

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

WOLF ADMINISTRATION ANNOUNCES \$1.2 BILLION AMERICAN RESCUE ACT-FUNDED PLAN TO BETTER SERVE PENNSYLVANIANS IN THEIR COMMUNITIES

Governor Tom Wolf announced the spending plan for approximately \$1.2 billion in American Rescue Plan Act federal funding to support Medicaid’s home and community-based services (HCBS) system throughout the commonwealth, allowing more Pennsylvanians the access to critical services in their communities.

The temporary funding enhancement will be directed toward Medicaid-funded essential care services to seniors, adults with intellectual and physical disabilities, adults with behavioral health needs such as substance use disorder or mental illness, and children with chronic complex medical needs.

Read the full press release [here](#).

GOVERNOR WOLF ANNOUNCES ACTING HEALTH SECRETARY ALISON BEAM TO DEPART WOLF ADMINISTRATION, NAMES KEARA KLINEPETER AS A NEW ACTING SECRETARY

Governor Tom Wolf announced that Department of Health Acting Secretary Alison Beam will resign her position with the Commonwealth at the end of the year. The governor also announced his intention to name Department of Health Executive Deputy Secretary Keara Klinepeter to serve as Acting Secretary.

Read the full press release [here](#).

In This Issue

State News	page 1
National News	page 16
Resources	page 18
Contact PIE	page 19

DHS ANNOUNCES CONDITIONAL APPROVAL RECEIVED FOR PA'S AMERICAN RESCUE PLAN ACT DOLLARS

The Centers for Medicare and Medicaid Services (CMS) has granted conditional approval for DHS' spending plan for approximately \$1.2 billion in American Rescue Plan Act federal funding to support Medicaid's home and community-based services (HCBS) system throughout the commonwealth, allowing more Pennsylvanians the access to critical services in their communities.

PA's service systems, providers and workforce have continued to deliver care throughout the pandemic with incredible resiliency and flexibility. This enhanced funding is an opportunity for PA to invest in them as they invest in their communities and the people they serve. Our funding plan focuses on the following domains:

- Increasing access to home and community-based services
- Staff recruiting and retention
- Providing necessary supplies to safely facilitate services
- Additional trainings and learning opportunities through workforce support
- Supporting families caring for loved ones
- Improving functional capabilities of people with disabilities
- Enhancing transitional supports
- Home and community-based services capacity building

DHS has heard directly from stakeholders for the past 20 months about the impact COVID-19 has had on the HCBS system and the individuals who rely on those services, and this insight has been essential to their pandemic response and the provision of services.

DHS will provide additional information on how and when initiatives within the plan will be operationalized, including when certain HCBS providers can expect to receive direct funding. Updates will be made available on the DHS website with

information on the spending plan, and further information on spending by program office will be released in the coming weeks.

CMS APPROVES AMENDMENTS TO PA'S ID/A WAIVERS

ODP has announced that the Centers for Medicare and Medicaid Services (CMS) have approved the proposed amendments to the ID/A waivers. These waiver amendments became effective on November 22, 2021, and are now available on DHS's website.

UPDATED GUIDANCE ON ACT 73 OF 2021 AND THE SUSPENSIONS OF REGULATORY PROVISIONS

Pursuant to Act 73 of 2021, the suspensions of various regulatory provisions under the state disaster emergency declaration were extended until March 31, 2022, unless sooner reinstated by the Department.

Effective December 6, 2021, the Department has reinstated all of the Office of Developmental Programs' (ODP) suspended regulations. A list of the regulations that were previously suspended and the date they were reinstated is available [here](#).

Please note that the current version of the COVID-19 At-a-Glance Guide reads that "the suspension of various regulatory provisions under the state disaster emergency declaration that are currently in effect and which were set to expire on September 30, 2021, are now extended until further notice." This guidance is no longer accurate; again, all of ODP's suspended regulations have been reinstated. The At-a-Glance guide will be updated to reflect this change in the near future.

COVID-19 INFORMATION & RESOURCES

Department of Health

The Pennsylvania Department of Health continues to monitor the ongoing situation with Coronavirus (COVID-19). To get the most accurate and up-to-date information including PA vaccine distribution plan, recommendations, closures, and statistics, visit: the Department of Health's website.

Pennsylvania Departments of Health and Human Services would like to share resources surrounding COVID-19 vaccine information for individuals that

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have limited or no internet access. The following services are available to learn more about the COVID-19 vaccine, including locating a healthcare provider, by phone:

- If an individual does not have a direct support professional (DSP) that can provide them with the appropriate COVID-19 vaccine and healthcare provider information, they can call the PA Health Hotline at 1-877-724-3258.
- Persevere PA is a COVID-19 crisis hotline designed to link callers with counselors to assist with the mental health impacts of COVID-19. They can also assist a caller in finding a healthcare provider to administer the vaccine when their corresponding phase arrives. Call Persevere PA at 1-855-284-2494.
- When arranging for an individual who is deaf or hard of hearing to receive information via telephone, PA Relay Services are available by dialing 711.

Department of Health Releases Vaccination Dashboard By Legislative District

Governor Tom Wolf announced the availability of COVID-19 vaccination rates by legislative district on the commonwealth's open data portal, in addition to the zip code, county-level and statewide vaccination data already available. The vaccination data by legislative district excludes those districts fully or partially located in Philadelphia County which is a separate CDC-designated vaccine jurisdiction. The legislative district dashboard will be updated monthly.

Access PA's COVID-19 Dashboard [here](#).

Disability Rights Pennsylvania Vaccine Hotline Center

Disability Rights Pennsylvania is operating a Vaccine Hotline to assist Pennsylvanians with disabilities who are interested in getting the COVID-19 vaccine Monday – Friday 9 a.m. – 3 p.m. at 1 (833) 377-2829 or vaccine@disabilityrightspa.org.

Resources

- [COVID-19 Materials for People with Intellectual and Developmental Disabilities and Care Providers](#) – CDC Resources for People with IDD

Go to our digital version of Slice at <https://www.paddc.org/publications/slice-of-pie/> to access the links.

- [Jefferson Health Study](#) – Individuals with ID at Great Risk from COVID-19 - an analysis from a national study confirming that those with intellectual disabilities (ID) are at greatest risk of death from COVID-19 after those of older age/elderly.
- [Vaccinations: Unpaid Caregivers Attestation Information](#) - a letter to verify eligibility for the vaccination.
- [Article: Examining How Crisis Standards of Care May Lead to Intersectional Medical Discrimination Against COVID-19 Patients](#)
- [Article: New COVID-19 Response Legislation Finally Recognizes Urgent Needs of People with Disabilities](#)
- [Article: ADA Concerns Raised Over COVID-19 Vaccine Rollout - Disability Scoop](#)
- [PA COVID-19 Resources](#)
- [Multilingual Resources from PA Departments.](#)
- [Mental Health Information and Support.](#)
- [Plain Language Guides/Videos on the COVID-19 Pandemic](#)
- [Disability Rights Pennsylvania – COVID-19 Vaccination FAQ](#)
- [COVID-19 Pandemic Impact on the PA ID/A Workforce Crisis Report](#)
- [Article: Study Among Vaccinated, Those With Down Syndrome Face Highest Risk From COVID-19](#)

THE PA PROFESSIONAL STANDARDS AND COMPETENCIES FOR EARLY CHILDHOOD EDUCATORS

Pennsylvania is adopting a new set of professional standards for Early Childhood Educators. The Pennsylvania Professional Standards and Competencies for Early Childhood Educators are the general knowledge and skills that educators need to know and be able to demonstrate as they work with children and families. This set of standards and competencies are replacing the Pennsylvania Core Knowledge Competencies (CKCs) and have been adopted from the National Professional

Standards and Competencies for Early Childhood Educators.

The Office of Child Development and Early Learning (OCDEL) is now offering an asynchronous course to introduce the new set of Professional Standards to anyone interested in learning more. The course covers the following:

- Why a new set of standards for early childhood educators is being implemented;
- The development of the Pennsylvania Professional Standards and Competencies for Early Childhood Educators;
- The main aspects and components of the PA Professional Standards; and
- The key shifts found throughout the PA Professional Standards

The course is available within the PD Registry using [this link](#) or by searching the training calendar for The Pennsylvania Professional Standards for Early Childhood Educators.

INCREASE TO CHILD CARE WORK BASE PAYMENT RATES

The Pennsylvania Office of Child Development and Early Learning (OCDEL), Bureau of Early Learning Policy and Professional Development has released Announcement ELRC 21-11 Increase to Child Care Works Base Payment Rates. This Announcement shares information regarding an increase to base rates paid by DHS to certified child care providers participating in Child Care Works (CCW).

Effective Jan. 1, 2022, OCDEL will implement another increase to CCW subsidy base rates. The initiative includes both an increase to the 60th percentile for subsidy base rates paid to DHS certified child care providers and an increase of \$1 per day for Relative Providers. This change brings Pennsylvania closer to the federal government's recommendation of reimbursing child care providers at the 75th percentile.

For details, please read the announcement [here](#).

BILLS OF INTEREST

Below we summarize some bills of interest to the disability community from the 2021-2022 Session.

Go to our digital version of Slice at <https://www.paddc.org/publications/slice-of-pie/> to access the links.

For more information about these bills or any other state legislative activity, go to <https://www.legis.state.pa.us/>.

HB 25. Introduced by Representative Michael J. Puskaric (R-Allegheny). This bill would repeal the mail-in voting provisions contained in Act 77 of 2019. Abolishing the No Excuse Mail in Vote. Referred to State Government, Jan. 11, 2021.

Impact: Would remove the ability for individuals with disabilities to enroll in mail-in voting. This would not remove the ability to apply for an absentee ballot.

HB 44. Introduced by Representative Seth M. Grove (R-York). This bill would further provide for establishment of value-based models relating to the Managed Care Organization Outcomes Program and for managed care organization Medicaid contracts. Referred to Health, Jan. 11, 2021.

Impact: Would provide incentives for hospitals and MCO's to improve healthcare outcomes under Medicaid and establishes cost reduction targets for the Department of Human Services.

HB 45. Introduced by Representative Francis X. Ryan (R-Lebanon). This bill would merge eight existing state agencies into four new state agencies. These new agencies would be the Commonwealth Office of Management and Budget (OMB), the Department of Business, Tourism and Workforce Development (DBTWD), the Department of Local Government and Community Affairs (DLGCA) and the Department of Health and Human Services (DHHS). Each merger in the legislation will require the adoption of a strategic plan detailing how the agencies described in the legislation are to be combined. To provide adequate time to prepare for the mergers, the legislation gives seven months following the effective date to develop the strategic plan. Referred to State Government, Jan. 11, 2021.

Impact: Would merge the Department of Labor & Industry with functions from the Department of Community & Economic Development and the Department of State. It ensures economic development programs are under one department.

HB 47. Introduced by Representative Matthew D. Dowling (R-Fayette). This bill would merge eight existing state agencies into four new state agencies.

These new agencies would be the Commonwealth Office of Management and Budget (OMB), the Department of Business, Tourism and Workforce Development (DBTWD), the Department of Local Government and Community Affairs (DLGCA) and the Department of Health and Human Services (DHHS). Each merger in the legislation will require the adoption of a strategic plan detailing how the agencies described in the legislation are to be combined. To provide adequate time to prepare for the mergers, the legislation gives seven months following the effective date to develop the strategic plan. Referred to State Government, Jan. 11, 2021. Reported as amended, Jan. 27, 2021. First consideration, Jan. 27, 2021. Laid on the table, Jan. 27, 2021.

Impact: Create the Department of Local Government and Community Affairs (DLGCA) to address local community needs and concerns.

HB 49. Introduced by Representative Paul Schemel (R-Franklin). This bill would merge eight existing state agencies into four new state agencies. These new agencies would be the Commonwealth Office of Management and Budget (OMB), the Department of Business, Tourism and Workforce Development (DBTWD), the Department of Local Government and Community Affairs (DLGCA) and the Department of Health and Human Services (DHHS). Each merger in the legislation will require the adoption of a strategic plan detailing how the agencies described in the legislation are to be combined. To provide adequate time to prepare for the mergers, the legislation gives seven months following the effective date to develop the strategic plan. Referred to State Government, Jan. 11, 2021.

Impact: Would merge the Department of Health and the Department of Human Services into one agency.

HB 50. Introduced by Representative Seth M. Grove (R-York). This bill would introduce a proposed constitutional amendment to require any supplemental spending to be approved in a standalone bill by the General Assembly. Referred to Appropriations, Jan. 11, 2021.

Impact: Would set forth a constitutional amendment process to require any supplemental spending to be approved in a standalone bill by the General Assembly.

HB 51. Introduced by Representative Timothy J. O'Neal (R-Washington). This bill is part of a Financial Reform Package. Referred to State Government, Jan. 11, 2021.

Impact: Would require any surplus funds to be deposited into the state's Rainy-Day Fund. Deposits into the Rainy-Day Fund would continue until the state has saved an equivalent to 20% of the commonwealth's total revenue collections.

HB 52. Introduced by Representative Andrew Lewis (R-Dauphin). This bill is part of a Financial Reform Package. Referred to State Government, Jan. 11, 2021.

Impact: Would establish a State Council on Finances which would consist of 12 members. These members would be the following individuals: Secretary of Revenue; Budget Secretary; The Auditor General; State Treasurer; Director of the Independent Fiscal office; The Minority Chairperson of the Senate Appropriation Committee; The Majority Chairperson of the Senate Appropriation Committee; The Minority Chairperson of the House Appropriation Committee; The Majority Chairperson of the Senate Appropriation Committee; An individual with a background in private or public finance appointed by the governor; An individual with a background in private or public finance appointed by the President Pro-Tempore of the Senate; An individual with a background in private or public finance appointed by the Speaker of the House.

HB 53. Introduced by Representative Dawn W. Keefer (R-York). This bill is part of a Financial Reform Package. Referred to Appropriations, Jan. 11, 2021.

Impact: Would amend the Commonwealth's Constitution to prevent the creation or use of special funds except for the following reasons: Motor License Fund; Unemployment Compensation Fund; Workers Compensation Fund; State Pension system; ABLE Accounts; TAP Accounts; Any fund paid into by a specific industry for a specific industry.

HB 71. Introduced by Representative Ryan Warner (R-Fayette). This bill would establish spending limits that the Commonwealth must abide by each fiscal year. The proposed constitutional amendment would limit the amount the Commonwealth's

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spending may increase, based on a three-year average of the Commonwealth's inflation and population growth. Referred to State Government, Jan. 11, 2021. Laid on the table, Jan. 13, 2021.

Impact: Would amend the Pennsylvania Constitution to establish spending limits that the Commonwealth must abide by each fiscal year.

HB 85. Introduced by Representative Dan L. Miller (D-Allegheny). This bill would provide for students with disabilities at institutions of higher education. Referred to Education, Jan. 11, 2021.

Impact: Would improve the transition to post-secondary schools for students with disabilities by incorporating parts of Senator Bob Casey's federal RISE (Respond, Innovate, Succeed and Empower) Act.

HB 87. Introduced by Representative Dan L. Miller (D-Allegheny). This bill would provide for legislative findings and declarations, for definitions, for Statewide Independent Living Council (SILC), for powers and duties, for State plan, for grants and funding and for compliance with standards; repealing provisions relating to assurances of centers for independent living; further providing for allocation of funds by designated State agencies; and making an appropriation. Referred to Human Services, Jan. 11, 2021.

Impact: Would institute updates and changes to Act 139 of 1994 that will modernize its language to be in lockstep with the Federal Workforce Investment Opportunity Act (WIOA). These changes include updated guidance on Pennsylvania Statewide Independent Living Council (PA SILC) board composition, the role of the DSE with PA SILC and CILs, addition of the 5th core services for CILS of transition (youth, institutional settings), federally funded CILs already are required to do this service per WIOA) and a new base level for funding of (\$350,000).

HB 89. Introduced by Representative Dan L. Miller (D-Allegheny). This bill would require pharmacies to make accessible prescription drug container labels available to individuals who are deafblind and visually-impaired when requested. These labels will be available, at no cost to the consumer, in audio, braille, and large font formats. This measure is modeled off of the best practices released by the United States Access Board in 2013, and will

enable individuals with visual impairments to manage their medications securely, independently, and privately. Referred to Health, Jan. 11, 2021.

Impact: Would require pharmacies to make accessible prescription drug container labels available to individuals who are deafblind and visually-impaired when requested. These labels will be available, at no cost to the consumer, in audio, braille, and large font formats.

HB 92. Introduced by Representative Dan L. Miller (D-Allegheny). This bill would provide for intellectual disability and autism fee schedule rates. Referred to Human Services, Jan. 11, 2021.

Impact: Would amend the Human Services Code requiring that rates for Direct Support Professionals annually be set based on a national market consumer index.

HB 94. Introduced by Representative Dan L. Miller (D-Allegheny). This bill would provide for definitions and for medical excuses from attending school. Referred to Education, Jan. 11, 2021.

Impact: Would allow for valid medical excuses submitted in a timely manner to not be considered an unexcused absence and lead to medical truancy.

HB 102. Introduced by Representative Dan L. Miller (D-Allegheny). This bill would provide access to trained, professional support services in every school district across the Commonwealth. Referred to Education, Jan. 11, 2021.

Impact: Would require school districts to evaluate their needs based on school population and requires a necessary complement of school counselors, psychologists, social workers, and nurses to ensure that access to help is not a problem and that case load management is not an issue.

HB 108. Introduced by Representative Valerie S. Gaydos (R-Allegheny). This bill would reform state government operations including Medicaid. This package will codify the grand jury recommendations along with enacting statutes which mirror federal law to allow the commonwealth to combat fraud in Medicaid and the rest of state government while recouping state tax dollars. Referred to State Government, Jan. 11, 2021.

Third consideration and final passage, Jan. 27,

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2021. Referred to State Government, Jan. 28, 2021 [Senate].

Impact: Would require agencies to review their programs and expenditures and assess whether they are highly, moderately or unlikely to be susceptible to an improper payment.

HB 109. Introduced by Representative Clint Owlett (R-Tioga). This bill would reform state government operations including Medicaid. This package will codify the grand jury recommendations along with enacting statutes which mirror federal law to allow the commonwealth to combat fraud in Medicaid and the rest of state government while recouping state tax dollars. Referred to Human Services, Jan. 11, 2021.

Impact: Would increase the penalties for making a false claim against the commonwealth's Medicaid Program under Section 1407 of the Human Services Code. Under this bill the penalty for knowing or causing a fraudulent claim to be submitted would commit a felony of the second degree if the fraudulent claim is \$100,000 or more. If the claim is between \$2,000 and \$100,000 the penalty for the fraudulent claim would be a third-degree felony. If the claim is \$2,000 or less the penalty would be a third-degree misdemeanor.

HB 114. Introduced by Representative Dan L. Miller (D-Allegheny). This bill would adopt a streamlined hiring and promotion process for qualified individuals with significant disabilities whose physical or mental impairments impact their ability to participate in the competitive hiring and promotion process. Referred to Labor and Industry, Jan. 11, 2021.

Impact: Would amend Part III of Title 71 of the Pennsylvania Code (Civil Service Reform), an appointing authority may noncompetitively appoint an individual with a significant disability to a temporary position when it is necessary to observe an applicant on the job to establish that the applicant is able or ready to perform the duties of the position (trial work period).

HB 184. Introduced by Representative Dawn Keefe (R-York). This bill would implement a sentence enhancement for any individual found guilty of causing or aiding suicide when the victim is under 18 years of age or has an intellectual disability.

Referred to Judiciary, Jan. 21, 2021. Final Passage, April 7, 2021. Referred to Senate Judiciary, April 9, 2021. Amended and Final Passage in the Senate, June 25, 2021. Concurrence Vote in House, Sept. 21, 2021. Approved by Governor on Sept. 30, 2021 becoming Act No. 71.

Impact: Would create a sentencing enhancement in cases where an individual is convicted of causing or aiding suicide of a person who is under the age of 18 or has an intellectual disability.

HB 217. Introduced by Representative Stanley Saylor (R-York). This bill would provide for additional appropriations from the General Fund for the expenses of the Executive Department for the fiscal year July 1, 2021, to June 30, 2022. Referred to Appropriations, Jan. 22, 2021. Re-committed to Appropriations, Jan. 27, 2021.

Impact: Would appropriate General Funds for the fiscal year July 1, 2021 – June 30, 2022.

HB 218. Introduced by Representative Stanley Saylor (R-York). This bill would provide for additional appropriations from the General Fund for the expenses of the Executive Department for the fiscal year July 1, 2020, to June 30, 2021. Referred to Appropriations, Jan. 22, 2021.

Impact: Would appropriate General Funds for the fiscal year July 1, 2021 – June 30, 2022.

HB 250. Introduced by Representative Dan L. Miller (D-Allegheny). This bill would amend the Public School Code to add curriculum requirements for Health classes across Pennsylvania to educate students in an age-appropriate manner about mental health, physical disabilities, and developmental disabilities. Referred to Education, Jan. 25, 2021.

Impact: Would require the Department of Education to create curriculum for Health classes that will educate students in an age-appropriate manner about mental health, physical disabilities, and developmental disabilities.

HB 404. Introduced by Representative John T. Galloway (D-Bucks). This bill would provide for Statewide children's mental health ombudsman. Referred to Human Services, Feb. 4, 2021.

Impact: This legislation would designate an official be tasked with the following responsibilities: will

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have the authority to advocate on behalf of children with mental disorders; identify barriers to effective mental health treatment; monitor compliance with laws pertaining to children's behavioral health services; and investigate and attempt to resolve complaints regarding violations by an entity regulated by the State which have an adverse effect upon children.

HB 407. Introduced by Representative John T. Galloway (D-Bucks). This bill would establish the School Student Mental Health Assistance Augmentation Account and provide grants to support school-linked mental health services. Referred to Education, Feb. 4, 2021.

Impact: This legislation would provide for grants to be established to support school-aligned mental health services. These grants can be used by school entities to identify and diagnose mental health conditions among students, fund transportation for children receiving school-linked mental health services when school is out of session, and cover costs associated with delivering telemedicine to school children.

HB 409. Introduced by Representative John T. Galloway (D-Bucks). This bill would establish a mental health care services clearinghouse. This clearinghouse will serve as a publicly accessible registry of mental health care resources available across the Commonwealth and will accordingly assist school personnel in connecting families to community mental health resources. Referred to Human Services, Feb. 4, 2021. Final passage, June 14, 2021. Referred to Senate Health and Human Services June 14, 2021.

Impact: Streamlines and makes a publicly accessible site for information on mental health care services that are available in Pennsylvania. This clearinghouse would increase coordination efforts among schools, communities, and mental health providers.

HB 411. Introduced by Representative Dan L. Miller (D-Allegheny). This bill would require state-owned buildings and certain places of public accommodation, including auditoriums, convention centers, sports arenas, and amusement parks with a maximum occupancy of 2,000 or more people, to install and maintain at least one adult changing station. Referred to Labor and Industry Committee,

Feb. 4, 2021.

Impact: Would require state-owned buildings and certain places of public accommodation, including auditoriums, convention centers, sports arenas and amusement parks with a maximum occupancy of 2,000 or more people, to install and maintain at least one adult changing station.

HB 464. Introduced by Representative Karen Boback (R-Columbia). This bill would provide for a primary caregiver support program and caregivers of individuals with disabilities. Referred to House Aging and Older Adult Services, Feb. 9, 2021. Final passage, April 6, 2021. Referred to Senate Aging and Youth, April 9, 2021. Final passage, June 8, 2021. Approved by the Governor, June 11, 2021 becoming **Act No. 20**.

Impact: Expands the Family Caregiver Support Program to include caregivers for individuals with disabilities to be eligible for respite and caregiving related service supplies.

HB 493. Introduced by Representative Liz Hanbidge (D-Montgomery). This bill would require health insurance policies to provide coverage for hearing aids and a resolution that would urge Congress to expand Medicare coverage to include hearing aids. Referred to Insurance, Feb. 10, 2021.

Impact: Would require health insurance policies to provide coverage for hearing aids and a resolution that would urge Congress to expand Medicare coverage to include hearing aids.

HB 540. Introduced by Representative Karen Boback (R-Columbia). This bill would provide for youth suicide awareness and prevention and providing for violence prevention and social inclusion. Referred to Education, Feb. 16, 2021.

Impact: Would require schools to implement at least one hour or a standard class period per year of suicide prevention & training, violence prevention training and social inclusion training to students in grades six through twelve.

HB 543. Introduced by Representative Karen Boback (R-Columbia). This bill would amend the Unemployment Compensation (UC) Law to allow for reasonable accommodations to be made for individuals with a disability who are required to

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take the reemployment class. Referred to Labor and Industry, Feb. 16, 2021.

Impact: Would amend the Unemployment Compensation (UC) Law to allow for reasonable accommodations to be made for individuals with a disability who are required to take the reemployment class.

HB 547. Introduced by Representative Dan L. Miller (D-Allegheny). This bill would create the Department of Accessibility & Inclusion. Referred to State Government, March 2, 2021.

Impact: Would consolidate several existing programs under a new Department of Accessibility and Inclusion and create a secretary position to serve on the governor's cabinet.

HB 611. Introduced by Representative Austin A. Davis (D-Allegheny). This bill would establish the Direct Care Worker Wage Advisory Board and provides for its powers and duties; providing for minimum wage for direct care workers and for a direct care worker registry; and imposing penalties. Referred to Labor and Industry, Feb. 24, 2021.

Impact: Would direct the state's Secretary of Human Services to create a Direct Care Worker Wage Board. This board would meet to set a minimum wage for direct care workers, examine ways to grow this field, hear complaints from workers, and create a registry of direct care workers in the state.

HB 621. Introduced by Representative Brandon Markosek (D-Allegheny). This bill would provide special absentee ballots printed in Braille to qualified voters who submit a written request for a special ballot. Referred to State Government, Feb. 24, 2021.

Impact: Would require the Department of State to provide special absentee ballots printed in braille to qualified voters who submit a written request for a special ballot.

HB 640. Introduced by Representative Daniel Miller (D-Allegheny) and Representative Patty Kim (D-Dauphin). This bill would allow students who were enrolled in school with an active IEP when the COVID-19 state of emergency was declared by Governor to continue to be eligible services under Section 1301 of the School Code until twelve

months after the expiration of the emergency declaration. Referred to Education Committee, March 11, 2021.

Impact: Would allow parents to decide if their child who is aging out of special education services participates in an additional year to address the loss of supports and transition services during COVID-19.

HB 649. Introduced by Representative Kathy L. Rapp (R-Warren). This bill would provide for access to long-term care facilities for essential caregivers, for additional safety requirements for residents of long-term care facilities, for suspension of access for essential caregivers and for personal protective equipment for essential caregivers. Referred to House Aging and Older Adult Services, Feb. 24, 2021. Final passage, March 24, 2021. Referred to Senate Aging and Youth, March 25, 2021. Final passage, June 16, 2021. Approved by Governor, July 1, 2021. **Act.No.67.**

Impact: Would allow a designated essential caregiver to be named for each resident of a long-term care facility.

HB 694. Introduced by Representative Carol Hill-Evans (R-York). This bill would address the overall needs, including mental health, of students to prevent school dropouts. Referred to Education, Feb. 26, 2021.

Impact: Would assist public schools in procuring the services of non-profit organizations that provide evidence-based student support services to help students remove barriers to learning. Specifically, it will create a program that would allocate grants to schools to be used solely for services addressing the overall needs, including mental health, of students to prevent school dropouts.

HB 726. Introduced by Representative Jason Ortay (R-Washington) and Representative Joseph Hohenstein (D-Philadelphia). This bill would establish the Disability Inclusive Curriculum Pilot Program for K-12 students. Referred to Education, Oct. 5, 2021.

Impact: Would implement a pilot program for schools to introduce a disability inclusive curriculum that recognizes the political, economic and social contributions of individuals with disabilities.

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HB 784. Introduced by Representative Tim Briggs (D-Montgomery). This bill would require the addition of mental health education into existing health and wellness curricula for all primary and secondary schools under the jurisdiction of the Department of Education. Mental health education will be taught in order to establish parity between physical and mental health. Referred to Education, March 8, 2021.

Impact: Would require the addition of mental health education into existing health and wellness curricula for all primary and secondary schools under the jurisdiction of the Department of Education.

HB 806. Introduced by Representative Joe Ciresi (D-Montgomery). This bill would create an Education Reform Commission. The commission will conduct a comprehensive study and make concrete recommendations on various educational topics including equal access to education for all students. Referred to Education, March 8, 2021.

Impact: Would create an Education Reform Commission tasked with performing an in-depth study of the current educational needs in Pennsylvania, projecting out those needs over the next 25 years, and determining what can and should be done to help reform the current education system and prepare Pennsylvania for the future.

HB 816. Introduced by Representative P. Michael Sturla (D-Lancaster). This bill would include trauma as a factor in the school funding formula and removing significant barriers to learning. Referred to Education, March 8, 2021.

Impact: Would include chronic absenteeism, homelessness, and students living in foster care, definitive proxies of trauma that school districts are already mandated to measure, in the school funding formula based on the recommendations of the 2015 Basic Education Funding Commission Report.

HB 841. Introduced by Representative Anthony M. DeLuca (D-Allegheny). This bill would further provide rights and remedies of persons in mental health treatment. Referred to Human Services, March 9, 2021.

Impact: Would codify that mental health patients have the right to be free from abuse, neglect,

and exploitation.

HB 893. Introduced by Representative Liz Hanbidge (D-Montgomery). This bill would allow an election official to bring a paper ballot – or portable voting machine when available – to any voter outside the physical polling place who has a physical, emotional, intellectual, developmental disability or short-term inability that would preclude them from easily accessing voting machines. Referred to State Government, March 15, 2021.

Impact: Would allow an election official to bring a paper ballot – or portable voting machine when available – to any voter outside the physical polling place who has a physical, emotional, intellectual, developmental disability, or short-term inability that would preclude them from easily accessing a voting machine.

HB 909. Introduced by Representative Melissa Shusterman (D-Chester) and Representative Jessica Benham (D-Allegheny). This bill would allow parents of students with IEPs to repeat a school year or students who are aging out of services to opt-in for an additional year due to loss of learning during COVID-19. Referred to Education Committee, March 15, 2021.

Impact: Would allow parents to decide if their child with an IEP repeats the school year to address the loss of educational supports and services during COVID-19.

HB 1012. Introduced by Representative Timothy J. O’Neal (R-Washington). This bill intends to preserve access to ventilator care in Pennsylvania by dedicating additional Medicaid funding to those facilities already demonstrating a significant commitment to caring for these Pennsylvanians. Referred to House Human Services March 25, 2021. Final passage, June 8, 2021. Referred to Senate Human Services June 9, 2021. Companion Bill SB 959, introduced by Senator Camera Bartolotta (R-Beaver).

Impact: Provides increased Medicaid funding to facilities that offer ventilator care in the Commonwealth to address an access to care crisis and incentives for facilities to expand geographic access. This will expand the ability for these care facilities to assist more individuals throughout the state.

Go to our digital version of Slice at <https://www.paddc.org/publications/slice-of-pie/> to access the links.

HB 1016. Introduced by Representative Anthony M. DeLuca (D-Allegheny). This bill would provide for departmental powers and duties as to small personal care homes. Referred to Health, March 29, 2021.

Impact: Would extend two provisions of current regulations to small personal care homes to provide the Department of Human Services to inspect such facilities at least once annually unannounced, and those responsible for the small personal care home will be required to submit to a criminal background check. All small personal care homes will be registered.

HB 1115. Introduced by Representative Kate A. Klunk (R-York). This bill would provide for definitions and for medical assistance benefits for workers with disabilities and workers with medically improved disabilities. Referred to Health, April 7, 2021. Companion bill SB 156.

Impact: Would create a new category under MAWD that would allow for a higher earning level for an individual with disabilities who has participated in the MAWD program for the previous 12 consecutive months. Under this new category, individuals would contribute a larger percentage towards their medical assistance benefits and still be able to retain access to their benefits.

HB 1313. Introduced by Representative Michael J. Driscoll (D-Philadelphia). This bill would require wheelchairs and other electrical mobility devices to have red reflectors that will make them more visible to drivers. Referred to Transportation, April 30, 2021.

Impact: Would require wheelchairs and other electrical mobility devices to have red reflectors that will make them more visible to drivers in order to minimize tragic accidents.

HB 1329. Introduced by Representative Jason Ortity (R-Allegheny). This bill would require employers receiving tax credits, outside of educational tax credits, to implement a hiring program for individuals with disabilities. Referred to Finance, May 5, 2021.

Impact: Would require employers receiving tax credits, outside of educational tax credits, to implement a hiring program for individuals with disabilities.

HB 1356. Introduced by Representative Gary Day (R-Chester). This bill would raise the rate of reimbursement for guardians. Referred to Aging and Older Adult Services, May 7, 2021.

Impact: Would amend the Human Services Code to increase the reimbursement rate for guardians of older adults from \$100 to \$300. This increase would still require federal approval under the state plan.

HB 1429. Introduced by Representative Lynda Schlegel Culver (R-Northumberland). This bill would provide for the offense of financial exploitation of an older adult or care-dependent person. Referred to House Aging and Older Adult Services, May 17, 2021. Final passage, June 15, 2021. Referred to Senate Judiciary, June 17, 2021. Presented to the Governor, June 28, 2021.

Impact: Would give the Attorney General's office concurrent jurisdiction to investigate individuals who use their position of trust to financially exploit older adults and care-dependent people.

HB 1431. Introduced by Representative Kate A. Klunk (R-York). This bill would provide for the offense of abuse of care-dependent person. Referred to House Aging and Older Adult Services, May 17, 2021. Final passage, June 15, 2021. Referred to Senate Judiciary, June 17, 2021. Presented to the Governor, June 28, 2021.

Impact: Would establish abuse of social media by employees who post pictures of care dependent individuals without permission and categorize the crime as a misdemeanor

HB 1446. Introduced by Representative Curtis G. Sonney (R-Erie). This bill would allow an additional year of school for students who are aging out of Special Education. Referred to Education, May 20, 2021. Laid on the table, Nov. 10, 2021.

Impact: Would allow a students aging out of the special education system during the 2020-2021 school year the ability to attend the 2021-2022 school year to address loss of transition services during COVID-19.

HB 1500. Introduced by Representative Kate Klunk (R-York). This bill would amend the Abortion Control Act to prohibit the abortion of any child solely due to a diagnosis of possible Down Syndrome.

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Referred to House Health, May 19, 2021. Final Passage, June 8, 2021. Referred to Senate Health and Human Services, June 9, 2021. First Consideration, June 21, 2021.

Impact: Would expand the current law to include the exception that a woman can obtain an abortion prior to 24 weeks gestational age for any reason if a physician deems it is necessary, except if the decision is due to a prenatal diagnosis that the unborn child has Down Syndrome.

HB 1566. Introduced by Representative Dan L. Miller (D-Allegheny). This bill would make an appropriation from the General Fund to the Department of Labor and Industry, Office for the Deaf and Hard of Hearing, for the purpose of a Statewide program to facilitate communication for individuals who are deafblind for the fiscal year beginning July 1, 2021. Referred to Appropriations, June 25, 2021.

Impact: Would appropriate money from the General Fund during the 2021-2022 fiscal year for Office for the Deaf and Hard of Hearing, a statewide program to facilitate communication for individuals who are deafblind.

HB 1644. Introduced by Representative James B. Struzzi II (R-Indiana). This bill would direct the Department of Human Services to develop a statewide process to place patients, enrolled in Medicaid, with behavioral health or other long-term care needs in appropriate care settings in a timely matter. Referred to Health, June 16, 2021. Re-referred to Human Services, Nov. 16, 2021.

Impact: Would seek to address delays in the healthcare system by implementing solutions that provide better access to care and would develop a standardized process for the hospitals in referrals to treatment.

HB 1749. Introduced by Representative Rosemary Brown (R-Monroe). This bill would apply the Special Education Funding Formula to Cyber & Charter Schools. Referred to Education, July 20, 2021.

Impact: Would take the suggestion of the Special Education Funding Commission and apply the same special education funding principles used to distribute state special education funding to school districts, in the calculation used to determine a school district's tuition payment for a special

education student enrolled in a charter school.

HB 1783. Introduced by Representative Stephen Kinsey (D-Philadelphia). This bill would amend the Public School Code by adding dyslexia to what constitutes a disability. Referred to Education, Aug. 12, 2021.

Impact: Would amend the public school code by recognizing dyslexia as a disability, which would require schools to provide students with a diagnosis to receive specially designed instruction.

HB 1828. Introduced by Representative Bridget M. Kosierowski (D-Lackawanna). This bill would establish to better enable healthcare consumers to access quality and affordable healthcare and health insurance. Referred to Health, Sept. 1, 2021.

Impact: Would establish the Office of Healthcare Consumer Advocate, which will coordinate amongst, provide assistance to, and collect data from patient assistance programs and consumer help centers to better enable healthcare consumers to access quality and affordable healthcare and health insurance.

HB 1890. Introduced by Representative Mark Gilen (R-Berks). This bill would require background checks for individuals seeking to become guardians. Referred to Aging and Older Adult Services, Sept. 21, 2021.

Impact: Would require any individuals seeking to become a guardian to undergo a background check in order to prohibit those with a history of gross criminal behaviors to serve as guardians.

HB 1928. Introduced by Representative Gary Day (R-Chester). This bill would require the appointment of counsel to be mandatory in guardianship cases. Referred to Aging and Older Adult Services, Sept. 28, 2021.

Impact: Would make the appointment of counsel for the individual being placed under guardianship mandatory to ensure the individuals rights are protected during a guardianship proceeding.

HB 1955. Introduced by Representative Gerald J. Mullery (D-Luzerne). This bill would provide for a Moratorium on Closing of White Haven and Polk State Centers. Referred to Health, Oct. 5, 2021.

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Impact: Would halt the announced closure of Polk and White Haven State Center until all individuals eligible for a waiver have received it. Once all individuals have a waiver, a task force would be convened to make a plan. Only a majority vote of the task force would move the closure forward.

HB 1999. Introduced by Representative Liz Hanbidge (D-Montgomery). This bill would prevent deceptive interrogation tactics from being used on individuals with autism and/or intellectual disabilities. Referred to Judiciary, Oct. 21, 2021.

Impact: Would prevent deceptive interrogation tactics from being used on individuals with autism and/or intellectual disabilities, thus reducing the number of false convictions, and ensuring equality and dignity to all individuals.

HB 2067. Introduced by Representative Seth M. Grove (R-York). This bill would establish an independent office to handle and administer the state's Medicaid Program. Referred to Health, Nov. 9, 2021.

Impact: Would establish an independent office to handle and administer the state's Medicaid program by instituting the Office of Independent Medicaid Director, which would operate within the Department of Human Services with the director being nominated by the Governor and approved by the Senate.

SB 40. Introduced by Senator Kristin Phillips-Hill (R-York). This bill would integrate behavioral health and physical health services in Pennsylvania's Medicaid program, HealthChoices. Referred to Health and Human Services, Jan. 20, 2021.

Impact: Would coordinate mental health, substance abuse and primary care services in an effort to produce the best outcomes and best care for people with complex health needs.

SB 44. Introduced by Senator Katie J. Muth (D-Berks). This bill would provide emergency relief to those who previously received support through General Assistance. Referred to Health and Human Services, March 15, 2021.

Impact: Would establish the Emergency Relief Program, which is temporary emergency assistance for the most vulnerable populations with immediate and urgent needs. Specifically, Emergency Relief

goes to people with disabilities who cannot work, people in treatment for a substance use disorder, orphaned children cared for by neighbors or friends, people fleeing domestic violence, qualified veterans or people caring for someone with a disability.

SB 94. Introduced by Senator Mario M. Scavello (R-Monroe). This bill would provide for a loan forgiveness program for qualified college graduates entering the mental health, intellectual disability and drug and alcohol treatment professions. Referred to Education, Jan. 22, 2021.

Impact: Would provide for a loan forgiveness program for qualified college graduates entering the mental health, intellectual disability and drug and alcohol treatment professions.

SB 108. Introduced by Senator Camera Bartolotta (R-Beaver). This bill would intend to preserve access to ventilator care in Pennsylvania by dedicating additional Medicaid funding to those facilities already demonstrating a significant commitment to caring for these Pennsylvanians. Referred to Health and Human Services, Jan. 22, 2021. Final passage, April 28, 2021. Referred to House Health and Human Services, April 29, 2021. Final passage, June 25, 2021. Approved by the Governor, June 30, 2021, becoming **Act No. 56**.

Impact: Provides increased Medicaid funding to facilities that offer ventilator care in the Commonwealth to address an access to care crisis and incentives for facilities to expand geographic access. This will expand the ability for these care facilities to assist more individuals throughout the state.

SB 156. Introduced by Senator Bob Mensch (R-Berks). This bill would allow individuals with disabilities to increase earnings under a new category of MAWD, called Workers with Job Success (WJS). Referred to Health and Human Services, Feb. 2, 2021. Final passage, May 11, 2021. Referred to House Health May 17, 2021. Final passage, June 25, 2021. Signed by the Governor, July 1, 2021, **Act No. 69**.

Impact: Would create a new category under MAWD that would allow for a higher earning level for an individual with disabilities who has participated in the MAWD program for the previous 12 consecutive months. Under this new category,

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individuals would contribute a larger percentage towards their medical assistance benefits and still be able to retain access to their benefits.

SB 195. Introduced by Senator Judy Ward (R-Blair). This bill would revise the Caregiver Support Program (CSP) to enhance the services provided to families and caregivers. Referred to Aging and Youth, Feb. 10, 2021.

Impact: Would update the PA Family Caregiver Support Act in the following ways: removes the statutory Caregiver Support Program (CSP) monthly care plan cost cap, allowing it to be set by the department; removes the \$300 monthly aggregate average reimbursement limit for all CSP cases; removes the CSP home modification lifetime limit, allowing it to be set by the department; and updates terminology and definitions to include caregivers of individuals with disabilities.

SB 255. Introduced by Senator Patrick Browne (R-Lehigh). Budget bill for fiscal year July 1, 2021, to June 30, 2022. Referred to Appropriations, Feb. 22, 2021. Presented to the Governor, June 28, 2021. Approved by the Governor, June 30, 2021 becoming Act No. 1A.

Impact: Establishes the appropriation of funding from the General Fund for the 2021-2022 State Budget.

SB 367. Introduced by Christine M. Tartaglione (D-Philadelphia). This bill would create the Office for People with Disabilities within and to be administered by the Office of the Governor and make the office permanent by statute. Referred to State Government, March 12, 2021.

Impact: Would permanently establish the Office for People with Disabilities within and to be administered by the Office of the Governor.

SB 404. Introduced by Senator Lisa M. Boscola (D-Lehigh). This bill would provide for voter's bill of rights. Referred to State Government, March 11, 2021.

Impact: Would create a Statement of Voter's Rights and require that the State of Voter's Rights be visible in all voter registration offices and polling places.

SB 427. Introduced by Senator John R. Gardner (R-Columbia). This bill would amend the

Pennsylvania Affordable Housing Act to reestablish an exemption to state prevailing wage rates for certain federally funded housing grants. Referred to Urban Affairs and Housing, March 15, 2021.

Impact: Would amend the Pennsylvania Affordable Housing Act to reestablish an exemption to state prevailing wage rates for certain federally funded housing grants.

SB 474. Introduced by Senator Michele Brooks (R-Crawford). This bill would allow constituents to obtain a disability placard in their respective legislative district offices rather than waiting to receive them in the mail. Referred to Transportation, March 23, 2021. First Consideration, Oct. 27, 2021.

Impact: Would allow individuals to obtain handicap parking placards in their respective legislative district offices rather than receiving them in the mail from PennDOT.

SB 664. Introduced by Senator Jake Corman (R-Centre). This bill would all students aging out of the special education system during the 2020-2021 school year to receive an additional year and allows any K-12 student the ability to repeat their grade level in the 2021-2022 school year due to the impact of COVID-19. Referred to Senate Education, May 7, 2021. Final Passage, May 12, 2021. Referred to House Education, May 17, 2021. Final Passage with amendments, June 23, 2021. Senate Concurrence Vote, June 24, 2021. Signed by Governor Wolf, June 30, 2021, becoming **Act No. 66**.

Impact: Would allow a students aging out of the special education system during the 2020-2021 school year the ability to attend the 2021-2022 school year to address loss of transition services during COVID-19. Also, will enable parents to elect to have their K-12 child repeat their grade level in the 2021-2022 school year.

SB 704. Introduced by Senator Lisa Baker (R-Lackawanna). This bill expands the crime of institutional sexual assault. Referred to Senate Judiciary, May 21, 2021. Second Consideration, June 25, 2021.

Impact: Would expand the crime of institutional sexual assault to include those who provide care to care-dependents individuals. Specifically, it would close the loophole for caregivers to use the

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defense of “consent” when they sexually assault an individual who is care-dependent and they are providing services to.

SB 705. Introduced by Senator Elder Vogel (R-Beaver). This bill would allow for the continuation of the use of Telemedicine in the Commonwealth. Referred to Banking & Insurance, May 21, 2021. Final Passage, Oct. 26, 2021. Referred to House Insurance, Oct. 27, 2021.

Impact: Would define telemedicine, offering guidelines outlining who can provide telemedicine services, and providing clarity around insurance company reimbursement for these services.

SB 829. Introduced by Senator John T. Yudichak (D-Carbon). This bill would establish the Livable Home Tax Credit. This legislation will benefit residents, especially senior and disabled residents, who seek to make home modifications that would improve accessibility and enable them to remain at their current residence. Referred to Finance, July 26, 2021.

Impact: Would establish the Livable Home Tax Credit, which will allow eligible homeowners may receive a tax credit up to \$2,000 for accessibility features in a new residence or 50% of the amount expended (up to \$2,000) to complete renovations to an existing residence. During the second year of the program, the maximum tax credit would increase to \$5,000. This proposal would cap the amount of credits awarded under this article at \$1 million.

SB 844. Introduced by Senator John Kane (D-Chester). This bill would establish student Mental Health Days. Referred to Education, Aug. 27, 2021.

Impact: Would allow students to take excused absences for mental health reasons. The number of mental health days will be equal to the number of excuses for nonattendance authorized by the school district for a physical reason.

SB 878. Introduced by Senator Dave Argall (R-Schuylkill) and Senator Sharif Street (D-Philadelphia). This bill will implement recommendations for Election Reform. Referred to State Government, September 17, 2021.

Impact: Would implement reforms recommended

following the hearings on the 2020 Election. Key issues addressed are: pre-canvassing mail-in ballots, tracking mail-in ballots, counting mail-in ballots, counting mail-in ballots, application deadlines for mail-in ballots, elimination of permanent mail-in list, real-time reporting of deceased voters, drop boxes, and training election workers.

SB 924. Introduced by Senator Michele Brooks (R-Crawford). This bill would institute a moratorium on the scheduled closing of the Polk and White Haven State Centers. Referred to Health and Human Services, Oct. 26, 2021. Final passage, December 15, 2021.

Impact: Would halt the announced closure of Polk and White Haven State Center for at least 5 years. Institutes a task force to review the impact of the planned closure to the residents, staff, and local economy. A closure can only move forward once a majority vote of the task force approves the closure.

Resolutions

HR 47. Introduced by Representative Melissa L. Shusterman (D-Chester). This resolution would increase the fee paid to guardians from \$100 to \$300. Referred to Judiciary, Feb. 9, 2021.

HR 49. Introduced by Representative Francis X. Ryan (R-Lebanon). This resolution urges Congress of the United States to fund the costs associated with special education. Referred to Education, Feb. 10, 2021.

HR 50. Introduced by Representative Liz Hanbidge (D-Montgomery). This resolution urges Congress to expand Medicare coverage to include hearing aids. Referred to Insurance, Feb. 10, 2021.

HR 54. Introduced by Representative Brian Sims (D-Philadelphia). This resolution recognizes discrimination against women, people of color, LGBTQ+ people, people with disabilities and other marginalized groups as a public health issue threatening the safety of Pennsylvanians. Referred to Health, Feb. 17, 2021.

HR 72. Introduced by Representative P. Michael Sturla (D-Lancaster). This resolution would conduct a comprehensive study to find an age-appropriate measuring tool that our 500 school districts can use to measure, track, and combat trauma

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with the necessary support services. Referred to Education, March 8, 2021.

HR 138. Introduced by Representative Karen Boback (R-Luzerne). This resolution directs the Joint State Government Commission to study special education lawsuits in our Commonwealth. Referred to Education, September 15, 2021.

SR 39. Introduced by Senator Scott Martin (R-Lancaster). This resolution designates March 21, 2021 as “World Down Syndrome Day” in Pennsylvania. Referred to Rules & Executive Nominations Committee, March 11, 2021.

SR 140. Introduced by Christine M. Tartaglione (D-Philadelphia). This Resolution designates June 21 through June 30, 2021, as Disability Pride Week in Pennsylvania. This week is designed to change the way people think about and define “disability.” Referred to Rules and Executive Nominations, June 24, 2021.

SR 175. Introduced by Senator Christine Tartaglione (D-Philadelphia). This resolution would recognize October 2021 as Disability Employment Awareness Month in Pennsylvania. Referred to Rules and Executive Nominations Committee, September 19, 2021.

NATIONAL NEWS

PRESIDENT BIDEN SIGNS BIPARTISAN INFRASTRUCTURE BILL INTO LAW

On November 15th, President Biden signed the \$1 trillion infrastructure bill into law, which will allocate billions to states and local government to upgrade outdated roads, bridges, transit systems, and more. Pennsylvania will receive more than \$13 billion to address roads and bridges, \$2.8 billion for public transportation, and \$100 million to expand high-speed internet access over the next five years.

Read Governor Wolf’s press release [here](#).

US HOUSE OF REPRESENTATIVES PASSES BUILD BACK BETTER ACT

On Friday, November 19th, the House of Representatives passed the Build Back Better Act (H.R. 5376) by a vote of 220-213. Key provisions within the House version of the bill that impacts the disability community:

- \$150 billion over 10 years for home and community-based services (HCBS) to eliminate waiting lists for services and bolster pay for direct care workers
- 6% FMAP bump for 10 years
- Making the Money Follows the Person program permanent to help people with disabilities who want to leave congregate care and transition to live in their own home and community with supportive services
- 4 weeks of guaranteed paid and medical leave for all workers, which will help people with disabilities take time off for medical reasons and will help family members to provide care for a loved one without risk of losing their job.
- The proposed funding for new vouchers is estimated to help 138,000 people with disabilities receive affordable, accessible housing
- Disability employment supports, including funding for pre-apprenticeship programs and funding to businesses and organizations that are working to phase out programs that pay people with disabilities sub-minimum wage
- Administration for Community Living grants to help expand community mental and behavioral health programs
- Funding for projects to upgrade the accessibility of public transportation services
- \$10 million for the Assistive Technology Act

The bill is currently being considered and negotiated on by the U.S Senate.

CONGRESS PASSES SHORT-TERM FUNDING BILL TO PREVENT GOVERNMENT SHUTDOWN

On December 2, Congress approved a government spending bill, known as a continuing resolution, that will keep the government funded until February 18, 2022. This bill prevents a government shutdown and extends federal funding at current levels.

OSHA ANNOUNCEMENT: COVID-19 VACCINATION AND TESTING ETS

On November 12, 2021, the U.S. Court of Appeals for the Fifth Circuit granted a motion to stay OSHA’s

COVID-19 Vaccination and Testing Emergency Temporary Standard, published on November 5, 2021 (86 Fed. Reg. 61402) (“ETS”). The court ordered that OSHA “take no steps to implement or enforce” the ETS “until further court order.” OSHA has suspended activities related to the implementation and enforcement of the ETS pending future developments in the litigation.

Read the full announcement [here](#).

EDUCATION DEPARTMENT RELEASES GUIDANCE ABOUT SERVICES FOR STUDENTS WITH DISABILITIES DURING COVID PANDEMIC

The Education Department released guidance around the development of individualized education plans (IEPs) in the context of COVID-19. Among other items, the document affirms that, regardless of the COVID-19 pandemic or the mode of instruction, children with disabilities are entitled to a free and appropriate public education (FAPE), and infants and toddlers with disabilities and their families are entitled to appropriate statewide early intervention services.

Additionally, the document asserts that state and local laws, regulations, or policies that limit the ability of IEP Teams to address school-related health needs of a child with a disability (for example COVID-19 risk-reduction measures such as mask-wearing), would be a violation of the Individuals With Disabilities Education Act (IDEA).

Read the guidance [HERE](#).

EDUCATION AND JUSTICE DEPARTMENTS RELEASE MENTAL HEALTH RESOURCES

The U.S. Departments of Education (ED) and Justice (DOJ) have released resources for states and schools highlighting the need to protect students at risk of self-harm or suicide. A joint Fact Sheet clarifies that students with conditions such as anxiety, depression, or a substance use disorder can be considered to have a mental health disability and are thus protected by the law under statutes including Section 504 of the Rehabilitation Act of 1973.

Read the fact sheet [HERE](#).

CMS LAUNCHES WEBPAGE TO SHARE STATE PLANS TO EXPAND MEDICAID HCBS

The Centers for Medicare & Medicaid Services (CMS)

launched a new “one-stop shop” on Medicaid.gov to make it easy to access information about states’ plans to enhance, expand, and strengthen home and community-based services using new Medicaid funding made available by the American Rescue Plan Act of 2021 (ARP).

Access the website [HERE](#).

CMS ANNOUNCES FINAL RULE TO IMPROVE HOME HEALTH SERVICES FOR OLDER ADULTS AND PEOPLE WITH DISABILITIES

The Centers for Medicare & Medicaid Services (CMS) issued a final rule that furthers CMS’ strategic commitment to drive innovation that promotes comprehensive, person-centered care for older adults and people with disabilities by accelerating the shift from paying for home health services based on volume, to a system that incentivizes value and quality.

Read the press release [HERE](#).

SENATORS INTRODUCE LEGISLATION TO PHASE OUT SUBMINIMUM WAGE FOR WORKERS WITH DISABILITIES

Senator Bob Casey (D-PA) and Senator Steve Daines (R-MT) introduced the Transformation to Competitive Integrated Employment Act to phase out subminimum wages and increase competitive integrated employment for people with disabilities.

The legislation would provide funding to states and to existing sub-minimum wage providers to transition programs to new models. It would also phase out the federal authority for sub-minimum wage.

SENATORS INTRODUCE LEGISLATION TO PREVENT DISCRIMINATION IN ORGAN TRANSPLANT PROCESS

Senator Marco Rubio (R-FL) and Senator Maggie Hassan (D-NH) introduced the Charlotte Woodward Organ Transplant Discrimination Prevention Act (S.3301), which would ensure that providers cannot discriminate against patients in need of an organ transplant solely on the basis of a disability.

Congresswoman Jamie Herrera-Beutler (R-WA) introduced companion legislation in the U.S. House of Representatives earlier this year. More than 25 states currently prohibit organ transplantation

discrimination. However, discrepancies across state laws and delays in delivering relief to patients has made enforcement difficult.

The legislation would set a baseline for states by clarifying that providers must comply with the protections afforded to patients with disabilities. The bill is named after Charlotte Woodward, an advocate with Down syndrome who received a heart transplant nine years ago and has fought to raise the issue of organ transplant discrimination in various states.

VALERIE WILLIAMS SELECTED TO SERVE AS THE DIRECTOR IN THE OFFICE OF SPECIAL EDUCATION

Valerie Williams was sworn in to serve as the Director of Special Education at the U.S. Department of Education. Ms. Williams comes to the role after serving as senior director of government relations and external affairs for the National Association of State Directors of Special Education.

RESOURCES

AARP RELEASE REPORT ON MANAGED LONG-TERM SERVICES AND SUPPORTS DURING COVID PANDEMIC

This report explores the role by managed care organizations played in delivering Medicaid long term services and support programs during the COVID-19 pandemic. The report looks at the roles and responsibilities of governments, nursing homes, and MLTSS plans and argues their role in the pandemic response as well as the role of federal funding and data use, should all be examined further to inform future policy.

Read the report [here](#).

Competence and Confidence Partners in Policymaking (C2P2) 2022 Open for Applications – DEADLINE January 5th

A leadership development training program that is designed for adults with intellectual disabilities and/or on the autism spectrum, and for parents of school age children with intellectual disabilities and/or on the autism spectrum. C2P2 participants make a commitment to attend multiple two-day training sessions through the course of the year.

Information and application available [here](#).

CVS Drops Supreme Court Case Over Disability Community Concerns

“CVS is backing off a U.S. Supreme Court case amid concerns from disability advocates that a ruling in the company’s favor could undermine fundamental tenets of the nation’s disability rights laws.”

Read the article [here](#).

Survey Finds Schools Failing To Offer Compensatory Services To Students In Special Ed

“The vast majority of students with disabilities have been offered no compensatory services, a new survey finds, despite deep concerns from parents about learning loss and regression amid the COVID-19 pandemic.”

Read the article [here](#).

ODP Opens Registration for Certified Investigator (CI) Initial Certification Course

The Initial CI Certification Course was created to ensure that all incidents requiring an investigation receive a systematic review that meets established standards. In order to perform investigations, the investigator must successfully complete all requirements of the Initial Certified Investigator (CI) I Certification Course. Due to continued concerns regarding COVID-19, all January – June 2022 Initial CI Certification sessions (or cohorts) of the course will be provided virtually rather than in person.

In order to register for a cohort of the CI Initial Certified Investigator course, registrants must have a current MyODP account. If you do not have a MyODP account, use this MyODP Login Page link and follow the instructions under “Is this your first time here.”

To register for the CI Initial Certification course, use the registration link on the Certified Investigator Initial Certification Course Information page. You must be logged into MyODP to access the registration page.

Center for Health Care Strategies (CHCS) Cross-Agency Partnerships for Health Equity: Understanding Opportunities Across Medicaid and Public Health Agencies

This brief outlines key recommendations to further Medicaid and public health opportunities and cross-agency partnerships that advance health equity. These cross-agency efforts can use three broad

strategies to promote health equity:

1. Advance internal-facing health equity work
2. Leverage data to drive health equity efforts
3. Engage community members authentically

Read the brief [here](#).

Brandeis Study On Unmet Needs for Medicaid HCBS and Poor Health and Community Living Outcomes

The study examined self-reported data from over 10,200 Medicaid HCBS beneficiaries across 13 states using the National Core indicators-Aging and Disability (NCI-AD) survey. Unmet needs for Medicaid HCBS were consistently and significantly associated with poor health outcomes (emergency department visits, hospital stays, and preventative care) and community living outcomes (community participation, relationships with family and friends, satisfaction with how time is spent during the day, and sense of control in life).

Read the full study [here](#).

Statewide Positive Approaches & Practices Meeting

The Office of Mental Health and Substance Abuse Services (OMHSAS) and the Office of Developmental Programs (ODP) are jointly hosting sessions on Thursday January 13, 2022 from 9:00 AM to 3:00 PM.

Register [here](#).

PA Bureau of Special Education Annual Conference - HYBRID FORMAT

From March 2-4, 2022, the 2022 PDE Conference will feature sessions on Attracting, Preparing, and Retaining Special Education Personnel. The Pennsylvania Department of Education's Bureau of Special Education is excited to kick-off the Attract, Prepare, and Retain (APR) initiative at this year's annual conference to bring forward the BSE's commitment to increase and diversify qualified special education professionals in the field. The conference will highlight state and national initiatives to address the critical issues facing Local Education Agencies regarding the attraction, preparation, and retainment of special education personnel.

Learn More & Register [Here](#).

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 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.
- 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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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.

The PIE Team

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