

A Communication from the Policy Information Exchange

Slice of Pie

A Slice of Pie is an ongoing publication keeping our readers informed about important public policy issues.

It is the mission of the Policy Information Exchange to **educate and inform Pennsylvanians with disabilities, their families and advocates, and the general public, regarding public policy issues and to further the exchange of policy information between the Pennsylvania Developmental Disabilities Council and federal, state, and local policy makers.**

The Policy Information Exchange is funded in part by the Pennsylvania Developmental Disabilities Council.

State Budget 2012-13

The state budget bill for July, 2012 through June, 2013, Senate Bill 1466, was signed by Governor Tom Corbett on June 30, just as the 2011-12 year was ending. It sets the 2012-13 spending level at \$27.656 billion, about \$500 million more than Governor's February budget proposal and a \$370 million increase over the 2011-12 spending level. Below we detail some of the disability related line items in the final budget. To read the bill, go to www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=HTM&sessYr=2011&sessInd=0&billBody=S&billTyp=B&billNbr=1466&pn=2335. Except where

otherwise noted, dollar amounts refer to state funds.

DEPARTMENT OF PUBLIC WELFARE

There were several changes from the Governor's budget which were applauded by advocates. The final budget includes \$65 million more state funds than in 2011-12 and \$17.8 million more state funds than the governor proposed for the **Intellectual Disabilities Community Waiver** line item.

In This Issue

State Budget	page 1
State News	page 5
National News	page 10
Resources	page 12
Contact PIE	page 15

Including federal funds, there is a 6.2% increase from 2011-12 or 5.2% more than the Governor proposed. Language in the bill indicates that this includes enough money for a **waiting list initiative**—services for 700 special education graduates and 430 people on the emergency list living with “elderly caregivers.”

The **Services to Persons with Disabilities** (CSPPPD) line item is increased 23.4% above 2011-12 and 18.9% above what the Governor proposed. Apparently that’s based on the Office of Long Term Living recalculation of need. **Attendant Care** had been slated for a \$13.34 million cut in the Governor’s budget; \$8.5 million was added back in, reducing the size of the cut. These programs will still be subject to “high cost case reviews.”

The Governor proposed, and the General Assembly apparently maintained, the inclusion of start-up funds for **Adult Protective Services (APS)**. This funding will help to implement Act 70 of 2010. The funds are included in a number of DPW line items—General Government Operations; Information Systems; Long Term Care; Mental Health; and Intellectual Disabilities Waivers—for a total of \$1,719,000.

The Governor’s original proposal would have reduced **Mental Health** services dramatically. There is one line item for both community services and state hospitals. For 2011-12, the total line item was \$717,213,000. The Governor proposed reducing that amount to \$166,819,000—an amount intended for the state hospitals. This amount is less than what was available in 2011-12. It anticipates some downsizing, but no hospital closings are planned. He

had proposed putting the community services portion, reduced by 20%, in a new Human Services Development Fund Block Grant. See article below. The final budget includes a state appropriation of \$662,311,000, which is \$54,902,000 or 7.7% less than 2011-12. In counties with the block grant pilot, the funds will be part of the block grant, and those counties will decide how to spend it.

Autism state funds are reduced from \$13,549,000 in 2011-12 to \$13 million in the final budget. This is less of a cut than the Governor proposed. Factoring in the cut in federal Medical Assistance funds, the total reduction is 14%. The Secretary had indicated that funding for 2011-12 was not being spent and would carry over.

The **Behavioral Health Services Initiative (BHSI)** funds county mental health services and drug and alcohol treatment services for adults who are not eligible for Medical Assistance. It is one of the programs in the HSDF block grant to the counties. See the article below. The final budget includes a 10% reduction in BHSI funds.

As the Governor proposed, **cash grants** are eliminated for 60,000 current recipients effective August 1. Recipients include people with disabilities and chronic illnesses. Some of them will also lose Medical Assistance, but both the GA-related Categorically Needy Medical Assistance Program and the GA-related Medically Needy Only Medical Assistance Program will continue. However, House Bill 1261, the welfare code bill which went with the budget, does expand the work requirements for some people to keep

their Medically Needy medical benefits. The parent of a child under 21 must now work 100 hours per month and earn at least minimum wage to keep the child's benefits.

State funds for **Medical Assistance for Workers with Disabilities (MAWD)** would have more than doubled under the Governor's original proposal. The final budget includes an 87.9% increase in state funds. At the same time, premiums which people pay for MAWD would be increased by 50% under the Governor's proposal at a projected savings of \$10 million.

After being cut in 2011-12, in 2012-13, **Medical Assistance Transportation** state funds will increase 11.7%.

Medical Assistance Special Pharmaceuticals, which provides mental health drugs, will be reduced 29.7% from the amount available for 2011-12.

Intermediate Care Facilities for people with intellectual disabilities will be reduced by 1%. There will be changes in provider reimbursements and 84 beds will be converted to community waiver funding.

Intellectual Disability Community Base funding is one of the programs included in the pilot **Human Services Development Fund Block Grant** (see article below) at a reduced amount. State funds are 9.2% less than 2011-12.

Early Intervention Infant/Toddler received a 7.9% increase in state funds, but with a loss of federal ARRA funds, the actual total increase is 2.5%.

The Home and Community Based Services line, which contains funding for the **Ageing Waiver**, will receive an 8.8% increase. The Long Term Care Managed Care line item, the **LIFE program**, is slated for a 5.6% increase, though that is less of an increase than the Governor proposed.

The Governor proposed cutting funding for **Nursing Homes**. In the final budget Nursing Home funding is restored. Nursing Homes will also receive a larger share of Lottery Funds-- from \$178.4 million in 2011-12, to \$250 million proposed by the Governor for 2012-13, to \$309.1 in this budget.

DPW also projects saving \$59 million by reducing **provider reimbursement rates**. In addition, the Department anticipates saving millions through as-yet undefined "**high cost case reviews**" in a number of the waivers.

Health Choices (Medical Assistance managed care) will be expanded, leading to an increase in the Medical Assistance Capitation budget and reductions in the Medical Assistance In and Outpatient line items. The final budget includes large cuts to Medical Assistance Inpatient and Medical Assistance Outpatient.

DEPARTMENT OF TRANSPORTATION
The budget does not address the need for additional funding in the transportation budget. There are no obvious changes to the **shared ride program for people with disabilities**.

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

The **Accessible Housing** program is part of the Keystone Communities line item which was cut 10%.

DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS

Legislation passed in 2010 to create a **Department of Drug and Alcohol Programs**. But the budget for 2011-12 did not include funds for the new Department. For 2012-13, Governor Corbett proposed that the Department be created by moving current funding from the Department of Health to the new Department. Administrative funding is included in the final budget. Drug and Alcohol program state funding increased 1.3%.

DEPARTMENT OF EDUCATION

For the fourth year in a row, the **Special Education** budget is level funded under the Governor's proposal, but there is some loss of federal ARRA funds. **Early Intervention Preschool** has a 4.1% increase in state funds which is partially offset by a loss in federal ARRA funds. **Charter Schools for the Deaf and Blind** received a 3% increase and **Approved Private Schools** received a 0.3% increase. A proposed 30 percent cut to the three major state-related universities and the 14 State Systems of **Higher Education** universities was reversed.

DEPARTMENT OF HEALTH

Services for Children with Special Needs, which includes the **home ventilator program** and the **Spina Bifida Program**, is level funded as are the Sickle Cell program and the **Tourette's Syndrome** program. **Epilepsy** received a 2.6% increase.

DEPARTMENT OF LABOR AND INDUSTRY

The General Government Operations line of the Department of Labor and Industry, which includes funding for the **Office for the Deaf and Hard of Hearing**, is reduced 3.7%. State match for **Vocational Rehabilitation** is level funded. **Centers for Independent Living (CILs)** and **Supported Employment** are both reduced by 5%. **Assistive Technology** is split into two lines, one for the lending library and one for cash loans. Both received a 5% reduction.

Human Services Block Grant Pilot

In his budget, Governor Corbett proposed a new block grant, the **Human Services Development Fund (HSDF) Block Grant**, to be administered by the counties. The Governor proposed moving the following programs into the Block Grant: **Community Mental Health; Behavioral Health; Intellectual Disabilities Base Services; Medical Assistance Outpatient (including Act 152 Drug and Alcohol Services); Human Services Fund; County Child Welfare; and Homelessness**. In the Governor's proposal, the combined total for these programs would have been \$168 million or 20% less than the total funding for those programs in 2011-12. The counties would decide on priorities for spending the reduced funds. Advocates, consumers, family members and providers strongly opposed the block grant and the reduction in funds. They were supported by a group of House members led by Representative Gene DiGirolamo, R-Bucks.

The final budget contains a 10% cut, but does not include the originally

proposed statewide block grant. Instead of the original block grant, the Senate Appropriations Committee amended another bill, House Bill 1261, to create a pilot program. The language in HB 1261 allows up to 20 counties to receive funding for the seven human service funding lines in one block grant payment. Unlike the pilot program plan proposed by Representative DiGirolamo, there is no plan to “sunset,” or limit the length of time that the pilot program continues.

Under HB 1261, the block grant pilot will be phased in across the state over four years. While the bill includes limits on how much money can be moved from one funding category to another, the limits can be waived by DPW. After 2015-16, there will be no limit placed on counties. Representative DiGirolamo objected to a number of the provisions in the bill including the lack of a sunset date and the failure to include an outside evaluation.

STATE NEWS

Bills of Interest

Below we summarize some bills of interest to the disability community. For more information about these or any other state bills, go to: www.legis.state.pa.us. At the top of the page is a box labeled “Find Legislation By”, choose “Bill #”, then enter the bill number and click on “Go”.

HB 165. Introduced by Representative John Evans (R-Crawford). This bill amends the PA Crimes Code to make it a second degree misdemeanor to own a dog which injures or kills a guide, hearing or **service**

dog in certain circumstances. It also provides for repayment of veterinary bills, fines and costs of training a replacement dog. The bill passed the House on March 8, 2011 and the Senate on May 22, 2012 with amendments. An agreed to version was signed by the Governor on June 13 becoming Act 62 of 2012. See also **SB 968** introduced by Senator Dinniman (D-Chester)

HB 528. Introduced by Representative Karen Boback (R-Luzerne). The bill requires certain long-term care facilities to coordinate with licensing agencies and local area agencies on aging to **provide assistance to consumers who are being relocated**. The bill was voted out of the House on June 13, 2012 and was sent to the Senate Aging and Youth Committee.

HB 532. Introduced by Representative Stanley Saylor (R-York). The bill would provide mandatory insurance coverage for **general anesthesia for a dental patient** who is seven years of age or younger or who has a developmental disability for whom a successful result cannot be expected for treatment under local anesthesia and for whom a superior result can be expected for treatment under general anesthesia. The bill was signed into law by the Governor as Act 94 of 2012.

HB 761. Introduced by Representative Bryan Cutler (R-Lancaster). The budget tax code bill was amended to include the language of **HB 386** introduced by Representative Scott Boyd (R-Lancaster), that establishes a **tax credit** program for businesses that contribute to nonprofit organizations that provide **community-based mental health or intellectual**

disability services. Guidelines are to be developed for the program which will be administrated through the Department of Community and Economic Development.

HB 1405. Introduced by Representative Glen Grell (R-Cumberland). The bill amends the **Mental Health Procedures Act** to allow licensed psychologists to test for competency in criminal cases. It was voted out of the House on March 12, 2012 and referred to the Senate Judiciary Committee.

HB 1720. Introduced by Representative Tim Hennessey (R-Chester). The bill provides for a procedure for determining who has **authority in guardianship** proceedings. The bill was approved by the Governor as Act 108 of 2012.

HB 2363. Introduced by Representative Randy Vulakovich (R-Allegheny). The bill would extend the provisions of the law which establishes the **Shared Ride Program for People with Disabilities in the Programs of Statewide Significance funding stream to include Allegheny County.** It was voted out of the House Transportation Committee and, on May 22, 2012, given first consideration by the full House.

HB 2390. Introduced by Representative Nick Miccarelli (R-Delaware). This bill provides for **accessible taxicabs** in Philadelphia. It has passed both the House and the Senate and been sent to the Governor for his signature.

HR 225. Introduced by Representative Brendan Boyle (D-Philadelphia). The Resolution urges Pennsylvanians to use

the term "**intellectually disabled.**" It was voted out of the House Health Committee on Feb. 6, 2012.

SB 1115. Introduced by Senator Patrick Browne (R-Lehigh). This bill would establish the state's first special education funding formula in over twenty years. The bill was passed by the Senate on June 4, 2012 and by the House on June 30, 2012 with amendments. The Senate will have to concur in the amendments. The bill is currently in the Senate Rules Committee. See **HB 1330** introduced by Representative Thomas Quigley (R-Montgomery). HB 1330 would, among other things, establish a **Special Education Funding Commission.** It has passed both the House and Senate in different forms and is currently in the House Rules Committee for a concurrence vote. See also **HB 704** introduced by Representative Bernie O'Neill (R-Bucks).

SB 1536. Introduced by Senator John Wozniak (D-Cambria). It would **abolish the Department of Drug and Alcohol Programs** and transfer its powers and duties to the Department of Health. The bill was referred to the Senate Public Health and Welfare Committee, May 29, 2012.

ODP

Using the Act 22 expedited regulatory process, regulations for developmental programs home and community-based services and Intermediate Care Facilities/Intellectual Disabilities (ICF/ID) services were published on June 9, 2012 in the Pennsylvania Bulletin (Vol. 42, No. 23). The regulations include several significant changes to the way residential services will be provided and paid. In addition, rate

notices were issued as follows: for ODP cost-based and fee schedule services for 2012-13 on May 29; for Vendor Fiscal/Employer Agent on June 7; and for Agency with Choice on June 8 . All of these documents are available at www.odpconsulting.net under Communications/Informational Memos.

Payment Policies

On June 4, 2012, the House Human Services Committee held a hearing on Office of Developmental Programs (ODP) rate and policy issues and their effect on individuals with intellectual disabilities, families, and providers. Stakeholders expressed concern that the rate and policy changes may result in some services being unavailable in some areas of the state.

Waivers Renewed

The Office of Developmental Programs (ODP) has received approval for the renewal from 2012 to 2017 of the Consolidated and Person/Family Directed Services Waivers. Many of the changes reflect the new regulations. The waiver applications are available at: www.dpw.state.pa.us/fordisabilityservices/intellectualdisabilitiesservices/index.htm.

OMHSAS

The Office of Mental Health and Substance Abuse Services (OMHSAS) has issued two new Bulletins which can be seen at: <http://services.dpw.state.pa.us/olddpw/bulletinsearch.aspx>.

- Summer Therapeutic Activities Program (STAP) (OMHSAS-12-01) was issued on March 1, 2012 and was effective on March 1, 2012. The bulletin clarifies programmatic expectations for STAPs and provides direction to providers for developing and

operating STAPS.

- Cost Centers for County Based Mental Health Services (OMHSAS-12-02) was issued on March 26, 2012 and is effective July 1, 2012. The bulletin updates data reporting for counties and establishes new cost centers, expands some existing cost centers, and combines others.

OLTL

Using the Act 22 expedited regulatory process, regulations for long-term living home and community-based services were published in the Pennsylvania Bulletin (Vol. 42, No. 20) on May 19, 2012. The regulations include several significant changes to the way service coordination will be provided. The Aging waiver will now use the same definition, payment rate and provider qualifications as for those under age 60. The agency providing service coordination will not be allowed to also provide services.

Documents related to the new Home and Community Based Services regulations and rates can be found at: www.aging.state.pa.us/portal/server.pt/community/information_for_providers/19328. At this site there is a link to the regulation itself, a comparison of old and new procedure codes and services, the new rates and the regions. Contact 800-932-0939 for materials in alternate format.

Rates & Policies

On May 3, 2012, the House Human Services Committee held a hearing on Office of Long Term Living (OLTL) rate and policy issues and their effect on individuals, providers, and the aging network. Testimony from stakeholders who expressed their concerns is available at www.pa-pca.org under the News/Events/Pressroom Tab.

Waiver Amendments

The Office of Long Term Living (OLTL) submitted waiver amendments to the Centers for Medicare and Medicaid (CMS) that align the five OLTL Home and Community Based Service waivers with the new regulations. Changes include service definitions, units and rates; provider qualifications and training; and program operation rules. The amendments are available at www.portal.state.pa.us/portal/server.pt?open=514&objID=733116&mode=2.

Licensing Bureau

Gary Alexander, Secretary of the Department of Public Welfare has announced the consolidation of several DPW licensing and inspection functions into a single Bureau of Human Services Licensing (BHSL). The consolidation is intended to increase efficiency and avoid duplication. The initial phase, scheduled for July 1, 2012, will involve Licensing Management and research, licensing for Adult Residential (personal care homes), Community Homes, Family Living, Adult Training Facilities, Vocational Facilities and Child Residential settings. Additional licensing functions will be added at a later date.

Primary Results

Five Pennsylvania State House incumbents lost primary elections in April. Three of the House members who lost their seats had been in office for more than 25 years — Representative Richard Geist, R-Blair; Representative Babette Josephs, D-Philadelphia; and Representative Joseph Preston, D-Allegheny. Also losing their seats in the primary election were Representative Ken Smith,

D-Lackawanna and Representative Kevin Murphy, D-Lackawanna. Speaker of the House, Sam Smith, R-Jefferson survived an unexpectedly close call.

In statewide row offices, primary winners were: Kathleen Kane, Democrat who will run against David Freed, Republican, for attorney general; and state Representative John Maher, Republican versus state Representative Eugene DePasquale, Democrat, for auditor general.

Redistricting

In mid-June, the Legislative Re-apportionment Commission voted for a new set of state legislative district maps. The state Supreme Court had rejected the Commission's earlier plan. On July 9, appeals of the Commission's final plan were filed with the Supreme Court, on which the court is mandated to review and rule.

OMHSAS

Blaine Smith resigned his position as Deputy Secretary of the Department of Public Welfare's Office of Mental Health and Substance Abuse Services (OMHSAS) on May 25. The acting Deputy Secretary is Karen Deklinski.

Voter ID requirements

Starting with the November 6, 2012 general election, everyone who votes will be required to show a valid photo ID which shows an expiration date that is current (except as noted below) at the polling place. According to the votesPA website www.votespa.com acceptable forms of ID are:

- Photo IDs issued by the U.S. Federal Government or the Commonwealth of Pennsylvania
- Pennsylvania driver's license or non-driver's license photo ID (IDs are valid for voting purposes 12 months past expiration date)
- Valid U.S. passport
- U.S. military ID - active duty and retired military (a military or veteran's ID must designate an expiration date or designate that the expiration date is indefinite). Military dependents' ID must contain an expiration date
- Employee photo ID issued by Federal, PA, County or Municipal government
- Photo ID cards from an accredited Pennsylvania public or private institution of higher learning
- Photo ID cards issued by a Pennsylvania care facility, including long-term care facilities, assisted living residences or personal care homes

If you do not have one of these IDs and need one for voting purposes, you may be entitled to get one FREE OF CHARGE at a PennDOT Driver License Center. To find the Driver License Center nearest you, and learn what identification and residency documents you will need to get a photo ID, visit PennDOT's Voter ID website or call the Department of State's Voter ID Hotline at 1-877-VotesPA (1-877-868-3772).

According to a Department of State press release, "91 percent of Pennsylvania's 8,232,928 registered voters have PennDOT ID numbers. Of the 758,939 voters who could not be matched between the Department of State and PennDOT databases, 22 percent, or 167,566, are inactive voters, most of whom have not voted since 2007." That means 591,373 voters did not match as having a PennDot ID number. The press release showing a by-county list can be found at www.dos.state.pa.us/portal/server.pt/community/newsroom/12416. Because of these numbers, a number of organizations are calling on Governor Corbett to ask state lawmakers to delay the implementation of the law to allow more people the time to get the proper identification and allow the courts to deal with the issues. They have noted that, in some cases, getting the proper identification can be a time consuming process. Organizations concerned with getting out the vote are making an effort to inform their members and clients about the new requirement well in advance of the November 6 presidential election. More information is available at www.seventy.org/Elections_Voter_ID.aspx. The deadline to register to vote in the November election is October 9.

NATIONAL NEWS

Affordable Care Act

According to Capitol Insider for the week of July 2, 2012, “the United States Supreme Court upheld the constitutionality of the Affordable Care Act (ACA). In brief, the Court ruled that the penalties an individual would pay for not buying health insurance (referred to as the individual mandate) are constitutional under the Congress’s power to tax. The Supreme Court also ruled that states can opt out of the health care law’s Medicaid expansion without losing federal funding for its entire Medicaid program.” Governor Corbett now needs to decide how Pennsylvania will proceed.

For a detailed description of the ruling go to www.supremecourt.gov/opinions/11pdf/11-393c3a2.pdf

Federal Budget 2012-13

The budget that President Obama proposed in February to fund the federal government for fiscal year 2013 was considered by the House and Senate and rejected by both in unanimous votes. An alternative budget plan developed by Representative Paul Ryan, which would have cut many health and human service programs, was passed by the House and defeated in the Senate. No Senate resolution, including one offered by Pennsylvania’s Senator Pat Toomey, had passed at press time. The 2013 budget will be affected by the mandatory caps on discretionary spending from the Budget Control Act of 2011. Due to the upcoming

election, it is unlikely that Congress will be able to enact a budget before the new fiscal year begins on October 1, 2012.

Community Living

The Department of Health and Human Services (HHS) has announced the creation of a new federal agency to serve individuals with disabilities and seniors by combining three existing agencies: the Administration on Developmental Disabilities, the Office on Disability and the Administration on Aging. HHS Secretary Sebelius said that “with the creation of the new Administration for Community Living (ACL) we are reinforcing this commitment by bringing together key HHS organizations and offices dedicated to improving the lives of those with functional needs into one coordinated, focused and stronger entity.” For more information, go to www.hhs.gov/acl.

811 Housing

On Tuesday, May 15, 2012, the federal Department of Housing and Urban Development (HUD) issued its “FY 2012 Section 811 Project Rental Assistance NOFA.” This Section 811 Project based rental assistance program makes \$85 million available for housing vouchers. For the first time, in order for a state to receive the funding, there must be a formal written agreement between the State housing agency and the State Medicaid agency. It is a joint effort between HUD and CMS. States can save on Medicaid expenditures by using these Section 811 housing vouchers for people who are unnecessarily institutionalized. Funds are limited, so states must compete for the grants. The deadline for State applications to HUD is July 31, 2012. Advocates in the

disability community are encouraged to participate in the process. For background information from the advocacy perspective, go to www.stevegoldada.com.

Restraint & Seclusion

The Education Department has issued guidelines on the use of restraint and seclusion with students in schools. The 15 guiding principles offer states, schools and parents a framework for developing good policies to ensure the safety of adults and students. The guidelines say preventing the need for restraint and seclusion is important and students should be restrained only when they are in imminent danger of harming themselves or others. The practices should never be used as a form of punishment or discipline. The report, which includes a chart of the current laws and policies in every state, is available at www2.ed.gov/policy/seclusion/index.html.

UN Convention

President Barack Obama has urged the U.S. Senate to grant final approval for the country's participation in the United Nations Convention on the Rights of Persons with Disabilities (CRPD). He said "The rights of Americans with disabilities should not end at our nation's shores." The US signed the treaty in 2009 and it now must be ratified by the Senate. The convention would expand community access and employment opportunities while improving the standard of living for the estimated 650 million people around the world with disabilities. It is the first new human rights convention this century. The Senate Foreign Relations Committee held a hearing on the CRPD on July 12.

CMS Rules

The Centers for Medicare and Medicaid Services (CMS) has recently issued two proposed rules and a final rule that were called for in the Affordable Care Act (ACA):

- The Center for Medicaid and CHIP Services has issued guidance to states for the implementation of new transparency rules that took effect on April 27, 2012 for Section 1115 Medicaid waiver demonstration applications. The transparency changes enable stakeholders to be informed about and weigh in on their state's waiver applications. In addition, a "user guide" had been made available to help individuals and organizations participate in the public comment period and to know when their state has submitted an application. The guide is available at www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Waivers/1115/Downloads/section-1115-user-guide.pdf.
- The Center for Medicaid and CHIP Services has issued a proposed rule on the Home and Community-Based State Plan Benefit, also known as the Section 1915i State Plan Option, that will implement improvements passed in the ACA. The option permits a state to offer Medicaid HCBS without a HCBS waiver. This option would allow a state to provide services to individuals who do not meet institutional level of care but have significant service needs. Information is available at www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Long-Term-Services-and-Support/Home-and-Community-Based-Services/Home-and-Community-Based-Services-1915-i.html.

RESOURCES

- The Center for Medicaid and CHIP Services has issued a proposed rule on the Definition of “Home and Community Based Setting” that will be used in both the 1915i State Plan Option and in the Community First Choice (CFC) Option. The CFC statute specifies that home and community-based settings do not include a nursing facility, institution for mental diseases, or an intermediate care facility for those with intellectual disabilities.

- The Center for Medicaid and CHIP Services has issued a final rule on the Community First Choice which is a state plan option rather than a Home and Community Based Services (HCBS) waiver. It provides a 6% increase in federal matching funds for providing person-centered HCBS and supports. For information go to www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Long-Term-Services-and-Support/Home-and-Community-Based-Services/Community-First-Choice-1915-k.html.

ADA Regs

The U.S. House added a provision to one of the Appropriations bills that bars the Department of Justice (DOJ) from using any funding to implement regulations on access to swimming pools. The Senate has not acted on it. Advocates have raised a concern that it could set a precedent that would encourage efforts to chip away at other provisions of the Americans with Disabilities Act.

DPW

DPW announced a new addition to the agency’s website that includes:

- Fees set by the department to pay doctors and suppliers;
- Provider reimbursement rates;
- Facility audits; and
- Benefit enrollment data

The new information is found online at www.dpw.state.pa.us by clicking on the “transparency” graphic on the homepage.

ODP Info

DPW has launched a new ODP Consulting website containing information for stakeholders including news, stories, informational memos, a link to Bulletin Search and a list of acronyms. The site is also the portal to provider training. Go to www.odpconsulting.net.

Hotline

In July, the Pennsylvania Department of Aging announced a new toll-free number to help consumers with questions about long-term living and services for people with disabilities. The Link to Aging and Disability Resource Center line, 1-800-753-8827, is answered between 8:30 a.m. and 4 p.m., Monday through Friday, excluding holidays. Call to the Long Term Living Helpline, 1-866-286-3636, will automatically connect to the new service.

Inclusion

United Cerebral Palsy has released The Case for Inclusion report for 2012 that annually ranks all 50 states and the District of Columbia on outcomes for Americans with intellectual and developmental

disabilities (ID/DD). The report includes information on each state's key measures on how they are doing with supporting people in the community. Pennsylvania has an overall rank of 10 in this report, up from 15 in the previous report. The number of people in institutions, as well as on the waiting list, is shown. The report, including Pennsylvania's scorecard, is available at www.ucp.org/the-case-for-inclusion/2011.

Employment

ICI's National Report on Employment Services and Outcomes is now available. The book provides national and state level statistics spanning a twenty-year period. Its sources include several data sets that address the status of employment and economic self-sufficiency for individuals with ID/DD www.communityinclusion.org/article.php?article_id=323.

Employment Summit

PADES (PA Disability Employment Summit) will be held October 4-6, 2012 at Hershey Lodge, Hershey PA. The summit on employment of individuals with disabilities is co-presented by PA Department of Public Welfare and The Arc of Luzerne County for Business, Service Providers, Job Seekers & Care, Givers and Government. Sign up for updates at www.padesummit.org.

Money Follows

Mathematica Policy Research and CMS have issued a report on the status of the Money Follows the Person demonstration program (MFP). The demonstration supports state efforts to help Medicaid participants living in long-term care facilities transition back to a home in the community, and to make community-based long-term care services and supports

more accessible. To make transitions more possible, MFP participants are typically offered, during their first year back in the community, expanded home and community-based services (HCBS) and supports beyond those normally available to Medicaid enrollees. The report reviews costs, the populations served and the services and supports provided to them. Read the 16 page report at www.mathematica-mpr.com/publications/PDFs/health/mfpfieldrpt9.pdf.

Building Bridges Conference

The 2012 Building Bridges Aging/Intellectual Disability Cross-Systems Conference will be held September 5-6, 2012 at the Radisson Hotel Harrisburg, Camp Hill, PA. It is designed for people who are part of the Aging Network and the Intellectual Disability System. It is sponsored by the Pennsylvania Department of Aging and the Pennsylvania Department of Public Welfare through the Long Term Living Training Institute. Register online at www.lttrainingpa.org.

Transportation Report

According to a report recently issued by the American Association of People with Disabilities and the Leadership Conference Education Fund, even though there are laws requiring accessibility, many taxis and older public-transit systems are still inaccessible and some paratransit systems don't meet people's needs. The report also notes that, as in Pennsylvania, individuals with disabilities living in rural areas may have no access to public transportation at all. Read the five page report at <http://www.civilrightsdocs.info/pdf/transportation/final-transportation-equity-disability.pdf>.

Advisory Groups

A number of groups which formerly advised offices in the Department of Public Welfare are no longer being convened. In the absence of those advisory groups, some stakeholders are attending the Medical Assistance Advisory Committee (MAAC) which is legally mandated. The MAAC and its subcommittees meet regularly and often include information of interest to the disability community. Subcommittees include Long Term Care, Managed Care, Fee for Service, and Consumer.

The schedules, locations and minutes of the MAAC and subcommittees can be found at <http://bit.ly/Mi6ls1>

Advocacy Support

The Disability Advocacy Support Hub (DASH) is a program started in April 2007 by the Disability Rights Network of PA (DRN) with funding from the PA Developmental Disabilities Council. It is designed to support disability advocacy groups all across Pennsylvania. DASH provides free trainings and technical assistance to disability advocacy groups to help them build their groups and improve their advocacy. It has helped groups with a variety of advocacy issues, strategic planning, board development, use of media, lobbying rules, outreach, fund raising, networking and other topics and activities. For more information, contact Lan Do at Ldo@drnpa.org or 717-236-8110 ext. 312.

Advocacy Training

The Disability Advocacy Support Hub (DASH) (see information about DASH above) is hosting free workshops around the state to help groups improve their advocacy skills. From 10 a.m. to noon a session will be held on Different Advocacy Approaches. Lunch will be provided. From 1 to 3 pm, the workshop will focus on Effective Grassroots Policy Advocacy. Workshops are scheduled in:

- Carlisle – September 10 at the Arc of Cumberland and Perry Counties
- Pittsburgh – September 18 at Three Rivers Center for Independent Living Services
- Clarion – September 19 at Arc of Clarion and Venango Counties
- Williamsport – October 1 at Center for Independent Living of North Central PA
- Scranton – October 3 at Northeast Pennsylvania Center for Independent Living Opportunities
- Glenmoore – October 16 at Camphill Soltane

Seating is limited and reservations are required. To register or for more information, contact DASH toll free at 800-692-7443 x312 (877-375-7139 TTY) OR send an email to Ldo@drnpa.org. Please make requests for accommodations and/or alternate formats by August 15, 2012.

Contact PIE

Contact the PIE Team with any questions, comments, suggestions, or information to share at PIE, c/o The Arc of Pennsylvania, 101 South Second Street, Suite 8, Harrisburg, PA 17101, by email at pie@thearcpa.org or by phone at 800-692-7258.

- * *A Slice of Pie* is available by email and contains hyperlinks for ease of accessing websites and internet documents and resources.
- * PIE Alerts, PIE Information, and PIE Job Postings are available by email to keep people informed about disability issues between newsletters.
- * Sign up for *A Slice of Pie* or PIE electronic messages by phone at 800-692-7258 or by emailing pie@thearcpa.org.
- * Individuals who already get *A Slice of Pie* and/or PIE electronic messages can make changes at any time by clicking "Update Profile/Email Address" at the end of any PIE email message.
- * *A Slice of Pie* is available at the Developmental Disabilities Council website www.paddc.org, by clicking on "Publications" and "Slice of Pie". Archived editions can also be found there.
- * *A Slice of Pie* is available in alternate format upon request.
- * The PIE office will download, copy, and mail information mentioned in *A Slice of Pie* upon request.

The PIE Team

CONSULTANTS:

Theotis Braddy

Joan W. Martin

Vini Portzline

Terry Roth

THE ARC OF PENNSYLVANIA PIE STAFF:

Gwen Adams

Maureen Cronin

Todd Dickinson

Maureen Westcott

A Slice of Pie

Policy Information Exchange
c/o The Arc of Pennsylvania
Suite 8 - Executive House
101 South Second Street
Harrisburg, Pennsylvania 17101

Change of Information?

We want to be certain that you do not miss an issue of *A Slice of Pie*, so please send name or address changes either by phone 800-692-7258 or by email to pie@thearcpa.org.
Thank you.