



Member Forum

February 26, 2021

- Welcome - Rick Adams, Chair
- BDDS Current “Hot Topic” Issues -
Cathy Robinson, Director, BDDS
- Federal Update - Shannon McCracken,
Vice President, Government Relations, ANCOR
- Legislative Update - Katy Stafford-Cunningham,
INARF



Upcoming Member Forums

The next INARF Member Forum includes the Annual Meeting of the Members and will be held virtually on Friday, March 26 from 10-11:30 AM.



BDDS Current “Hot Topic” Issues

Cathy Robinson, Director, BDDS



BDDS Updates

Cathy Robinson, M.S.Ed
Director, BDDS

BDDS Mission:

To connect people with disabilities and their families to resources and supports to live their best lives.

BDDS Vision:

All people have equal access and opportunity to realize their good life.

Values:

Person-Centered, Inclusion, Collaboration, Commitment, Empowerment



Appendix Ks Update

Extension of flexibilities set to expire 2/28/21

Flexibilities WILL continue

Awaiting approval from CMS

Extension timeframe requested



Vaccine Updates

Distribution in Congregate Settings

- Walgreens Effort

Plan for Those in Family Home

- Prioritization Approach



Day Habilitation and Billing

Flexibilities Incorporated in Waiver Renewals

Authorized vs. Provided Services

Tracking and Ratios



Group Homes

Group Homes and Waiver Redesign

Filling Group Home Vacancies

Staff and Support Needs



Waiver Redesign



Structural Elements

- ✓ Support 3 waiver structure
- ✓ Support focus on case management
- ✓ Support participant directed goods and services
- ✓ Mixed results on agency with choice model

Service Changes

- ✓ Support simplifying service names
- ✓ Specific recommendation regarding qualifications for behavioral providers
- ✓ Increase access to amount and type of transportation service options

Quality Measures

- ✓ Focus on outcomes that are important to the individual
- ✓ Varying ideas to capture information from waiver participants

Other Improvements

- ✓ Support efforts to further Employment First
- ✓ Transportation options
- ✓ Expressed need for housing support options

Improve team dynamics through shared outcomes and communication

Enhance Case Management and System Navigation

Focus on key supports to build independence

Aim

- What are we trying to accomplish?

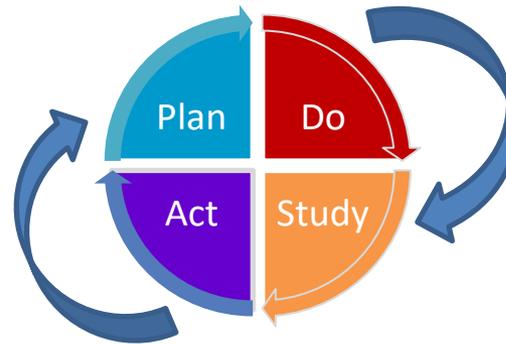
Measure

- How do we know that a change is an improvement?

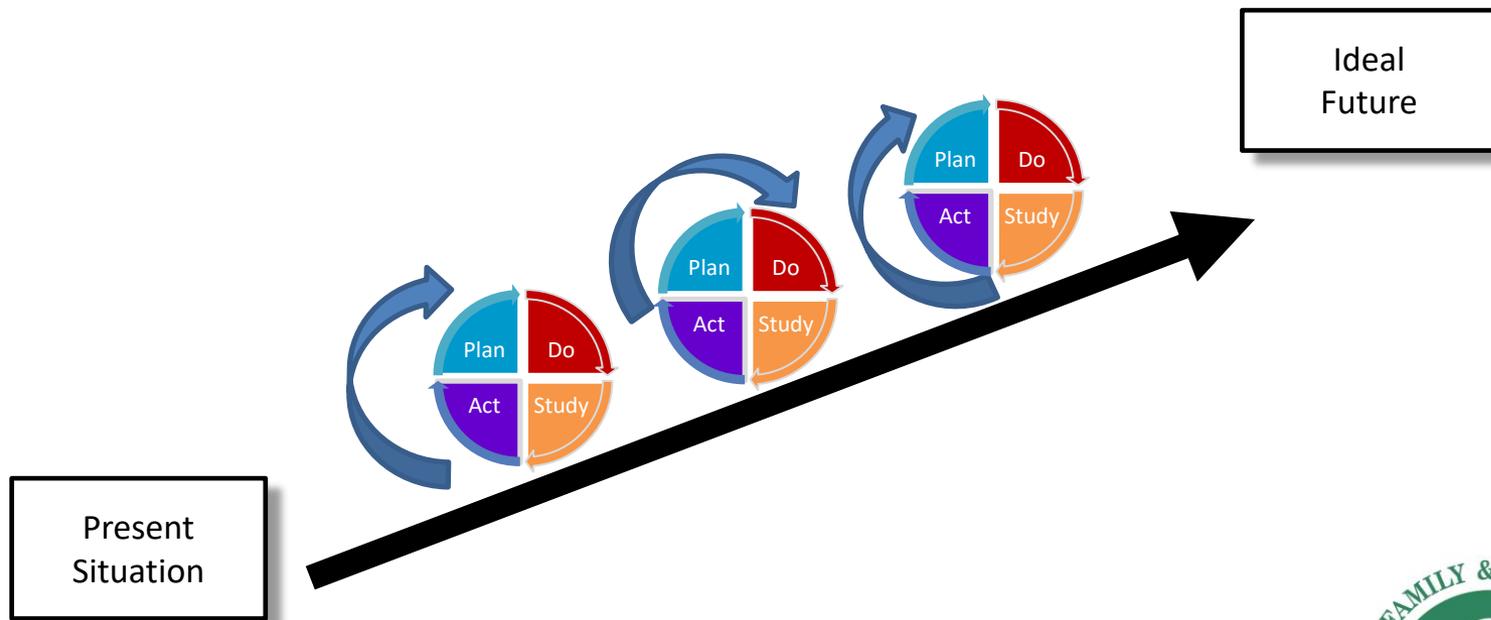
Change

- What change can we make that will result in improvement?

The Model for Improvement Waiver Redesign



Do and Study --- Small and Frequent



Managed Care (65+)

- FSSA is moving toward Managed Long-Term Services and Supports for older adults.
- DDRS is working as an active partner with OMPP and the Division of Aging as the effort moves forward to maximize alignment.
- If there are specific suggestions that you would like to be considered, you are encouraged to send them to backhome.indiana@fssa.IN.gov





Federal Update

Shannon McCracken,
Vice President, Government Relations,
ANCOR

Government Relations Update

INARF

Presenter:

- Shannon McCracken, VP of Government Relations

February 25, 2021



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117th Congress



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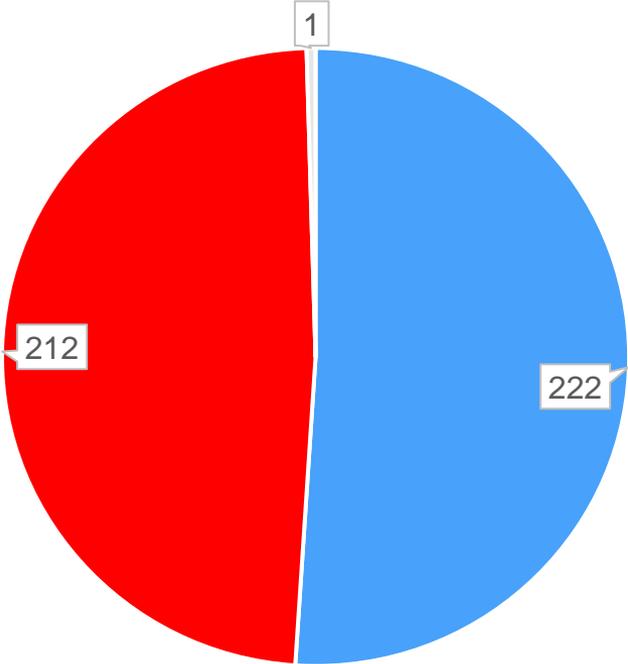
3 Key Takeaways - Congress



- House Energy & Commerce Committee and Senate Finance Committee do EVERYTHING Medicaid
- House Education & Labor Committee and Senate HELP Committee do EVERYTHING Department of Labor
- If budget reconciliation is used, House Budget Committee Democrats and Senate Budget Committee Democrats suddenly become important to us

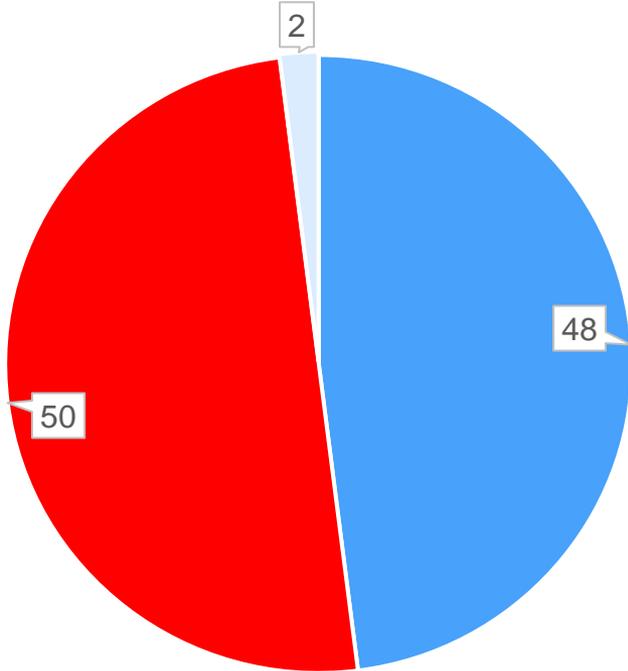
117th Congress

House



■ Democrat ■ Republican ■ Vacancies

Senate



■ Democrat ■ Republican ■ Independent



House Leadership

Majority (Democrats) – 222 seats	Minority (Republicans) – 212 seats
Speaker of the House – Nancy Pelosi (CA)	House Minority Leader – Kevin McCarthy (CA)
Majority Leader – Steny Hoyer (MD)	Minority Whip – Steve Scalise (LA)
Majority Whip – James Clyburn (SC)	

House Energy & Commerce Committee

■ **Leadership:**

- Rep. Frank Pallone (D-NJ) – Chair
- Rep. Cathy McMorris Rodgers (R-WA) – Ranking Member

■ **Pertinent Jurisdiction:**

- Health care
- Health insurance, including Medicare and Medicaid
- Biomedical research and development
- Food, drug, and device safety

■ **Departments Overseen:**

- Department of Health and Human Services, including the Centers for Medicare & Medicaid Services
- National Institutes of Health
- Food and Drug Administration
- Centers for Disease Control and Prevention
- Indian Health Service

Energy & Commerce Majority

<u>Arizona</u> – O’Halloran	<u>California</u> – Barragan, Cardenas, Eshoo, Matsui, McNerney, Peters, Ruiz	<u>Colorado</u> - DeGette
<u>Delaware</u> – Rochester	<u>Florida</u> – Castor, Soto	<u>Illinois</u> – Kelly, Rush, Schakowsky
<u>Maryland</u> – Sarbanes	<u>Massachusetts</u> – Trahan	<u>Michigan</u> – Dingell
<u>Minnesota</u> – Craig	<u>New Hampshire</u> – Kuster	<u>New Jersey</u> – Pallone (Chair)
<u>New York</u> – Clark (Vice Chair), Rice, Tonko	<u>North Carolina</u> - Butterfield	<u>Oregon</u> – Schrader
<u>Pennsylvania</u> – Doyle	<u>Texas</u> – Fletcher, Veasey	<u>Vermont</u> – Welch
<u>Virginia</u> – McEachin	<u>Washington</u> – Schrier	

Energy & Commerce Minority

<u>Alabama</u> – Palmer	<u>Arizona</u> – Lesko	<u>Florida</u> – Bilirakis, Dunn
<u>Georgia</u> – Carter	<u>Illinois</u> – Kinzinger	<u>Indiana</u> – Bucshon, Pence
<u>Kentucky</u> – Guthrie	<u>Louisiana</u> – Scalise	<u>Michigan</u> – Upton, Walberg
<u>Missouri</u> – Long	<u>North Carolina</u> – Hudson	<u>North Dakota</u> - Armstrong
<u>Ohio</u> – Johnson, Latta	<u>Oklahoma</u> – Mullin	<u>Pennsylvania</u> - Joyce
<u>South Carolina</u> – Duncan	<u>Texas</u> – Burgess, Crenshaw	<u>Utah</u> - Curtis
<u>Virginia</u> – Griffith	<u>Washington</u> – McMorris Rodgers (Ranking Member)	<u>West Virginia</u> – McKinley



House Education & Labor Committee

■ **Leadership:**

- Rep. Bobby Scott (D-VA) – Chair
- Rep. Virginia Foxx (R-NC) – Ranking Member

■ **Pertinent Jurisdiction:**

- Workforce development
- Wages and hours of labor, including the Fair Labor Standards Act
- Worker safety and health
- Relationships between employers and employees
- Vocational rehabilitation and special education
- Community Services Block Grant

■ **Departments Overseen:**

- Department of Labor
- Department of Education

Education & Labor Majority

<u>Arizona</u> – Grijalva	<u>California</u> – DeSaulnier, Takano	<u>Connecticut</u> – Courtney, Hayes
<u>Florida</u> – Wilson	<u>Georgia</u> – McBath	<u>Virginia</u> – Scott (Chair)
<u>Indiana</u> – <i>Mrvan</i>	<u>Kentucky</u> - Yarmuth	<u>Wisconsin</u> - Pocan
<u>Michigan</u> – Levin, Stevens	<u>Minnesota</u> – Omar	<u>Washington</u> – Jayapal
<u>New Jersey</u> – Norcross, Sherrill	<u>New Mexico</u> – Leger Fernandez	<u>New York</u> – Bowman, Jones, Morelle, Espaillat
<u>North Carolina</u> – Adams, Manning	<u>Northern Mariana Islands</u> – Sablan	<u>Oregon</u> – Bonamici
<u>Pennsylvania</u> – Wild	<u>Texas</u> – Castro	



Education & Labor Minority

<u>Georgia</u> – <i>Allen</i>	<u>Idaho</u> - <i>Fulcher</i>	<u>Indiana</u> – <i>Banks, Spartz</i>
<u>Kentucky</u> – <i>Comer</i>	<u>Michigan</u> – <i>Walberg, McClain</i>	<u>North Carolina</u> – <i>Foxx (Ranking Member)</i> , <i>Murphy, Cawthorn</i>
<u>South Carolina</u> - <i>Wilson</i>	<u>New York</u> – <i>Stefanik</i>	<u>Pennsylvania</u> – <i>Keller, Thompson</i>
<u>California</u> - <i>Steel</i>	<u>Illinois</u> – <i>Miller</i>	<u>Virginia</u> – <i>Good</i>
<u>Wisconsin</u> – <i>Grothman, Fitzgerald</i>	<u>Tennessee</u> - <i>Harshbarger</i>	<u>Iowa</u> – <i>Miller-Meeks</i>
<u>Utah</u> - <i>Owens</i>		



Senate Leadership

Majority (Democrats) – 48 seats + 2 Independents + VP Harris	Minority (Republicans) – 50 seats
Majority Leader – Chuck Schumer (NY)	Minority Leader – Mitch McConnell (KY)
Majority Whip – Richard Durbin (IL)	Minority Whip – John Thune (SD)

Senate Finance Committee

■ **Leadership:**

- Sen. Ron Wyden (D-OR) – Chair
- Sen. Mike Crapo (R-ID) – Ranking Member

■ **Pertinent Jurisdiction:**

- Health programs under the Social Security Act, including Medicaid
- Health programs financed by a specific tax or trust fund, including Medicare

■ **Departments Overseen:**

- Centers for Medicare and Medicaid Services
- Administration for Children and Families
- HHS Inspector General
- Employment and Training Administration
- Unemployment Insurance
- Social Security Administration

Senate Finance Majority

<u>Colorado</u> – Bennett	<u>Delaware</u> – Carper	<u>Maryland</u> – Cardin
<u>Michigan</u> – Stabenow	<u>Nevada</u> – Cortez Masto	<u>New Hampshire</u> – Hassan
<u>New Jersey</u> – Menendez	<u>Ohio</u> – Brown	<u>Oregon</u> – Wyden (Chair)
<u>Pennsylvania</u> – Casey	<u>Rhode Island</u> – Whitehouse	<u>Virginia</u> – Warner
<u>Washington</u> – Cantwell	<u>Massachusetts</u> - Warren	

Senate Finance Minority

<u>Idaho</u> – Crapo (Ranking Member)	<u>Indiana</u> – Young	<u>Iowa</u> – Grassley
<u>Louisiana</u> – Cassidy	<u>Montana</u> – Daines	<u>Nebraska</u> – Sasse
<u>North Carolina</u> – Burr	<u>Ohio</u> – Portman	<u>Oklahoma</u> – Lankford
<u>Pennsylvania</u> – Toomey	<u>South Carolina</u> – Scott	<u>South Dakota</u> – Thune
<u>Texas</u> – Cornyn	<u>Wyoming</u> - Barasso	



Senate Health, Education, Labor & Pensions Committee

- **Leadership:**
 - Sen. Patty Murray (D-WA) – Chair
 - Sen. Richard Burr (R-NC) – Ranking Member
- **Pertinent Jurisdiction:**
 - All non-Medicaid and non-Medicare health policy
 - Wages and hours of employment
 - Workplace health and safety
 - Union/management relations
- **Departments Overseen:**
 - Food and Drug Administration
 - Centers for Disease Control and Prevention
 - National Institutes of Health
 - Administration on Aging
 - Department of Labor
 - Department of Education

Senate HELP Majority

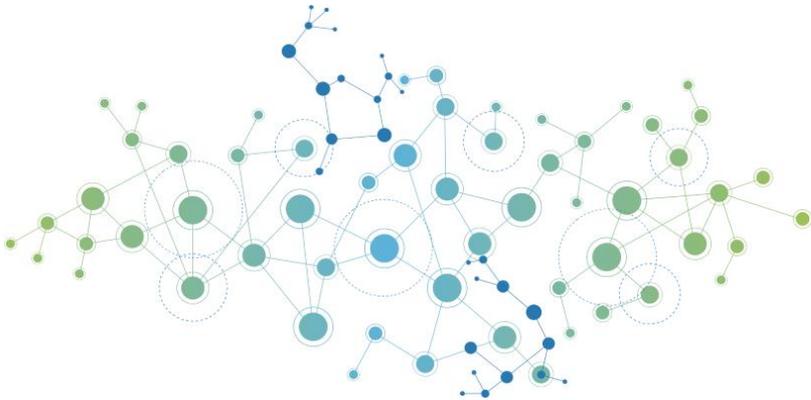
<u>Connecticut</u> – Murphy	<u>Colorado</u> - Hickenlooper	<u>Minnesota</u> - Smith
<u>New Hampshire</u> – Hassan	<u>Pennsylvania</u> – Casey	<u>Vermont</u> – Sanders
<u>Virginia</u> – Kaine	<u>Washington</u> – Murray (Chair)	<u>Wisconsin</u> – Baldwin
<u>Nevada</u> - Rosen	<u>New Mexico</u> - Lujan	

Senate HELP Minority

<u>Alaska</u> – Murkowski	<u>Indiana</u> – Braun	<u>Kentucky</u> – Paul
<u>Louisiana</u> – Cassidy	<u>Maine</u> – Collins	<u>North Carolina</u> – Burr (Ranking Member)
<u>South Carolina</u> – Scott	<u>Utah</u> - Romney	<u>Kansas</u> – Marshall
<u>Alabama</u> - Tuberville	<u>Kansas</u> - Moran	



Shameless Plug:



Please take these surveys to help us leverage the broader ANCOR family's contacts...

At the congressional level:

<https://forms.gle/tE6Ek33WpXbuPbnXA>

At the administration level:

<https://forms.gle/wTcWTg7N7WHWjCmr8>

Current Congressional Agenda



- COVID-19 relief through budget reconciliation – March 14th goal
- Possible 2nd reconciliation package
- *Possible stand-alone MW bill?*

What's in the American Rescue Package?

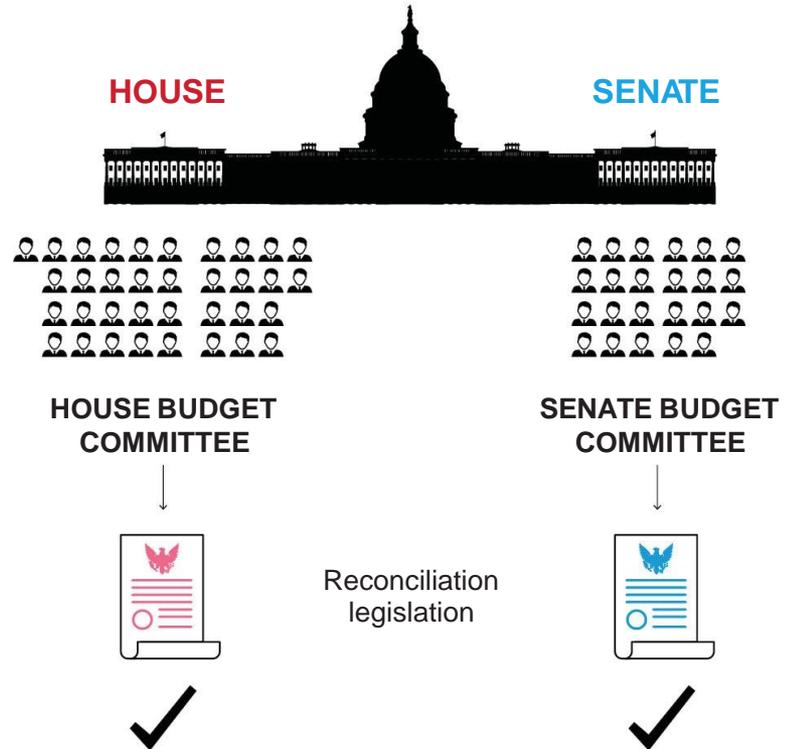


- A 7.35% increase in FMAP, the federal Medicaid match rate
- An expansion of the Paycheck Protection Program (PPP).
- \$350 billion in funding for state and local governments.
- \$15 Minimum Wage by 2025 (including subminimum wage workers)

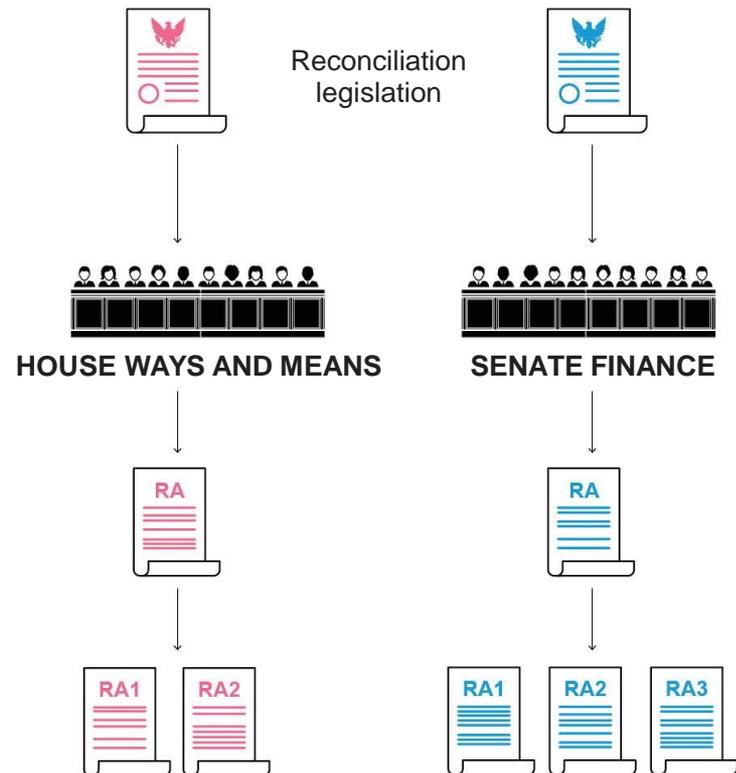
The Budget Reconciliation Process

Senate and House Budget Committees draft a budget resolution that is passed by both chambers. Reconciliation is officially triggered if the resolution includes reconciliation directives, which specify:

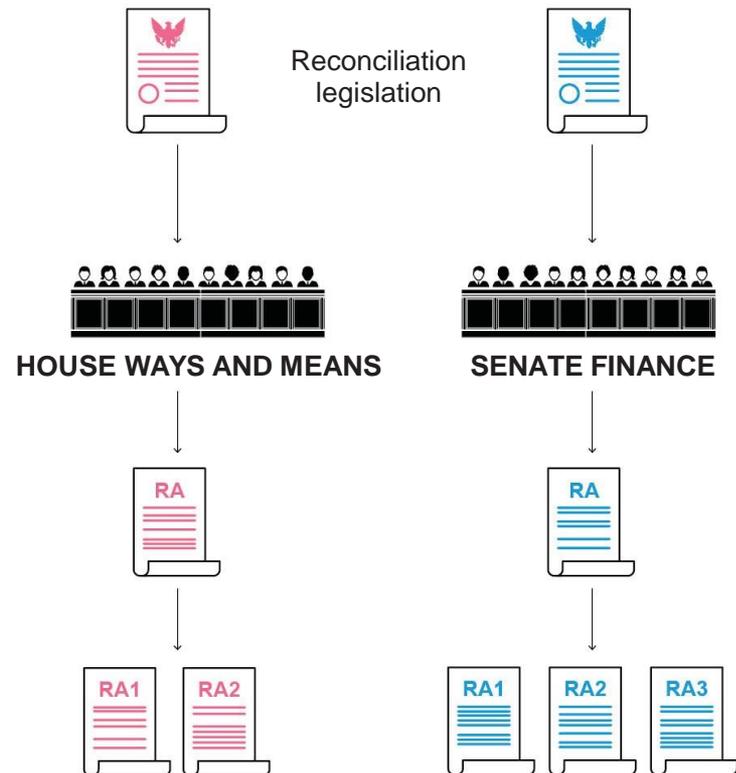
- Which committee(s) should report reconciliation legislation
- Date by which committee(s) should report
- Dollar amount of budgetary change that should be in the resulting reconciliation legislation
- Time period over which the impact of this budgetary change should be measured.



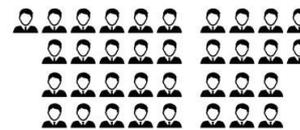
- The budget resolution can direct any committee with jurisdiction over spending, revenue or the debt limit to report reconciliation legislation.
- The Senate Finance and House Ways and Means Committees are frequently assigned directives as well as revenue and debt limit legislation.
- The appropriate committee drafts reconciliation legislation, holds a markup and votes on how to report legislation and/or recommendations.
- If a committee has been given more than one directive — such as a directive to increase revenue and decrease spending — it may write separate recommendations.



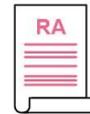
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- If a committee has been given more than one directive — such as a directive to increase revenue and decrease spending — it may write separate recommendations.



- If the resolution instructs more than one committee in either chamber, the committees submit their legislative recommendations to their chamber's Budget Committee by a specified deadline.
- The Budget Committee combines recommendations into one omnibus budget reconciliation bill.
- The Senate Budget Committee checks whether any provisions violate the Senate's Byrd Rule and votes to report the bill. If only one committee has been assigned, it can bypass the Budget Committee and report its reconciliation bill directly to the full chamber.
- The reconciliation bill is placed on each chamber's legislative calendar for consideration.



HOUSE BUDGET COMMITTEE



S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

HOUSE



SENATE BUDGET COMMITTEE



S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

SENATE



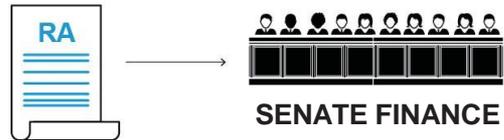
- In the House, the Rules Committee usually recommends special parameters that restrict debate time and amendments.
- If the committee hasn't adequately addressed the resolution's directives, the Rules Committee can make adjustments so that the reconciliation bill complies with the original budget resolution.
- In the Senate, debate is limited to 20 hours (10 hours on a conference report) that must be equally divided and controlled by the majority and minority parties.
- Even if the time has expired, senators may continue to offer amendments and make other motions or appeals, but may no longer debate.

- Under the Byrd Rule, any senator may introduce an amendment striking an extraneous measure(s) or raise a point of order against it.



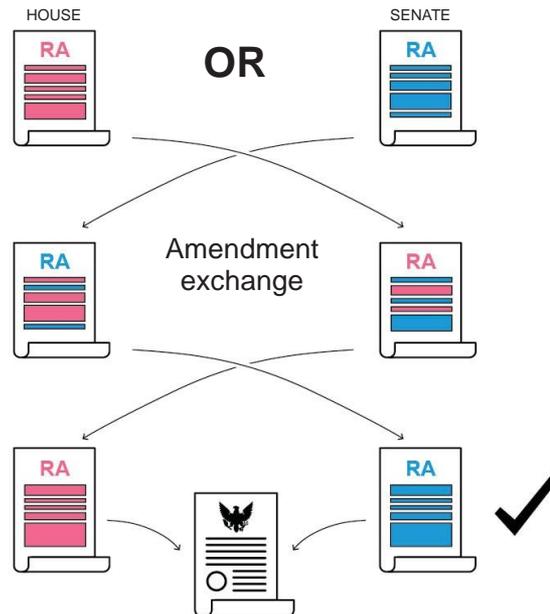
OR

- If the committee hasn't adequately addressed the resolution's directives, a senator can move to recommit the bill back to that committee with instructions to then report it back again to the full Senate with an amendment.



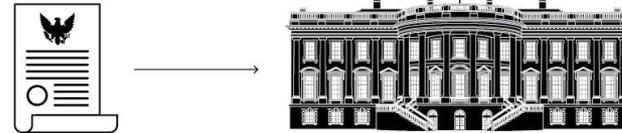
- If there are disagreements, both chambers will resolve differences through conference committee or an amendment exchange.

CONFERENCE COMMITTEE



- If the House and Senate each pass the same reconciliation bill, it is sent to the president.

- After it has been signed or vetoed by the president, the process concludes. Congress cannot write another reconciliation bill after failing to override a veto without adopting a new budget resolution that then triggers reconciliation and restarts the process.



What Is the Byrd Rule?



Fmr Sen.
Robert Byrd
(D-W.Va.)

- The Byrd Rule prohibits any “extraneous language” in the reconciliation package, whether in the portion reported by committee or in a subsequent amendment.
- From the floor, any senator may introduce an amendment striking an extraneous measure(s) or raise a point of order against it. The presiding officer determines whether the measure, provision or amendment is in order or is stricken. The Senate can only waive the Byrd Rule with three-fifths approval (60 votes if all 100 senators are present).

Who's important for budget reconciliation?

- **House Budget Committee Democrats**
– *Rep. Yarmuth (KY), chair*



- **Senate Budget Committee Democrats**
– *Sen. Sanders (VT), chair*



Parliamentarian: Elizabeth MacDonough





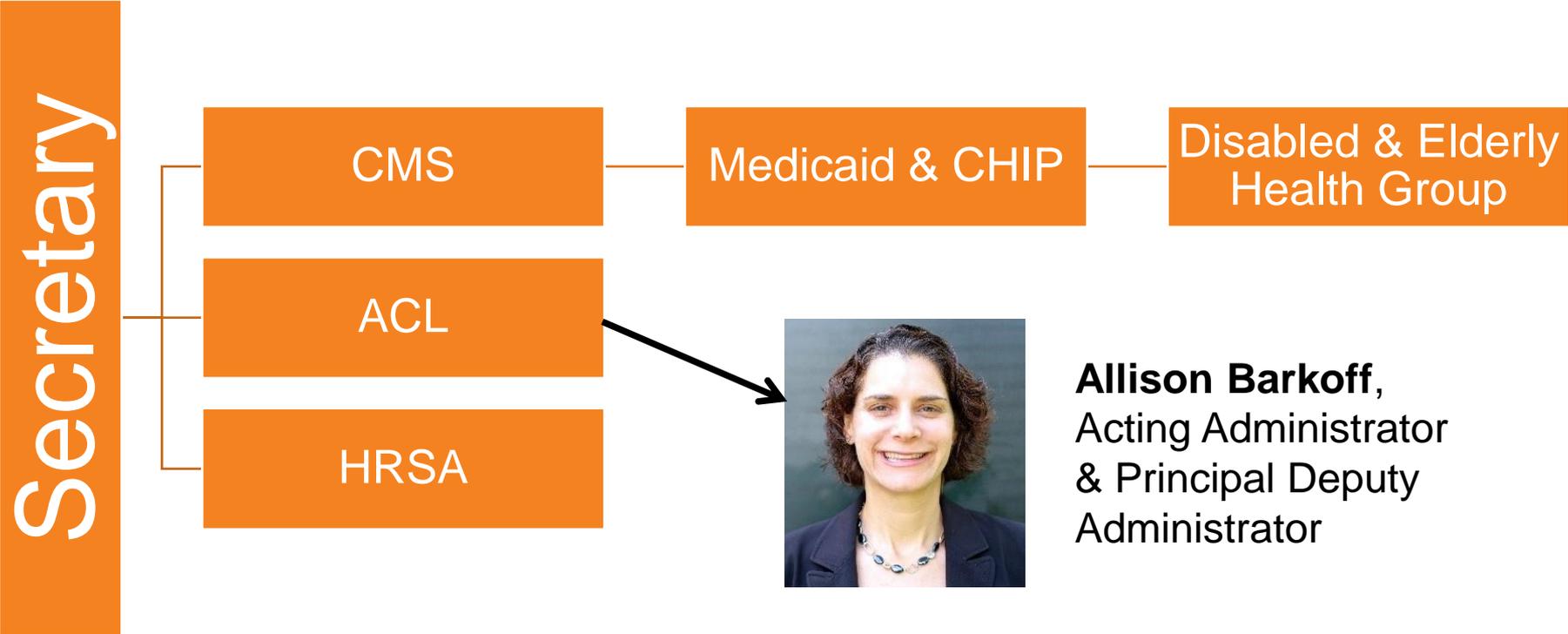
Biden Administration

3 Key Takeaways – Biden Administration

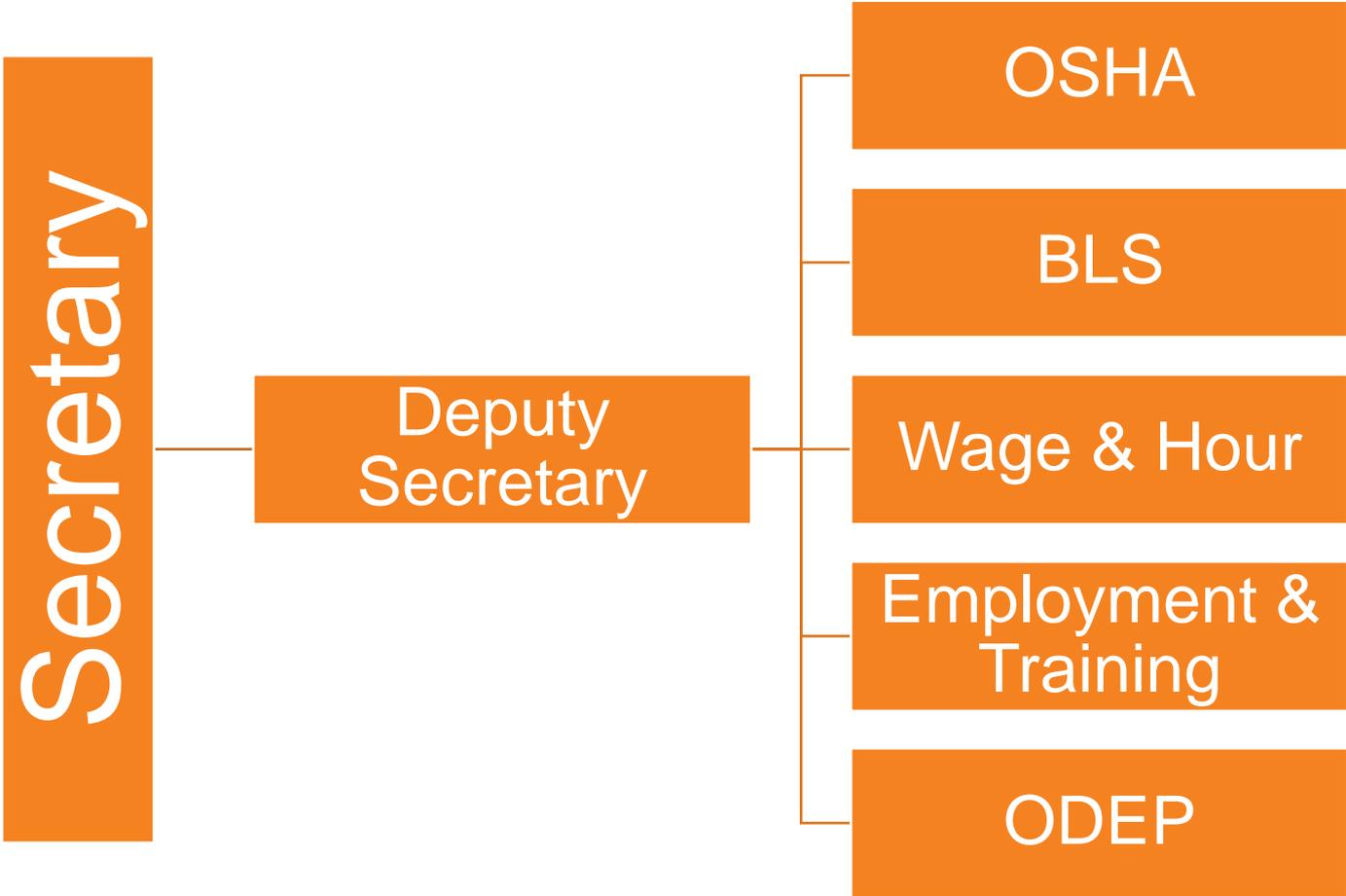


- Department of Health & Human Services and Department of Labor regulate most of the disability provider sector
- Departments of Justice, HUD, Agriculture, Education, and Transportation also touch our sector
- Biden disability agenda = Democratic Congressional agenda

Department of Health & Human Services



Department of Labor



Most Important Cabinet Nominees

■ HHS Secretary – Xavier Becerra

- Becerra succeeded Vice President Harris as California Attorney General.
- He was a US Representative for more than two decades.
- Pending committee vote.



■ DOL Secretary – Marty Walsh

- Walsh is the mayor of Boston, MA.
- Prior to his election as mayor, he served as union president and was a state representative from 1997-2013.
- Awaiting Confirmation Vote



■ Attorney General – Merrick Garland

- Chief judge of the US Court of Appeals in Washington, DC.
- Pending committee vote.



Other Pertinent Cabinet Nominees

▪ HUD Secretary – Marcia Fudge

- Fudge is a US Representative from Ohio.
- She is the former mayor of Warrensville Heights, OH.
- **Awaiting Confirmation Vote**



▪ Agriculture Secretary – Tom Vilsack

- Vilsack was the Secretary of Agriculture under President Obama.
- He was previously the governor of Iowa.
- **Confirmed**



▪ Education Secretary – Miguel Cardona

- Cardona is Connecticut's commissioner of education.
- He is also a former public school teacher.
- **Awaiting Confirmation Vote**



▪ Transportation Secretary – Pete Buttigieg

- Buttigieg is the former mayor of **South Bend, IN.**
- **Confirmed**



Biden Administration Actions To Date

- Coordinating federal COVID-19 response
- Eliminated regulatory restrictions on federal agencies
- Review of HUD's fair housing policies
- Review of Medicaid waivers and guidance



Biden Disability Agenda – COVID-19

- Work with Congress to pass the Coronavirus Relief for Seniors and People with Disabilities Act
- Ensure the DSPs are deemed essential workers
- Encourage states to utilize retainer payments
- Increase funding for access to computers, broadband, assistive technology, and accommodations for remote communications
- Fully enforce non-discrimination protections

Biden Disability Agenda – Civil Rights

- Senior position in the White House
- Aggressively enforce ADA, IDEA, Fair Housing Act, Civil Rights of Institutional Persons Act, Rehabilitation Act, Help America Vote Act, and the Air Carrier Access Act
- Work with Congress to pass legislation ensuring adherence to Olmstead
- Review guardianship laws
- Protect people with disabilities from violence and abuse

Biden Disability Agenda – Health Care & HCBS

- Make HCBS a mandatory Medicaid service
- \$15 minimum wage and paid leave with Medicaid reimbursement levels to reflect those benefits
- Encourage states to utilize self-direction
- Fully implement the HCBS Settings Rule
- Work with Congress to pass the Transformation to Competitive Employment Act
- Expand supported and customized employment through funding and TA
- Expand definition of Medically Underserved Population (MUP)

Biden Disability Agenda – Technology

- Work with Congress to pass the Assistive Technology Act
- Call for a new Assistive Technology Innovation Fund
- Fully enforce Section 508 of the Rehab Act
- Fully implement and enforce the 21st Century Communications and Video Accessibility Act
- Work with Congress to pass the Digital Equity Act to increase access to broadband

Biden Disability Agenda – Economic Security, Housing, and Transportation

- Increase benefit level for people receiving SSI
- Work with Congress to eliminate the marriage penalty and “in-kind support and maintenance” provision and raise SSI asset limits
- Work with Congress to pass the ABLE Age Adjustment Act
- Fully enforce federal housing protections
- Expand access to Section 811
- Increase federal funding to make public transit accessible
- Require new modes of transportation use universal design
- Create a pilot program to address paratransit challenge

Questions?





Legislative Update

Katy Stafford-Cunningham



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Phillip@inarf.org

Thank you!

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Providers Partnered with DDRS & IDOH
to Distribute Vaccines to Individuals
Supported in Congregate Residential
Settings