



# Capitol News!

by the  
**National Association of State Head Injury Administrators**

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## Dear Member,

Welcome to *Capitol News!* This issue provides an update on appropriations and legislation impacting individuals with brain injury and their families. Yesterday marked the 28<sup>th</sup> Anniversary of the Americans with Disabilities Act (ADA), which the President issued a proclamation to celebrate this historic legislation. The House of Representatives have recessed and will be in their home districts the next five weeks, which is an excellent time to meet with them while they are at home. The Senate will work midway through August, before recessing. Further information regarding NASHIA's public policy work is available on the NASHIA website under [Key Issues](#) and [Priorities](#).

## This Week in Congress

Both the House and Senate were in session this week. The House passed the Strengthening Career and Technical Education for the 21st Century Act, which gives States and schools more flexibility to connect students with job training, and has been sent to President. The Senate worked on the appropriations FY 2019 minibus to fund the Department of the Interior, the Environmental Protection Agency and related agencies at the end of the week.



## FY 2019 Appropriations

### Appropriations Committees Advance FY 2019 Labor-HHS-ED Funding Bill

Both the House and Senate Appropriations Committees have approved the fiscal year (FY) Labor, Health and Human Services (HHS), Education and Related Agencies spending bill to fund federal programs under those agencies' jurisdiction beginning Oct. 1, 2018. Given the few days remaining in this session following the August recess, there is speculation that all twelve spending bills will not pass before the Sept. 30 deadline, setting the stage for a short-term continuing resolution or an omnibus bill to fund remaining bills.

**ACL** -- Both Committees recommended \$11,321,000 for the Traumatic Brain Injury (TBI) program, administered by the Administration for Community Living (ACL), which funds both Protection & Advocacy and State grants to improve service delivery. This is the same amount as the current year, which is \$2 million more than the previous year and above the President's budget request.

Both Committees recommended \$5 million for the ACL Elder Falls program, which is the same as the fiscal year 2018 enacted level and \$5 million above the fiscal year 2019 budget request. The President's budget calls for eliminating the program.

The House Appropriations Committee recommended level funding for the ACL National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR) program, which administers the TBI Model Systems, while the Senate Appropriations Committee has recommended a \$4 million increase for NIDILRR. The Senate's increased recommendation is to be used to fund competitive assistive technology research grants that help individuals with disabilities. with a

particular emphasis on seniors, to maintain or improve independence. Both committees have included language opposing transferring the program to the National Institutes of Health (NIH), as proposed by the President's budget.

The House Appropriations Committee recommended \$120,000,000 for the Independent Living program, \$6,817,000 above the fiscal year 2018 enacted level and \$24,003,000 above the fiscal year 2019 budget request, while the Senate Appropriations Committee recommended level funding. The Senate Committee included \$113,183,000 for the Independent Living Program.

**NIH** -- The House Appropriations Committee included language transferring \$57,500,000 from the NIH Innovation Account to NIH's National Institute of Neurological Disorders and Stroke (NINDS) to support the BRAIN Initiative, as authorized in the 21st Century Cures Act (P.L. 114-255). The Committee also commended NIH for its successful implementation of the BRAIN Initiative and for its five year partnership with an array of agencies to better understand the brain in order to improve treatment for brain conditions, including brain injury.

Both Committees recommended maintaining the Agency for Healthcare Research and Quality (AHRQ) as an independent operating division within HHS and not transferring and consolidating with other NIH programs, as proposed by the President's budget.

**CDC** - The House and Senate Appropriations Committees recommended level funding, \$6.7 million, for the Injury Center's TBI program. The Senate Committee included language that it supports the establishment of a national surveillance system to accurately determine the incidence of sports-related concussions, although it did not include funding to do so. The House Appropriations Committee recommended about \$43 million increase for the CDC Injury Center overall. The Committee recommended a \$2 million increase for the Injury Control Research Centers (ICRCs), from \$9 million to \$11 million. The President's budget did not recommend funding for the ICRCs.

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## Legislation Passed

### **Congress Passes the Career and Technical Training Act**

This week, the Senate passed the Carl D. Perkins Career and Technical Education (CTE) Act and the bill as been sent to the President for his signature. Formerly referred to as vocational education, the bill reauthorizes funding for six years and new definitions were added in an effort to align terminology with the Workforce Innovation and Opportunity Act (WIOA) and the Every Student Succeeds Act (ESSA). Under the Senate version, two new categories of special population students (homeless individuals and youth with parents on active duty in the armed forces) were added to the current definition to reflect changes made under ESSA. Special populations include individuals with disabilities.

### **Lawmakers Send Bill to Delay EVV Program to President**

Last week, the Senate passed H.R. 6042 to delay by one year the requirement for States to implement the electronic visit verification (EVV) systems for Medicaid-funded personal care services as called for in the 21<sup>st</sup> Century Cures Act passed in 2016. The legislation extends to January 2020 when States will have to comply with federal EVV requirements. States that failed to implement EVV for personal care services by 2019 would lose up to one percent of Medicaid funding, should the law not be enacted. EVV refers to technology a caregiver uses during a home visit, such as a mobile application or phone system, that captures information including the time when service begins and ends, as well as locations where personal care services were provided. The 21<sup>st</sup> Century Cures Act requires Medicaid home health services EVV system to be in place by Jan. 1, 2023.

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## Other Legislation

### **House and Senate Pass Their Versions of the Farm Bill**

Both the House and the Senate have passed the Agriculture and Nutrition Act of 2018, commonly referred to as the Farm Bill, this summer. While the House version included work requirements for the Supplemental Nutrition Assistance Program (SNAP), also known as food stamps, the Senate bill did not include this provision.

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*The National Association of State Head Injury Administrators assists State government in promoting partnerships and building systems to meet the needs of individuals with brain injuries and their families.*



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