



COVID- Response: Where is the Outrage?

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COVID-19 & People with Disabilities

- January 31, 2020 – U.S. Department of Health and Human Services Secretary issues public health emergency declaration
- March 11 – World Health Organization declares COVID-19 a pandemic
- March 13 – U.S. President issues national emergency declaration
- People with disabilities and/or who are immunocompromised are at particular risk, facing high risk of complications and needing to isolate themselves for protection

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COVID-19 Packages Passed So Far

- Package 1: The Coronavirus Preparedness & Response Supplemental Appropriations Act (CPRSAA)
- Package 2: The Families First Coronavirus Response Act (FFCRA)
- Package 3: The Coronavirus Aid, Relief, and Economic Security (CARES) Act
- Package “3.5”: The Paycheck Protection Program and Health Care Enhancement Act (PPPHCEA).

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Progress So Far-Bills that have become law

- **Housing:** Funding for various important housing programs including \$1.25 Billion for the Housing Choice Voucher Program & \$15 million for Section 811 Housing for Persons with Disabilities
- **Education:** \$30.75 billion for an education stabilization fund, some of which is to help meet the needs of students with disabilities

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Progress So Far - Home- and Community-based Services & Medicaid

- **Money Follows the Person:** Extended through Nov. 30, 2020
- **Spousal Impoverishment Protections:** Extended through Nov. 30, 2020
- Allows people receiving HCBS under 1915(c) waivers to have their direct support professionals assist them during short-term hospital stay
- Funding for the Administration for Community Living and specifically for home- and community-based services and support for family caregivers

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WHAT REMAINS TO BE DONE

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Home- and Community-based Services (HCBS) Funding

- Dedicated HCBS funding
- Working on gaining bi-partisan support
- Provide wage support and flexibilities for direct support professional, home health and personal care attendant workforces

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Workforce Support & Funding

- The HCBS funding would provide funds to support retention and recruitment for the workforce
- In addition we are seeking to deem this workforce as essential so that they have the desperately needed Personal Protective Equipment (PPE) and medical supplies that they need.
- Working to ensure that the definitions in every proposal is inclusive of all services that this workforce provides, including employment services.

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Priority Asks for Package 4

- **Funding for a Medicaid grant program** to support access to home and community-based services to limit the risk of people with disabilities being put into institutions and support the workforce. Congress should pass the Coronavirus Relief for Seniors and People with Disabilities Act
- **Personal protective equipment (PPE)** for direct support professionals. This is urgently needed to protect the health and safety of this critical workforce. Direct support professionals must be designated as essential workers so that they can get access to the PPE and medical supplies they need.
- **Paid leave for caregivers.** As more people with disabilities lose their usual sources of care, family caregivers are scrambling and need access to paid leave and sick days to help their loved ones. Congress should include all family caregivers in the emergency paid leave provisions.
- **Economic impact payments for all people with disabilities.** Tell Congress to pass H.R.6420, the All Dependent Children Count Act, and make sure that adults with disabilities who are claimed as dependents get their \$500 economic credit.

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Heroes Act

- House Speaker Nancy Pelosi unveiled a more than \$3 trillion coronavirus aid package last week, providing nearly \$1 trillion for states and cities, "hazard pay" for essential workers and a new round of cash payments to individuals. It is called the Heroes Act
- This is a large bill, and it passed the House at the end of last week
- Senate Majority leader McConnell has indicated the Senate won't act until after Memorial day.

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Medicaid

- Provides a global FMAP bump of 6.2% through June 30 (this aligns with package 2). Effective July 1, it provides a 14% FMAP increase.
- Includes an HCBS-specific FMAP increase in lieu of a separate grant program. An additional 10% FMAP from July 1, 2020 to June 30, 2021 is available to be used to support Home and Community Based Services (HCBS) including workforce support, personal protection equipment for DSPs and other HCBS provisions.

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Recovery Rebates

- Expands the economic stimulus payments to adult dependents and issues another round of payments, including everyone this time.
- Stimulus funds will not impact eligibility for means tested programs

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Paid Leave

- The paid leave provisions are expanded to the same leave purposes as paid sick days, with expanded definition of caregiving to include a broad definition of family members caring for an adult with a disability (including siblings and grandparents).

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Workforce

- Provides \$850 million in child and adults with disabilities care (called Family Care) funding for essential personnel, including DSPs.
- Includes the DSP workforce in the essential workforce for funding for hazard pay and overtime.
- Note on the Heroes fund

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Housing and Transportation

- \$100 billion of emergency rental assistance for up to two years
- A broad, uniform 12-month eviction moratorium
- \$11.5 billion for the Emergency Solutions Grants program to protect people experiencing homelessness
- It also includes significant funding for including \$200 million for Sec. 811 Supportive Housing for People with Disabilities, \$4 billion for tenant-based vouchers (including \$1 billion for new vouchers), and \$750 million for Project-Based Rental Assistance.
- Provides \$15.75 billion in emergency operating support for public transportation
- Codifies the regulatory requirement that state Medicaid programs cover non-emergency medical transportation (NEMT).

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Non-Profits

- Funding for non-profits
- Expansion of the Paycheck Protection Program to apply to larger employers (above 500 employees) and to extend through the end of the year.

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Healthcare

- Provides for a two-month open enrollment period to allow individuals who are uninsured, for whatever reason, to enroll in coverage. Currently, Americans can only enroll in an Affordable Care Act (ACA) plan during open enrollment period, or because of a qualifying life event if they were previously insured.
- Eliminates cost sharing for Medicaid beneficiaries, Medicare Parts A and B, and group and individual health plans for COVID-19 treatment and vaccines during the COVID-19 public health emergency.

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Rights

- Provides for a two-month open enrollment period to allow individuals who are uninsured, for whatever reason, to enroll in coverage. Currently, Americans can only enroll in an Affordable Care Act (ACA) plan during open enrollment period, or because of a qualifying life event if they were previously insured.
- Eliminates cost sharing for Medicaid beneficiaries, Medicare Parts A and B, and group and individual health plans for COVID-19 treatment and vaccines during the COVID-19 public health emergency.

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Education and Tech

- Provides \$100 billion to support the educational needs of States, school districts, and institutions of higher education and requires states to include assurances when accepting funds that all students with disabilities are afforded their full rights under the IDEA.
- \$1.5 B for broadband access to close the homework gap and \$4 billion for emergency home connectivity needs, and a small increase for Assistive Technology Act program.

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What is NOT in the bill?

- No dedicated funding for special education.
- No additional funds for the Paycheck Protection Program.
- Still needed re: housing: ensuring people with disabilities in congregate settings, who are currently subject high COVID-19 infection and mortality rates, are eligible for any emergency rental assistance, housing, and homelessness resources allocated to address the crisis.

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Timing

- Senate negotiations are already underway
- Expecting a vote sometime in June

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What You Can Do

- This bill is large and will certainly be greatly narrowed before it passes the Senate.
- It is very important to reach out to your House members this week and then your Senators starting this weekend to highlight the issues mentioned here so that they know that the HCBS funding, paid leave changes, and other important funding for the disability community STAY IN

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Recovery Packages, What to Watch For?

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Money Follows the Person

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HCBS Infrastructure Act

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Fixes to Institutional Bias in Medicaid

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Questions?

Feel free to contact me:

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