

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 NEWS

STATE BUDGET

The spending plan for Pennsylvania's 2017-18 fiscal year passed on time. For an analysis of items of interest to the disability community in the spending bill, see Volume 18, Issue 2 of the Slice of PIE or contact the PIE Office. But it took four months for the General Assembly and the Governor to agree on revenue to pay for it. A series of revenue bills passed in late October. They provide for:

- Expanding legalized gambling with up to ten mini-casinos run by established casinos, internet gambling run by casinos, video gaming terminals at truck stops, bets on daily fantasy sports games and airport tablet gambling.

Lottery tickets will be sold on-line and it appears that the Lottery will be able to offer virtual sports games at Lottery retailers, including bars and taverns. This will generate additional funding for the senior programs the Lottery supports.

- Borrowing \$1.5 billion from tobacco settlement funds. A number of disability-related programs are currently funded

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with tobacco settlement funds including the Aging Waiver, Medical Assistance for Workers with Disabilities (MAWD) and nursing homes. We've been told that the borrowing should not affect these programs.

- Taking \$300 million out of unspent funds for projects ranging from transportation to environmental clean-up.
- Collecting sales tax from third-party internet vendors, like Amazon and eBay and imposing a new 12-percent tax on consumer fireworks.

Attention has turned to preparation of the 2018-19 state budget. The Governor will release his proposed budget in February, 2018.

Bills of Interest

Below we summarize some bills of interest to the disability community from the 2016-2017 session. For more information about these or any other state bills, go to: <http://www.legis.state.pa.us/cfdocs/legis/home/session.cfm>. At the top of the page in the box labeled, "Legislation Quick Search," enter the bill number and click on "Search". The site contains lots of useful information. So, take a few minutes and check it out.

SB 21. Introduced by Senator Bob Mensch (R-Berks). This bill, entitled "**The Employment First Act,**" would promote the employment of people with disabilities at competitive wages in Pennsylvania businesses and public agencies. It was introduced and referred to the Senate Labor and Industry Committee,

June 29, 2017. It received first consideration in the Senate, Nov. 14, 2017.

HB 825. Introduced by Representative Doyle Heffley (R-Carbon). This bill would provide for a psychiatric and detoxification bed registry for the treatment of individuals in need of inpatient psychiatric hospitalization or detoxification; and provide a search function to identify available beds that are appropriated for the treatment of a **mental health** or substance abuse emergency. It was introduced and referred to the House Human Services Committee, March 13, 2017.

HB 835. Introduced by Representative Aaron Bernstine (R-Beaver). This bill would declare that persons receiving **mental health care treatment** have a right to be free from abuse, neglect and exploitation. It was introduced and referred to the House Health Committee, March 13, 2017, passed June 27, 2017 (197-0). Referred to the Senate Health and Human Services Committee, July 6, 2017.

HB 1124. Introduced by Representative Jim Cox (R-Berks). This bill would further provide for the offense of **neglect of a care-dependent person**, and to create the offense of abuse of a care-dependent person. It was introduced and referred to the House Judiciary Committee, May 5, 2017.

HB 1641. Introduced by Representative Bryan Cutler (R-Lancaster). This bill introduces "**The Employment First Act,**" designed to promote the employment of people with disabilities at competitive

wages by Pennsylvania employers. It was introduced and referred to the Labor and Industry Committee, June 29, 2017. Third Consideration and final passage, December 11, 2017, 191 to 0.

HB 1829. Introduced by Representative Aaron Bernstine (R-Beaver). This bill would provide greater access for seniors to in-home care by extending “**presumptive eligibility**” to those who meet the qualifications for Medicaid and who wish to remain in their own homes instead of in a more costly and restrictive setting. The qualifications for care still remain in place and eligibility criteria will not be altered or lowered. Instead, the bill will assist in expediting and equalizing the approval process for those who wish to receive care at home, as the process now does for nursing home care. It was introduced and referred to the House Health Committee, Sept. 27, 2017.

HB 1860. Introduced by Representative Frank A. Farry (R-Berks). This bill would amend Title 18 (Crimes Code) Section 2713 regarding **neglect of a care-dependent person**. This bill would expand the offense to include neglect that results in death. It was introduced and referred to the Judiciary Committee, Oct. 16, 2017.

SB 912. Introduced by Senator Michele Brooks (R-Crawford). This bill would provide for a medical assistance **presumptive eligibility** program for seniors for home care and home health services. It was introduced and referred to the Health and Human Services Committee, Oct. 5, 2017.

OLTL

Community HealthChoices

The Department of Human Services continues to prepare for the launch of Community HealthChoices (CHC) on January 1, 2018 in 14 counties in Southwestern Pennsylvania and has announced a change to the start dates for the Southeast Region (January 1, 2019) and to the remaining counties (January 1, 2020). The managed care program will serve participants in the OLTL waivers (except OBRA), nursing home residents on Medicaid, and additional individuals living in the community who are eligible for both Medicare and Medicaid. Affected individuals in the Southwest Region could choose a managed care organization (MCO) or one was chosen for them. All individuals can change their selected plan at any time. All individuals receiving services as of December 31, 2017 will continue to receive the services in their current service plan from their current providers for six months unless they request a change. The three MCOs for HealthChoices are AmeriHealth Caritas, PA Health & Wellness, and UPMC Community HealthChoices. Updated information is available at this link including contact information for the three MCOs: <http://www.healthchoices.pa.gov/info/about/community/>.

In addition, the monthly Managed Long-Term Services and Supports (MLTSS) Medical Assistance Advisory Committee (MAAC) meeting reviews information about other aspects of the program implementation including the Quality Framework, the

enrollment statistics, and the Department of Human Services oversight of the program launch. Presentations, transcripts, and the 2018 meeting dates are available at <http://www.dhs.pa.gov/communitypartners/informationforadvocatesandstakeholders/mltss/index.htm>.

ODP

The Department of Human Services, Office of Developmental Programs (ODP) has received approval from the Centers for Medicare and Medicaid (CMS) for the Community Living waiver effective January 1, 2018. The program includes services in the home, employment services, respite care, community participation supports, and supports to live independently. It will have a cap of \$70,000 per year per person enrolled in the 1915c waiver. The new program aims to serve 1,000 individuals who have autism, intellectual disability or developmental disability and who meet eligibility criteria. The approved waiver will be posted at this link when available: <http://dhs.pa.gov/learnaboutdhs/waiverinformation/communitylivingwaiver/>.

OMHSAS

The Department of Human Services (DHS) has developed an application for a waiver to provide substance use disorder (SUD) services in Pennsylvania. The proposed Federal Section 1115 Demonstration waiver application was made available for public review and comment during November and December, including at four public hearings across the Commonwealth. The purpose of the Demonstration is to afford continued access to high quality, medically

necessary treatment for opioid use disorder and other substance use disorders for Medicaid beneficiaries. The goals of the Demonstration are to improve overall population health outcomes, decrease use of high-cost emergency and hospital care, and improve care transitions across the continuum of substance use services. The application is available at this link <http://www.healthchoices.pa.gov/info/about/>.

NATIONAL NEWS

Federal Budget 2018

Congress has passed Continuing Resolutions (CR) to fund the federal government since October 1, 2017. As we go to press, the deadline to enact a spending bill for the fiscal year and to raise the debt limit is December 22, 2017.

Tax Reform and Healthcare

Congress is continuing to work on enacting a tax reform bill following passage of bills in both the House and Senate. The two versions are different and must be negotiated into one piece of legislation by a conference committee. Advocates for human services, individuals with disabilities and seniors have expressed concerns over several aspects of the bills including likely ultimate impact on Medicare, Medicaid and Social Security through funding cuts. The Congressional Budget Office has estimated that H.R.1 –Tax Cuts and Jobs Act would increase in the deficit by \$1.5 trillion and

would trigger the 2010 law enacting pay-as-you-go (PAYGO) cuts to Medicare as soon as January 2018. Other issues of concern to advocates include changes to the medical expense deduction and to Affordable Care Act rules that may impact insurance coverage for individuals with pre-existing conditions. The following sources provide information: www.aarp.org , <https://www.cbo.gov/http://www.thearc.org/>, <http://www.advocacymonitor.com/category/healthcare-community-living/>, www.cbpp.org.

STATE AND NATIONAL NEWS

CHIP

Both state and federal action is required to continue the Children's Health Insurance Program (CHIP). Congress did not act to extend the program before the September 30, 2017 deadline to avoid interruption of the health insurance coverage for 8.9 million children across the country, including nearly 179,000 in Pennsylvania who benefit from the federal-state partnership. Bi-partisan proposals under discussion to extend CHIP for five years were not enacted as of press time. The Department of Human Services that administers the program has developed contingency plans and is able to fund CHIP through the end of March, 2018. The Pennsylvania CHIP law due to be reauthorized in the General Assembly by the end of the year was passed on December 11, 2017 and sent to the Governor for his signature.

On December 8, 2017, Pennsylvania celebrated the 25th anniversary of CHIP in the Commonwealth, noting that Governor

Bob Casey signed it into law in 1992. It was the first program of its kind in the nation and since 2009 has covered more than 850,000 Pennsylvania kids. For more information on CHIP visit www.CHIPCoversPAKids.com.

RESOURCES

Developmental Disability Statistics

A Data Brief by the National Center for Health Statistics of the Centers for Disease Control and Prevention (CDC) was released in November 2017 that shows the prevalence of children diagnosed with developmental disabilities. The eight page report includes comparisons over three years from 2014 to 2016 for autism spectrum disorder, intellectual disability, developmental disability, and other developmental delay. The information is based on parental report on children ages 3 to 17 who are diagnosed. <https://www.cdc.gov/nchs/data/databriefs/db291.pdf>.

SSI 2018

The Social Security Administration has announced a two percent increase in Supplemental Security Income amounts effective in January 2018. Social Security payments will also receive a two percent increase. Read specifics of the increase for all Pennsylvania SSI payment amounts at this link: <https://www.ssa.gov/pubs/EN-05-11150.pdf>.

Voting Resources & Dates

Pennsylvania will hold a General Primary election on May 15, 2018 for Governor and Lieutenant Governor, all House seats and the even numbered Districts in the Senate.

In the U.S. Congress, the Senate seat currently held by Robert “Bob” Casey Jr. and all 18 House seats are up for election. April 16, 2018 is the last day to register to vote and to register to vote by an absentee ballot. The Pennsylvania Department of State has information and guidance on elections including voter ID requirements, voter intimidation, polling place rules and upcoming deadlines for 2018 municipal and state elections at this link: <http://www.dos.pa.gov/VotingElections/OtherServicesEvents/Pages/Election-Administration-Tools.aspx> . In addition, www.votespa.com has information for voters including polling place location and how to register to vote.

DSP Wage Study

PAR (Pennsylvania Advocacy and Resources for Autism and Intellectual Disability), The Alliance of Community Service Providers (The Alliance CSP), and Rehabilitation of Community Providers Association (RCPA) have released a study that outlines key findings regarding the state of wages paid to Direct Support Professionals (DSPs) and the benefits to workers, participants and the Commonwealth of improving DSP wages in Pennsylvania programs. The report also

discusses the trend of increasing demand for DSPs that is expected to continue. The research was done by Social Innovations Partners and the 21 page study has been endorsed by Disability Rights Pennsylvania (DRP) and the following Pennsylvania associations: Moving Agencies Toward Excellence (MAX), The Arc of Pennsylvania, The Provider Alliance (TPA), and United Cerebral Palsy of Pennsylvania (UCP of PA). Read the report at <https://paroncloud.egnyte.com/dl/uxuoF8YVze>.

Falling Off the Cliff

The Philadelphia Inquirer published a four-part series on the state of families and individuals with intellectual and developmental disabilities who need services. Reporter Ronnie Polaneczky spent 18 months conducting interviews and research for the articles that describe the experiences and feelings of families facing the lack of supports, inadequate quality, and an unknown future for their family members. The four articles are A Crisis for the Disabled, Finding Good Help, Finding Work, and Life After Death. This link includes photos, videos and links to information: http://www.philly.com/philly/columnists/ronnie_polaneczky/intellectual-developmental-disabilities-caregivers-abuse-falling-off-the-cliff-part-1.html.

Contact PIE

Contact the PIE Team with any questions, comments, suggestions, or information to share at PIE, c/o The Arc of Pennsylvania, 301 Chestnut Street, Suite 403, Harrisburg, PA 17101, by email at pie@thearcpa.org or by phone at 800-692-7258.

- o **A Slice of Pie** is available by email and contains hyperlinks for ease of accessing websites and internet documents and resources.
- o PIE Alerts, PIE Information, and PIE Job Postings are available by email to keep people informed about disability issues between newsletters.
- o Sign up for A Slice of Pie or PIE electronic messages by phone at 800-692-7258 or by emailing pie@thearcpa.org.
- o 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.
- o 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.
- o **A Slice of Pie** is available in alternate format upon request.
- o The PIE office will download, copy, and mail information mentioned in A Slice of Pie upon request.

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by phone 800-692-7258
or by email to pie@thearca.org.
Thank you.
