

Slide 1 >> The National Council on Independent Living presents –

NCIL's 2022 Policy Briefing

July 13, 2022

3:00 – 4:30 p.m. EDT



Slide 2 >> Agenda

- Welcome and Logistics Jenny Sichel
- NCIL priorities Lou Ann Kibbee
- Rehab Act / ILA Ann McDaniel & Jeff Hughes
- Healthcare & LTSS Jeff Hughes & Lisa Hayes
- Housing Gloria Garton
- ADA / Civil Rights Steve Higgins & Marty Musser
- Transportation Peter Johnke
- Preparing for Virtual Hill Visits Lou Ann Kibbee
- Questions & Answers



Slide 3 >> Overview of NCIL's Legislative & Advocacy Priorities

- Rehabilitation Act / Independent Living Funding
- Healthcare and Long-term Services & Supports
- Housing
- Civil Rights and the Americans with Disabilities Act
- Transportation



Slide 4 >> Rehab Act / IL Funding

Ann McDaniel & Jeff Hughes, Rehab Act / IL Funding Subcommittee Co-Chairs

- NCIL needs your help as we roll out our new Drive 5 for 5! \$500 million minimum budget for our 5 Core Services to:
 1. Increase funding for the Independent Living Program to \$500 million. For Fiscal Year 2023, NCIL requested a total funding amount of \$250 million (an increase of \$131.8 million) as an incremental step toward the \$500 million.
 2. Fully fund the core transition services:
 - a. Fund the institutional transition requirement for Centers for Independent Living (CILs) by mandating 5% of Money Follows the Person funding as direct base funding through the Administration for Community Living (ACL);
 - b. Fund the diversion from institutional placement requirement; and
 - c. Fully fund the youth transition requirement by mandating 5% of Title I funds as direct base funding through ACL.



Slide 5 >> Rehab Act / IL Funding

3. Provide new designated funding to Statewide Independent Living Councils (SILCs) at a minimum amount of \$250,000 per SILC to ensure capacity to fulfill SILC duties and authorities. This was included in the \$250 million request stated in #1 above.
4. Provide 5 million to NCIL for the development of the first national hotline directed and operated by people with disabilities to assess the needs of the disability community in crisis, with priorities given to BIPOC (Black, Indigenous, and other people of color) communities
5. Due to the on-going challenges of people with disabilities receiving post-employment support and services, NCIL requests 5% of Title I post-employment funding shall be provided to CILs as direct funding through the Administration for Community Living (ACL).



Slide 6 >> Rehab Act / IL Funding

- The Independent Living network is committed to providing all the core services. We have always believed the new core services are vital to achieving full inclusion. The COVID-19 pandemic has further proven how important they are. People with disabilities in congregate settings have been infected and died from COVID-19 at very high rates. Moving people into the community is more important than ever.
- However, CILs have not been given any additional funding for the new core services. The CARES Act funding has allowed CILs to help people get out of dangerous congregate settings during the pandemic. It has helped CILs keep people with disabilities safe in their homes and communities. But without more permanent funding, there is no way CILs can carry out the new core services fully or effectively.
- CILs believe all people with disabilities are valuable. They help people facing all sorts of discrimination. They believe people with disabilities should be able to participate in their communities. The IL Program has improved and changed how services are delivered to people with disabilities.



Slide 7 >> Healthcare / Long-Term Services & Supports

Jeff Hughes & Lisa Hayes, Healthcare/LTSS Subcommittee Co-Chair

Investment in Home and Community Based Infrastructure - Investments in Medicaid HCBS is needed now more than ever:

- Home Care worker shortages are putting the lives of people with disabilities at risk of entering nursing facilities
- Permanent authorization of MFP (H.R. 1880);
- Investment in CILs to fulfill their 5th Core mandate- transitions

Better Care Better Jobs:

- Builds on the ARP Infrastructure funding,
- Expands access to HCBS for people with disabilities and seniors;
- Supports home care providers of which 63% are people of color and women.
- More than 800 state and national organizations representing older Americans, people with disabilities, labor unions, home care providers, health insurers and more have voiced support for the Better Care Better Jobs Act.



Slide 8 >> Healthcare / Long-Term Services & Supports

Investment in Home and Community Based Infrastructure

Talking Points:

1. Addressing workforce issues are critical to supporting the system that keeps disabled people in their own homes and communities
2. Home and Community Based Services are the future of long-term care; unprecedented investments were made in HCBS with the American Rescue Plan. States need sustainable funding to continue this work
3. The average cost of care through home-based care is approximately \$26,000 a year, compared to roughly \$90,000 or more for nursing home or other institutional care.



Slide 9 >> Healthcare / Long-Term Services & Supports

Institutional Bias

- S. 3417/H.R. 6860 - LaTonya Reeves Freedom Act of 2021(formerly DIA): requires government entities and insurance providers to offer community-based services to people with disabilities prior to institutionalization.
- The institutional bias reinforces other structural biases: people of color are institutionalized at higher rates, and in the community, receive fewer services, and have higher death and infection rates

Talking Points:

1. Again – Cost: Cost of care in a nursing or rehabilitation facility is significantly more than services in the home;
2. Make it personal with legislators; “If you could get care at home vs. in a nursing facility” where would you rather be?
3. Nursing facilities/rehab facilities, etc. should never be the first option for consumers.



Slide 10 >> Healthcare / Long-Term Services & Supports

Healthcare

- Continue advocacy against disability discrimination
- As more state health departments require more of managed healthcare organizations, there should be mandates to contract with CILs.
- Non-discrimination and equity must be core features of any program; use of discriminatory standards to authorize services, treatment, or equipment cannot be allowed, and accessibility must be a requirement for all providers
- Electronic Visit Verification:
 - Continued advocacy to remove Geo tracking & biometrics
- Physician Assisted Suicide
 - Continued opposition to physician assisted suicide
- Chronic Pain Opioids:
 - We must through advocacy maintain the right of people with disabilities to manage chronic pain through opioid therapy;
 - Ensure that policy changes are accessible to people with disabilities



Slide 11 >> Healthcare / Long-Term Services & Supports

Healthcare

Talking Points:

1. Congress needs to support efforts to restrict/repeal EVV requirements such as geo tracking & biometrics (in CURES 2.0 proposal)
 - Having an adverse effect on caregiving providers – we are already challenged with the caregiving workforce!
2. Much of the response to COVID-19 has demonstrated that disabled and aging lives are not valued; efforts to limit care or use discriminatory standards to determine priority of care are unnecessary, immoral, and illegal
3. People who live with Chronic Pain and other disabilities should have access to palliative and pain treatments and medications necessary to support their health, safety and well-being



Slide 12 >> Housing

Gloria Garton, Housing Subcommittee Chair

Problem: Lack of affordable, accessible, safe and integrated housing for people with disabilities.

- The ability to address the serious lack of affordable and accessible housing for people with disabilities, especially those with low income, depends on federal appropriations.
- On June 30th, the U.S. House Appropriations Committee approved a **draft** fiscal year (FY) bill for 2023 that proposes \$62.7 billion for HUD's affordable housing, homelessness, and community development programs. This is a \$9 billion (or 17%) increase over FY22-enacted levels.
- However, Republican and Democratic votes are needed to enact an appropriations bill. As we have seen in the past, without bipartisan support it is very likely that a final FY23 appropriations package would be significantly smaller than the legislation drafted in the House and Senate.
- The Senate would begin drafting, reviewing, and voting on its FY23 spending bills soon after Congress reconvenes following the July recess.



Slide 13 >> Housing

Advocacy Talking Points – Ask for support to approve maximum funding levels in the FY THUD 2023 bill for:

- **Tenant-Based Rental Assistance (TBRA) Program** to renew all existing contracts and expand housing vouchers to an additional 200,000 households.
- **Public Housing Capital Fund** to preserve public housing, and \$5.06 billion for the Public Housing Operating Fund.
- **HUD's Homeless Assistance Grants Program** to address the needs of people experiencing homelessness.
- **Legal assistance to prevent evictions.**
- \$300 million for the competitive **Tribal Housing Program**, targeted to tribes with the greatest needs.



Slide 14 >> Housing

Stress the importance of maximum funding for Section 202 Housing for the Elderly & Section 811 Housing for People with Disabilities

- The House bill currently includes a significant increase of funding for Section 202 Housing for the Elderly program. This is an increase of \$167 million over FY22-enacted levels and \$234 million above the level proposed in the President's budget request. This funding would be sufficient to renew all contracts.
- The House spending bill would also provide \$400 million for the Section 811 program to support affordable, accessible housing for people with disabilities, a \$48 million increase from FY22-enacted levels and \$112 million above the President's funding request. This assistance would be enough to renew all contracts.
- In addition, the House bill provides funding for the construction of an estimated 5,600 new units of affordable, accessible housing for older adults and people with disabilities.



Slide 15 >> Housing

FY 2023 THUD Funding Bill:

- Support & Strengthen the effectiveness of the Housing Choice Voucher (HCV) Program
- Crucial to cover rising rent, utility costs and renew all vouchers
- Increase funding to add more housing vouchers –talk about the long waitlist or lack of landlord participation in your community
- Ensure that Emergency Housing Vouchers can be reissued beyond 2023.

Homelessness:

- Talk to Congress about need for additional funding for homelessness assistance and prevention
- Share stories about housing crises and inability of shelters to serve people with severe disabilities

Other Issues:

- Eleanor Smith Inclusive Home Design Act (federal Visitability)
- Chemical, Electrical & Environmental Sensitivities



Slide 16 >> Civil Rights / ADA

Steve Higgins & Kimberly Tissot, NCIL ADA / Civil Rights Subcommittee Co-Chairs

2022 is the 32nd anniversary of the Americans with Disabilities Act (ADA), but there are still many threats to our rights. During the current session ADA Notification has once again emerged and is something NCIL opposes. Several bills being followed by the committee cross over into the work of others especially in areas around healthcare and civil rights



Slide 17 >> Civil Rights / ADA

Bills the committee is following include:

- H.R. 77 ADA Compliance for Customer Entry to Stores and Services Act or the ACCESS Act
 - This bill addresses access to public accommodations for persons with a disability.
 - NCIL does not support this bill
- S. 2658 - REAADI for Disasters Act
 - This bill establishes programs and requirements to assist individuals with disabilities and older adults (age 50 or older) with disaster preparedness.
 - NCIL supports this bill
- H.R. 4938 - REAADI for Disasters Act
 - This bill is bipartisan and establishes programs and requirements to assist individuals with disabilities and older adults (age 50 or older) with disaster preparedness.
 - NCIL supports this bill



Slide 18 >> Civil Rights / ADA

Bills the committee is following include:

- S. 2646 - Disaster Relief Medicaid Act
 - This bill establishes a series of programs and requirements relating to Medicaid coverage of individuals affected by a federally declared major disaster.
 - NCIL supports this bill
- H.R. 4937 - To provide Medicaid assistance to individuals and families affected by a disaster or emergency, and for other purposes.
 - This bill is bipartisan and establishes a series of programs and requirements relating to Medicaid coverage of individuals affected by a federally declared major disaster.
 - NCIL supports this bill



Slide 19 >> Civil Rights / ADA

- H.R. 4545 Freedom and Right to Emancipation from Exploitation (FREE) Act
 - This bill is bipartisan & establishes rights for individuals who are subject to legal guardianship or conservatorship.
 - NCIL supports this bill
- S. 2881 Guardianship Accountability Act of 2021
 - This bill is also bipartisan and requires the Department of Health and Human Services (HHS) to create a National Resource Center on Guardianship for the publication of resources and data relating to court-determined adult guardianships. Further, HHS must award at least 5% of certain grant funds for state programs related to overseeing the administration of court-appointed guardian arrangements.
 - NCIL supports this bill



Slide 20 >> Transportation

Peter Johnke, Transportation Subcommittee Chair

- Air travel for people who use wheelchairs (and other mobility aids) should not be dangerous and life threatening. Advocate for improved training of airline personnel and technology improvements so wheelchair users can be in their chair during flight.
- Advocate for accessibility & equity in all modes of transportation (including e-bikes and boats)
- Advocate for a strong “Bill of Rights” for air travelers with disabilities including passage of the Air Carrier Access Amendments Act - H.R. 1696 (Rep. James Langevin - RI) and S. 642 (Sen. Tammy Baldwin - WI)
- Advocate for equity (equivalent service) from Ride Hailing Service /Transportation Network Companies (TNCs)
- Continue to push Amtrak for improved accessibility
- Work with a broad spectrum of stake holders to develop a sustainable transportation funding mechanism for transportation infrastructure and all modes of transit



Slide 21 >> Preparing for the Virtual Day on the Hill

- Hill Day: Wednesday, July 27
- March: send signs to Eleanor@ncil.org
- Rally: 10:00am at the Grand Hyatt in Washington DC and livestreamed at the link on the Conference Website
- Hill Meetings: make sure your Hill Meetings are scheduled!
 - Meetings can be virtual by phone, Zoom, or another format or some in person
 - Accommodation requests are made directly to the Congressional offices
 - You can coordinate with other people in your State
 - Be prepared whether in person or virtually



Slide 22 >> Questions & Answers

Use the Q&A feature in the Zoom toolbar to type your question. You may also submit your questions via email to the event host.



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