

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.**

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## STATE NEWS

### BUDGET

On May 29, 2020, Governor Wolf signed into law a \$25.75 billion Interim budget for the Commonwealth for the Fiscal Year 2020-2021 that begins on July 1, 2020. The enacted budget funded Pennsylvania’s operations through November 30, 2020 at approximately 5/12ths of the current year for most programs and services. It included full year funding for education and the Lottery Funded programs for seniors at current year levels. Also enacted in May were the fiscal code bill and CARES Act funding (Act 24) which supports the COVID-19 response across the state. A second interim General Fund budget and related fiscal code bills were passed on

November 20, 2020. The Governor signed the budget bill, S.B. 1350 on November 23, 2020 for the remaining seven months of the current fiscal year. The budget bills also appropriated the remaining CARES Act funding and additional funds made available through the extension of federal matching funds for Medicaid services.

Below is a list of the enacted appropriations, the fiscal year total, and the change from the amount requested by the

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Governor in the Fall Update or from the FY 19-20 available funds.

### Department of Human Services

- **Early Intervention Services (Birth – 3):** \$106,457,000 for FY total \$185,327,000, an increase of 4.3% over FY 19-20

- **Intellectual Disabilities Community Waivers:** \$1,105,731,000 for FY total \$1,889,894,000, an increase of 8.6% over FY 19-20

o Funding to remove 200 individuals off the emergency waiting list: 150 to the Community Living Waiver and 50 to the Consolidated Wavier. Funding to transition individuals out of the state institutions.

o Department of Human Services will be releasing more details in the future.

- **Intellectual Disabilities State Centers:** \$68,831,000 for FY total \$117,017,000, an increase of 1.2% over FY 19-20

- **Intellectual Disabilities Community Base Program:** \$85,464,000 for FY total \$146,257,000, a decrease of 2.3% from FY 19-20

- **Intellectual Disabilities Intermediate Care Facilities:** \$90,957,000 for FY total \$157,555,000, a decrease of 1.2% from FY 19-20

- **Autism Intervention and Services:** \$16,888,000 for FY total \$29,323,000, an increase of 3.1% over FY 19-20

- **Mental Health Services:** \$511,211,000 for FY total \$845,865,000, a 5.1% increase over FY 19-20

- **Medical Assistance for Workers with Disabilities (MAWD):** \$26,432,000 for FY total \$60,518,000, an increase of 52.5% over FY 19-20

- **Medical Assistance Transportation (MATP):** \$34,056,000 for FY total \$60,693,000, an increase of 1.8% over FY 19-20

- **Medical Assistance Community HealthChoices (CHC):** \$2,279,072,000 for FY total \$3,655,016,000, an increase of 36.2% that reflects additional funds for the third phase roll-out

- **Medical Assistance Long-Term Living** (formerly named Long-Term Care and now includes the OBRA waiver and Act 150): \$185,574,000

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for FY total \$248,020,000, a decrease of 53.9% from FY 19-20 that reflects the planned movement of funds to CHC for nursing home care

- **Home and Community Based Services:** the funds to serve individuals in the Aging Waiver have been shifted into Community Health Choices
- **Services to Persons with Disabilities, and Attendant Care:** the funds to serve individuals in the OBRA and Act 150 programs have been merged into Medical Assistance Long-Term Living
- **Long-Term Care Managed Care (LIFE program):** \$75,459,000 for FY total \$146,842,000, a decrease of 2.9% from FY 19-20

### Department of Labor & Industry

- **Transfer to Rehabilitation Fund:** \$27,966,000 for FY total \$47,942,000, level funded
- **Supported Employment:** \$232,000 for FY total \$397,000, level funded
- **Centers for Independent Living:** \$1,137,000 for FY total \$1,950,000, level funded
- **Assistive Technology Financing:** \$277,000 for FY total \$475,000, level funded

- **Assistive Technology Demonstration & Training:** \$262,000 for FY total \$450,000, level funded

Programs that serve individuals with sensory disabilities in the **Bureau of Blindness & Visual Services** or **Office for the Deaf and Hard of Hearing:** level funded

### Department of Health

- **Epilepsy Support Services, Sickle Cell, Cystic Fibrosis, Lupus, ALS, Tourette's syndrome,** and the other specialized health programs: level funded

### Department of Education

- **Special Education:** received full year funding in the May Interim Budget for FY total \$1,186,815,000
- **Pre-school Early Intervention:** \$189,875,000 for FY total \$325,500,000, an increase on 3.5% over FY 19-20
- **Chartered schools for children who are deaf and blind:** \$28,377,000 for FY total \$57,557,000, an increase of 5.4% over FY 19-20
- **Special Education - Approved Private Schools:** \$44,784,000 for total \$122,565,000, an increase of 6.9% over FY 19-20

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## Treasury

- **The ABLE program:** received full year funding in the May Interim Budget for FY total \$900,000, reflects the amount requested by the Governor.

## Department of Drug and Alcohol Programs

- Assistance to **Drug and Alcohol Programs:** \$26,094,000 for FY total \$44,732,000, level funded
- **General Government Operations:** \$1,513,000 for FY total \$2,620,000, a decrease of 1.4% from FY 19-20

## **PENNSYLVANIA ELECTION NEWS**

On November 3, 2020, the country held the 2020 General Election. Former Vice-President Joe Biden secured the nomination for President of the United States and won the state of Pennsylvania. The Electoral College met on December 14th to cast their votes, officially naming the next President of the United States.

Pennsylvania's Congressional delegation has not changed as all 18 incumbents to the U.S. House of Representatives won re-election. The delegation is split 9 Democrats and 9 Republicans.

In the PA House and Senate, House Republicans flipped four seats (House District-33, House District-55, House

District-123, and House District-143), including Minority Leader Frank Dermody's seat; House Democrats flipped one seat (House District-152); and Senate Republicans and Democrats each flipped one seat, Senate District-37 and Senate District-9 respectively.

## **PA LEGISLATURE LEADERSHIP ELECTIONS**

The Republican House members voted to elect their new leadership team for the 2021-2022 legislative session. The following leaders were selected:

- Speaker Bryan Cutler (Lancaster) – Speaker of the House
- Rep. Kerry Benninghoff (Centre) – Majority Leader
- Rep. Donna Oberlander (Clarion) – Majority Whip
- Rep. Stan Saylor (York) – Appropriations Chair
- Rep. Kurt Masser (Northumberland) – Caucus Administrator
- Rep. Mike Reese (Westmoreland) – Caucus Chair
- Rep. Martina White (Philadelphia) – Caucus Secretary
- Rep. Martin Causer (Mckean) – Policy Committee Chairman

The Democrat House members voted to elect their new leadership team for the 2021-2022 legislative session. The following leaders were selected:

- Rep. Joanna McClinton (Philadelphia) – Minority Leader
- Rep. Jordan Harris (Philadelphia) – Minority Whip
- Rep. Matthew Bradford (Montgomery) – Minority Appropriations Chairman
- Rep. Michael Schlossberg (Lehigh) – Caucus Administrator
- Rep. Dan Miller (Allegheny) – Caucus Chair
- Rep. Tina Davis (Bucks) – Caucus Secretary
- Rep. Ryan Bizzaro (Erie) – Policy Committee Chair

The Republican Senate members voted to elect their new leadership team for the 2021-2022 legislative session. The following leaders were selected:

- Sen. Jake Corman (Centre) – President Pro Tempore
- Sen. Kim Ward (Westmoreland) – Majority Leader
- Sen. John Gordner (Columbia) – Majority Whip

- Sen. Patrick Browne (Lehigh) – Majority Appropriations Chairman
- Sen. Bob Mensch (Berks) – Caucus Chair
- Sen. Ryan Aument (Lancaster) – Caucus Secretary

The Democrat Senate members voted to elect their new leadership team for the 2021-2022 legislative session. The following leaders were selected:

- Sen. Jay Costa (Allegheny) – Minority Leader
- Sen. Anthony Williams (Philadelphia) – Minority Whip
- Sen. Vincent Hughes (Philadelphia) – Minority Appropriations Chairman
- Sen. Wayne Fontana (Allegheny) – Caucus Chair
- Sen. Maria Collett (Bucks) – Caucus Secretary
- Sen. Katie Muth (Chester) – Policy Committee Chair

## **PA FUNDING FOR STUDENTS WITH DISABILITIES FLATLINED AS SPECIAL EDUCATION EXPENDITURES GREW BY \$2 BILLION OVER A DECADE**

For the past decade, expenditures for educating students with disabilities in Pennsylvania have been climbing steadily, mirroring a national trend. For example, school districts across the state boosted their expenditures for special education by \$254 million in 2018-19, according to recently released state data on district spending. That was a 5% increase over the prior year. The Education Law Center and the statewide PA Schools Work campaign have called out this disturbing pattern of unfairness in reports issued in 2018 and 2019. [Flat-lined Investment into Special Education Funding Over Decade.](#)

## **PENNSYLVANIA'S LABOR & INDUSTRY SECRETARY OLEKSIK RETIRED IN DECEMBER**

Pennsylvania Labor & Industry Secretary Jerry Oleksiak retired from his post on Dec. 4, 2020. L&I's Deputy Secretary for Safety and Labor-Management Relations Jennifer Berrier, a 15-year L&I employee, succeeded Oleksiak. She will have to be confirmed by the state Senate to permanently assume the role.

## **GOVERNOR ESTABLISHES HEALTH CARE REFORM COUNCIL**

Governor Tom Wolf established an Inter-agency Health Reform Council. The purpose of the Council is to evaluate the potential alignment of Commonwealth health care payment and delivery systems to provide efficient, whole-person health care that also contains costs, reduces disparities and achieves better health outcomes for residents of this Commonwealth. [Announcement on Health Care Reform Council in PA Bulletin.](#)

## **UPDATED INTERIM GUIDANCE FOR SKILLED NURSING FACILITIES DURING COVID-19**

The Department of Health has released an updated Interim Guidance for Skilled Nursing Facilities During COVID-19. This replaces the previous guidance in its entirety and brings DOH's guidance in alignment with the three most recent Centers for Medicare and Medicaid Services Memorandums. [Updated Guidance for Skilled Nursing Facilities.](#)

## **BILLS OF INTEREST**

As of November 30, 2020, the 2019-2020 legislative session has ended. Any legislation not signed into law is now dead and will need to be re-introduced during the 2021-2022 Session. For more information about state legislative activity, go to <https://www.legis.state.pa.us/>.

# NATIONAL NEWS

## FEDERAL BUDGET

The blueprint for the federal budget FY2021 spending was established in the Bipartisan Budget Act of 2019 on August 2, 2019. It set the appropriations committee's allocations and suspended the debt ceiling through 2021. Without this measure, deep automatic cuts would take place through the Budget Control Act of 2011. Since the twelve appropriations bills that fund the federal government beginning October 1, 2020 had not been enacted by September 30, 2020, Congress enacted a Continuing Resolution (CR) on October 1, 2020 to avoid a government shutdown. The bill extended the current year's funding levels through December 11, 2020. Congress then passed three additional short continuing resolutions extending government funding through December 21, 2020. Congress passed the \$1.4 trillion spending bill and a \$900 billion coronavirus relief package on December 21, 2020, and the President has until December 28, 2020 to sign it. Negotiations on the details of a comprehensive budget through the end of the fiscal year on September 30, 2021, have been hampered by disagreements over which spending priorities and policies to include in the legislation, and the details of a stimulus package for COVID-19 relief.

Review the status of all budget bills here: [Federal Budget Bills](#) .

## SSA ANNOUNCES COST OF LIVING INCREASES FOR 2021

The Social Security Administration (SSA) has announced a 1.3 percent cost-of-living adjustment (COLA) for Social Security and Supplemental Security Income (SSI) benefits in 2021. [View SSA's fact sheet](#) for more details on the 2021 Social Security COLA.

## FEDERAL EDUCATION DEPARTMENT RELEASES CIVIL RIGHTS DATA COLLECTION

The Department of Education's Office for Civil Rights (OCR) released its [2017-18 Civil Rights Data Collection \(CRDC\)](#). The CRDC includes data from all school districts and public schools across the country on topics including discipline, restraint and seclusion, and access to courses and programs. OCR also released a related issue brief on the use of restraint and seclusion on students with disabilities. The brief shows that students with disabilities continue to be disproportionately subjected to restraint and seclusion. [Issue Brief on the Use of Restraint and Seclusion on Students with Disabilities](#).

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## **ACL AWARDS CONTRACT FOR DISABILITY EMPLOYMENT TECHNICAL ASSISTANCE CENTER**

The Administration for Community Living's (ACL) Administration on Disabilities (AoD) is pleased to announce funding of a new Disability Employment Technical Assistance Center that will provide AoD grantees with the tools and resources they need to more effectively help individuals with disabilities achieve meaningful employment with competitive wages in integrated settings. The five-year contract has been awarded to the Lewin Group starting on September 30, 2020. [Information on Disability Employment Technical Assistance Center.](#)

# **RESOURCES**

## **COVID-19 CASE & MORTALITY REPORT: INTELLECTUAL OR DEVELOPMENTAL DISABILITIES**

The Pandemic has disproportionately affected people with intellectual and developmental disabilities (IDD). The purpose of this study was to evaluate the impact of COVID-19 on people with IDD across the United States and to educate key stakeholders to better support people with IDD. Pennsylvania was involved with this study through Temple University's Institute on Disabilities and Pennsylvania

Advocacy and Resources for Autism and Intellectual Disability (PAR). [COVID-19 Case & Mortality Report.](#)

## **FREE DECISION-MAKING RESOURCES**

People with intellectual and developmental disabilities (IDD) must make many daily and major life decisions, just like people without disabilities. There are many ways people with IDD make decisions, both on their own and with support. But a person's ability to make decisions can change throughout their life. The Arc US's Center for Future Planning has created free resources to help and they are listed below.

- [Learn about decision-making options for people with IDD.](#)
- Understand the [myths and limits of guardianship.](#)
- Learn how to [make, review, and adjust a decision-making plan](#) throughout a person's life to maximize their ability to make their own decisions.

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## **UPCOMING STATE TASK FORCE FOR THE RIGHT TO EDUCATION MEETING DATES/TIMES/ZOOM LINK**

- Jan 13, 2021 10:00 AM Eastern Time (US and Canada)
- Mar 17, 2021 10:00 AM Eastern Time (US and Canada)
- May 12, 2021 10:00 AM Eastern Time (US and Canada)

Join Zoom Meeting: <https://csiu.zoom.us/j/2363575342>.

## **MYODP PODCAST**

The MyODP Podcast has uploaded new episodes! Check it out [here!](#)

## **PA ABLE SAVINGS PROGRAM WEBINAR**

A tax-free way to save for a wide range of disability-related expenses while maintaining government benefits. Employers and Human Resources professionals can participate in an overview webinar about the PA ABLE program on Tuesday, January 19, 2021 from 10 am – 11 am. [Register here.](#)

## **2020 COVID-19 SURVEY OF DIRECT SUPPORT PROFESSIONALS**

The University of Minnesota's Institute on Community Integration and the National Alliance for Direct Support Professionals gathered evidence about the experiences of the direct support workforce during the COVID-19 pandemic in order to inform efforts to better prepare for future waves of the pandemic. Report here: [2020 COVID-19 survey of the DSP workforce across the U.S.](#)

## **NATIONAL AUTISM INDICATORS REPORT: THE COMPLEX HEALTH AND HEALTH CARE OF INDIVIDUALS WITH AUTISM**

In the recently published sixth report in the National Autism Indicators Report Series, researchers from Drexel University's A. J. Drexel Autism Institute highlight a holistic picture of what health and health care look like across the life course for people on the autism spectrum. Read the report here: [National Autism Indicators Report series.](#)

## **CHILD WELL-BEING - YOUNG CHILDREN IN DEEP POVERTY**

Children in deep poverty were the most likely to experience early conditions and circumstances that make them vulnerable to future health, development, and learning problems, according to a recent

research entitled, “Young Children in Deep Poverty: Racial/Ethnic Disparities and Child Well-Being Compared to Other Income Groups”, by the National Center for Children in Poverty. Early conditions and circumstances include, low birth weight, a physical condition or health problem that limits activities, an intellectual disability or developmental delay, participation in early intervention or special education, and less positive behavior. Read the report here: [Young Children in Deep Poverty: Racial/Ethnic Disparities and Child Well-Being Compared to Other Income Groups](#).

## **VIDEOS FOR PARENTS: SUPPORTING THE LEARNING OF CHILDREN WITH SIGNIFICANT COGNITIVE DISABILITIES:**

A series of videos for parents on various aspects of supporting the learning of children with significant cognitive disabilities at home. List of videos linked below:

- [Helping Your Child with Routines at Home](#)
- [Helping Your Child with the Foundations of Communication at Home](#)
- [Helping Your Child with Communication at Home](#)
- [Helping Your Child with Academics](#)

## **FAMILY SUPPORT NEEDS ASSESSMENT NOW AVAILABLE**

The Pennsylvania Office of Child Development and Early Learning (OCDEL) released a new assessment covering needs and challenges experienced by families with young children and opportunities to address these needs and better serve families across Pennsylvania. The federal Maternal, Infant, and Early Childhood Home Visiting Program (MIECHV) requires states to complete a needs assessment every four years to document the statewide landscape of maternal, young child and family health, and assess capacity and scope of home visitation services. You can read the press release for additional details at: [Family Support Needs Assessment](#).

## **PCADV & OCDEL TEAM UP FOR DOMESTIC VIOLENCE AWARENESS TOOLKIT**

The Pennsylvania Coalition Against Domestic Violence (PCADV) and the Office of Child Development and Early Learning (OCDEL) have teamed up to create a domestic violence awareness toolkit to educate family support workers and Family Supports staff on how domestic violence may impact the clients and families they serve while screening for intimate partner violence. The toolkit also aims to provide domestic violence programs with a deeper under-

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standing of the OCDEL network and the services their programs provide within all communities across the Commonwealth. Access the toolkit at: [Domestic Violence Awareness Toolkit](#).

## FAMILY FRIENDLY NEWSLETTERS

Family-friendly early learning newsletters with info and resources for families and early childhood education partners. You access the newsletters below:

- [Learning is Everywhere](#)
- [Kindergarten, Here I Come](#)
- [Kindergarten, Here I Am](#)

## PA DEPARTMENT OF HEALTH RELEASES VACCINATION PLAN

The PA Department of Health has released the COVID-19 Interim Vaccination Plan to detail how the COVID-19 vaccination will be rolled out across the State, with workers in health care settings and those in long-term congregate settings to be in Phase 1A. It includes information for which phase individuals with Intellectual or developmental disabilities (I/DD), family caregivers of individuals with (I/DD), and Direct Support Professionals fall under to be vaccinated. To read the plan, visit: [PA Interim Vaccination Plan](#).

# CONTACT PIE

Contact the PIE Team with any questions, comments, suggestions, or information to share at PIE, c/o The Arc of Pennsylvania, 1007 Mumma Road, Suite 100, Lemoyne, PA 17043, by email at [pie@thearc-pa.org](mailto:pie@thearc-pa.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@thearc-pa.org](mailto:pie@thearc-pa.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](http://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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## 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](mailto:pie@thearcpa.org). Thank you.

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THE ARC OF PENNSYLVANIA

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