accepting applications. The grants support projects organized for Brain Awareness Week 2023 (March 13-19). Brain Awareness Week is the global campaign to foster public enthusiasm and support for brain science. Every March, partners host imaginative activities in their communities that share the wonders of the brain and the impact brain science has on our everyday lives.

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## Reports and Resources

### **NASHIA's LPA Criminal and Juvenile Justice is Open for States to Apply**

Is your State interested in criminal and juvenile justice and brain injury? If so, NASHIA is offering New States the opportunity to join *continuing States* for the **2023 initiative**, the Leading

Practices Academy on Criminal and Juvenile Justice (LPA-CJJ). The LPA-CJJ begins its 3rd year in January. Nine States have participated in years one and two to achieve partnerships, pilot planning, and capacity building for the identification and support of youth and adults with brain injury in the justice system. *Interested to learn more about the technical assistance your State can receive in the 2023 LPA-CJJ?* Check out the flier and/or register for the October 11th "infonar" [at this link](#). The "infonar" starts at 2:00pm (ET).

### **NIH Collaborates in Study to Help Understand U.S. Burden of Health Disparities by County**

In a blog posted on September 20 by [Eliseo J. Pérez-Stable, M.D., National Institute on Minority Health and Health Disparities](#), the director explained a study that found the last 10 years (2010–2019), life expectancy growth was stagnant across all races and ethnicities. Moreover, 60 percent of U.S. counties experienced a decrease in life expectancy. Dr. Pérez-Stable collaborated with NIMHD's Scientific Director, Anna María Nápoles, to conceive the study and establish the Global Burden of Disease (GBD) U.S. Health Disparities Collaborators at NIH with five NIH Institutes and two Offices. Through this collaboration, NIH funded the Institute for Health Metrics and Evaluation (IHME), University of Washington to conduct the analysis. The IHME has worked for 30 years on the GBD project in over 200 countries.

In the blog Dr. Pérez-Stable writes, "Since the early 1990s, federal support of research has increased to understand minority health and identify and address health disparities. Research in these areas has evolved from a starting point of developing a basic descriptive understanding of health disparities and who is most affected. Now, it is discovering the underlying complexity of factors involved in health outcomes to inform interventions and reduce these disparities. One of these many factors is *where* we live, learn, work, and play and how that affects different people."

### **MA General Hospital and Harvard Medical School Launch Research Study**

The brain injury team at Massachusetts General Hospital and Harvard Medical School recently launched a research study called DECODE (Data-driven neuroEthics for Consciousness DEtection), which aims to assess key stakeholder perspectives on the ethics of novel neurotechnologies to detect covert consciousness following brain injury in clinical practice, and to understand gaps in access to resources to aid in prognosis, diagnosis and recovery in patients with severe brain injury. A central goal is to identify preferences, ethical values, expectations, and concerns among key stakeholders.

In addition to recovered patients, family members, clinicians, and researchers, one of the key stakeholder groups that we are hoping to learn from are community and thought leaders and advisors from brain injury associations and advocacy organizations involved in decision-making impacting patients with disorders of consciousness following brain injury. Results will inform the development of an ethical framework to guide responsible design and deployment of neurotechnologies and neurorehabilitative resources for patients with severe brain injuries.

If you might be interested in participating as a stakeholder group, which will involve a semi-structured interview to understand ethical perspectives surrounding advocacy for patients with severe brain injury and disorders of consciousness, please email: [ilissak@mgh.harvard.edu](mailto:ilissak@mgh.harvard.edu).

### **Article Features States Addressing Medicare Appeals for Dual Eligibles**

The Medicare Rights Center's is running a *major series*, "Medicare and Medicaid Integration", in its *Medicare Watch* featuring analysis, proposals, and commentary that will inform policies on the State and federal levels to advance integrated care for those dually eligible for Medicare and Medicaid. To address issues relating to Medicare appeals systems, a handful of States have attempted to integrate Medicare and Medicaid appeals.

In 2015, the Center for Health Care Strategies [examined these efforts](#) in Minnesota, California, and New York. In both Minnesota and California, integrated appeals were available at the first (plan) level—the request for reconsideration of a service denial with the plan. These States used several strategies to streamline the appeals process, such as using integrated notices for coverage determinations, approvals, and denials; aligning Medicare and Medicaid appeal filing time frames; maintaining preexisting beneficiary protections; and building plan staff expertise

around beneficiary rights. These strategies successfully reduced the complexity of navigating multiple appeals processes for beneficiaries. Read the article [here](#).

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## Upcoming Webinars and Conferences

### University of Toronto Offers Webinar on DSM-5TR and Neurocognitive Disorders

As part of the University of Toronto Traumatic Brain Injury: Addressing Inequities Speaker Series, the University will be hosting the webinar, "Updates to DSM-5-TR: A focus on neurocognitive disorders," on October 27 from 2:00 – 1:00 pm (EST). Dr. Diana Clarke from the American Psychiatric Association will be discussing updates to the Diagnostic & Statistical Manual of Mental Disorders, 5th edition, text revision (DSM-5-TR) focusing on neurocognitive disorders. Dr. Clarke is the Managing Director of Research and Senior Epidemiologist/Research Statistician at the American Psychiatric Association. In this role, she co-leads efforts to oversee the maintenance of the Diagnostic and Statistical Manual (DSM).

In addition, Dr. Clarke conducts research on the assessment and prevention of mental and substance use disorders including suicide and suicidal behaviors. Also, she researches gaps in training for behavioral health providers and the potential impact on patient outcomes. Her research efforts are multifaceted with an overall goal to help: 1) inform our understanding of the underlying causes of mental and substance use disorders across the lifespan and associated disparities in access to care; 2) identify modifiable risk and protective factors that can positively impact the lives of individuals across different age, gender, and ethnoracial groups; and 3) identify gaps in training and impact on quality of care.

The series is supported by the Canada Research Chair in TBI in Underserved Populations. Register [here](#) for the Oct. 27 webinar.

### Research Center Hosts 2022 State-of-the-Science on Disability Statistics Conference

The NIDILRR-funded [Rehabilitation Research and Training Center on Disability Statistics and Demographics \(StatsRRTC\)](#) will host the [2022 State-of-the-Science on Disability Statistics Conference](#), October 6th and 7th, 11:00 am – 4:30 pm (ET) each day, in Washington, DC and via live stream. During the hybrid event, experts in disability statistics will discuss the latest advancements in disability statistic science, and will share insights on new research and methods in disability data collection, analytical techniques, and advanced statistical analyses of key topics. Registration is free and required for both in-person and live stream attendance.

### NCAPPS Offers Two Webinars in October

Co-sponsored by the National Center on Advancing Person-Centered Practices (NCAPPS) and Applied Self-Direction (ASD), the webinar, "Exploring Core Competencies for Information and Assistance (I&A) Professionals in Self-Direction," will highlight a new resource on core standards for I&A professionals in self-direction. The panel will feature people with lived experience of self-directing who will share their experiences with quality I&A professionals and how they have affected their self-direction journeys. The webinar is scheduled for October 4, 2022, from 3:00-4:30pm (ET). Register [here](#).

Also in October, NCAPPS is offering the webinar, "Opening the Door: Importance of Great Person-Centered Conversations on Employment," on October 19, at 3:00pm (ET). Facilitating guided, person-centered conversations around employment can help people who use Long-Term Services and Supports (LTSS) make their own informed decisions about work. Such conversations help people and their circles of support discover employment possibilities and understand the options that exist. In recognition of National Disability Employment Awareness Month (NDEAM), this webinar co-hosted by NCAPPS and the State Employment Leadership Network (SELN) will highlight successful person-centered approaches and tools for discussing employment. Register [here](#).

### National Academy to Host Webinar on National Family Caregiving Strategy

On October 3, 2022, from 2:00-3:00pm (ET), the National Academy for State Health Policy (NASHP) will host the webinar, "National Family Caregiving Strategy: A State Roadmap for Supporting Family Caregivers." NASHP is hosting this webinar to discuss the opportunities within the newly released National Family Caregiving Strategy and how it can provide a roadmap for States that are interested in developing and expanding supports for family caregivers. A federal official, State administrator, and philanthropic expert will give an overview of the first-of-its-kind National Family Caregiving Strategy and will highlight how the State of Delaware is listening to family caregivers to better support their needs. NASHP's RAISE Act Family Caregiver Resource and Dissemination Center is holding this webinar, with generous support from The John A. Hartford Foundation and RRF Foundation for Aging. [Register here.](#)

**National Disability Forum to Hold Webinar on Homelessness and SSA Benefits**

The National Disability Forum is hosting the webinar, "Homelessness: Working with Stakeholders to Improve Access to SSA Benefits and Services," Part II, Wednesday, October 19 from 1:00pm – 3:00pm (ET). The NDF is an open forum of Social Security that gives all interested stakeholders an opportunity to share their unique insights on topics of particular interest to SSA early in the process and directly with policy makers. For more information, go to the [NDR website](#).



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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.**



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