



JUNE 9 **WELCOME**

Thank You For Joining us

**DIS
ABI
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POL
ICY** **WEBINAR SERIES** **26
23**


10:30AM





Federal Policy Update

The Arc policy priorities and advocacy strategies



Breaking: Marion County v. Talevski

- Supreme Court rules 7-2 to keep a federal private right of action against states for violations of Medicaid law.

2022 End of Year Package: Key Items

- Extension of Money Follows the Person to Sept. 27'.
- ABLE Age raise to before 46 starting 2026.
- Pathway to ban Electro-Shock devices.

End of the Public Health Emergency

- Why it matters:
 - Every Medicaid beneficiary will need to go through a redetermination.
 - Medicaid program benefits and services may change in your state.

Congressional Deadlines

- ~~June 1st: debt ceiling!~~
- September 30, 2023: Funding the Government, Disproportionate Share Hospital cuts, Farm Bill (SNAP).
- April 30, 2024: Sequestration without 12 appropriations bills

Debt Ceiling Agreement

- Caps on non-defense discretionary spending for FY 2024 & FY 2025
- April 30th 2024 would implement sequestration for both Defense and Non-Defense discretionary spending if Congress fails to pass appropriations bills
- SNAP work requirement increase from 50 to 54
- NO Medicaid work requirements!
- What's next: fighting over the smaller pie in appropriations bills

Proposed Medicaid Work Requirements

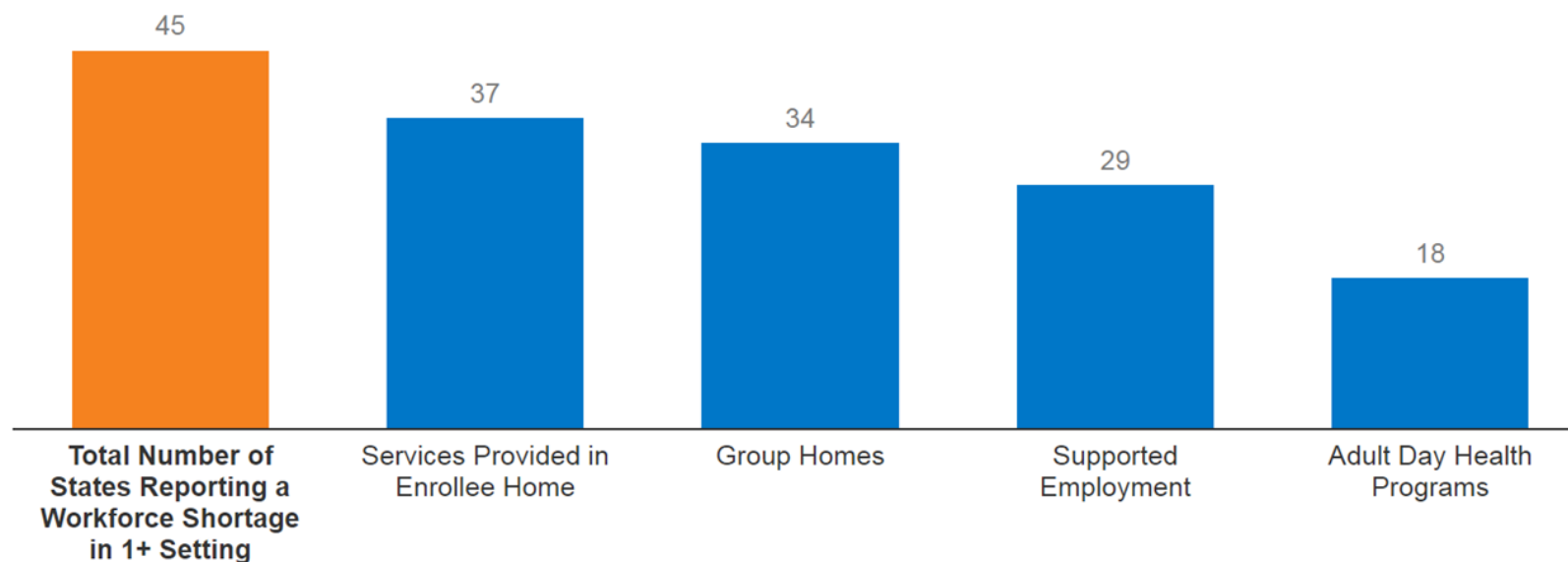
- Applies to all Medicaid beneficiaries ages 19-55; SSI/HCBS waivers NOT exempt.
- Must participate in work-related activities for at least 80 hours per month for three or more months over the course of a year. Hours spent in school, training for a job, searching for a job, or performing community service would count.
- People with disabilities must get doctors note that “physically or mentally unfit for employment.”
- Caregiver exception if the person is “incapacitated.”

Addressing the Workforce Crisis

Figure 3

Nearly All States Reported An HCBS Workforce Shortage in One or More HCBS Settings

of states reporting a workforce shortage, by setting type



NOTE: States were asked to identify the top impacts of COVID-19 during the last year. Figure shows the number of states reporting workforce shortage as the primary impact of the pandemic across settings. 48 states responded.

SOURCE: KFF Medicaid HCBS Program Survey, 2022. • [PNG](#)

Recognizing the Role of Direct Support Professionals Act

- Bureau of Labor Statistics categorizes Direct Support Professionals under the broader category of “home health care aides,” which makes it impossible to accurately track workforce trends.
- Solution: Direct the Office of Management and Budget to revise the Standard Occupational Classification (SOC) system to establish a separate code for Direct Support Professionals, ensuring better data on these pressing workforce challenges.

Better Care Better Jobs Act

- States eligible for a 10% FMAP boost for HCBS if:
- Strengthen and expand access to HCBS;
- Strengthen and expand the HCBS workforce;
- Show improvement over time; and
- Comply with a strong maintenance of effort.



HCBS Access Act



- Mandates Home and Community Based Services (HCBS) as a benefit under Medicaid.
- States receive 100% FMAP for funding HCBS.



SSI Asset Increase

- Last Congress: *SSI Savings Penalty Elimination Act*, introduced by Sens. Sherrod Brown/Rob Portman.
- Asset test
 - Current: \$2,000 individuals/\$3,000 couples.
 - Proposed: \$10,000 individuals/\$20,000 couples + adjust for inflation.

Work Without Worry

- Past work above Substantial Gainful Activity would not prevent someone from qualifying for the Disabled Adult Child benefit.

Social Security Marriage Penalties

- Married SSI beneficiaries= **25% cut** in benefits and asset limit.
- SSI beneficiary married to a non-SSI spouse= **“Spousal Deeming”**
- Disabled Adult Child (DAC) beneficiary marries someone not a Title II beneficiary – **DAC benefits end with marriage**



Re g u l a t i o n s

Proposed Food exclusion from ISM

- In-Kind Support and Maintenance: If someone provides an SSI beneficiary with food or a place to sleep, it's known as "in-kind support and maintenance (ISM)." SSI beneficiaries can see their benefit reduced by a third.
- The rule: eliminate the calculation of food from ISM



Biden Executive Order

- Make child care and long-term care more accessible and affordable for families, including military families.
- Enhance job quality for long-term care workers.
- Advance domestic workers' rights.

Major Medicaid Regulations

- Ensuring Access to Medicaid Services (Access Rule)
- Medicaid and Children's Health Insurance Program Managed Care Access, Finance, and Quality (Managed Care Rule)

Access Rule Highlights for HCBS

- **More data** reporting on waitlists, payments.
- States must demonstrate that as part of **person-centered planning**, a reassessment of need is completed at least once a year for people continuously enrolled in HCBS programs. They also must demonstrate that service plans are reviewed and revised annually based on that reassessment.
- States must operate and maintain an **electronic incident management** system and investigate, address, and report on the outcomes of the incidents within specified timeframes.
- States must establish and manage a **grievance process** for people receiving HCBS in fee-for-service plans.
- States must **report on a set of nationally standardized quality** measures specifically for HCBS established by CMS
- Update rules around **Medicaid Advisory Panels**
- **At least 80% of payment for homemaker services, home health aide services, and personal care services must be spent on compensation for direct care workers.**

And so much more!

- Affordable/accessible housing
- Health care
- Employment
- Criminal Justice/Crisis Response
- Education
- Paid Family Leave
- And More!!!



Advocacy & Mobilization

STORIES about our LIVES

are the most

POWERFUL

advocacy tool

we have!

Stories ...



Educate



Motivate



Make Policy
Real



Give Media
a Hook

Take Action


Join The Arc as we build a larger, stronger movement of people with disabilities, parents, siblings, and allies to advocate for the full inclusion and civil rights of all people. Take action now!

[Back to Top](#)

SHARE YOUR STORY: HOW DO SSI ASSET LIMITS IMPACT YOU?



SHARE NOW!

 SHARE

TELL CONGRESS: CARE CAN'T WAIT!



TAKE ACTION!

 SHARE

Sign Up for Email Updates

First Name

Last Name

Zip

Email

☐ Also send me the Capitol Insider newsletter for bi-weekly updates on federal public policy affecting the disability community.

SUBMIT

Stay Informed!

- Follow The Arc on Social Media
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- #WeActWednesday



Resources....

- Fact Sheets
- Graphics and GIFs
- Alt Text Descriptions
- Sample Email
- CMS Toolkit Links
- Video Links

https://www.dropbox.com/sh/bstwz3tz5q4o7gz/AADw-7x_FOCILtTAq0SezIfla?dl=0



It's time for Medicaid & CHIP renewals!

Contact your state Medicaid office today to confirm they have your correct contact information.



¡Prepárese para renovar su cobertura de Medicaid!

Comuníquese con la oficina de Medicaid de su estado para obtener más información.





Text “TheArc”
to 52886

Homework: *Ask 3
friends to do it!*



Contact information



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THANK YOU FOR JOINING US

A recording of today's presentations +
handouts will be uploaded to our website
www.ArcMI.org/2023policywebinar/



COME BACK ON

Friday, June 16th at 9:00am

Belinda Hawks

Director of Home & Community Based Services



Lyndia Deromedi

Manager of Federal Compliance Section

Division of Adult Home and Community Based Services,
Behavioral and Physical Health and Aging Services Administration

And at 10:30am

Phillip Kurdunowicz



Lindsay McLaughlin

Bureau of Children's Coordinated Health Policy and Supports,
Behavioral and Physical Health and Aging Services Administration



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