

See what Congress passed impacting brain injury service delivery prior to adjourning for the Holiday recess.



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## Capitol News!

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Dear NASHIA Member,

This is the final *Capitol News* of 2015. Last week, Congress adjourned having passed the FY2016 omnibus spending bill funding federal government through the rest of this fiscal year, which ends Sept. 30, 2016. The NASHIA Public Policy Committee is now focusing on its recommendations for funding for FY2017 for the Federal TBI State Grant Program, CDC's TBI program, TBI Model Systems and other policy priorities. Congress also passed a number of other bills pertaining to education, transportation and a one year delay in the application of Medicare competitive bid pricing to Complex Rehab Power Wheelchair Accessories. Further information is provided below.

As a reminder, **March 16, 2016**, is the Congressional Brain Injury Task Force Awareness Day Fair, briefing, and reception to be held in Washington, DC with the Fair being held in the First Floor Foyer of the Rayburn House Office Building and the briefing to be held in the Cannon Caucus Room. Stay tuned for further information as the details of the day unfolds.

Safe States Alliance and the National Violence Prevention Network will partner on a joint Hill Day on March 14, 2016, during which State public health injury and violence prevention programs will be advocating for injury and violence prevention programs. This day is being held in coordination with the Brain Injury Awareness Day, during which TBI advocates will also talk about the need for TBI services.

Meanwhile, **NASHIA wishes you Happy Holidays and New Year! Safe travels!**

## This Week in Congress

Congress has adjourned for the holiday recess. The Senate plans to return on Monday, Jan. 11; 2016, and the House is scheduled to return Tuesday, Jan. 5, 2016.



## Legislation Passed

### President Obama Signs Spending Bill

Last Friday, Dec. 18, President Obama signed into law H.R.2029, the Consolidated Appropriations Act of 2016, which is a \$1.8 trillion omnibus spending bill funding federal government through Sept. 30, 2016. The agreement includes bill language transferring the Federal Traumatic Brain Injury (TBI) program from the Health Resources and Services Administration (HRSA) to the Administration for Community (ACL), which NASHIA strongly supported and advocated for the transfer. Congress appropriated \$9.321 million for the combined State Grant and P&A Grant Programs, which is level funding -- same as FY 2015.

The Lifespan Respite Care Act program administered by the ACL received a \$1 million increase to \$3.4 million. This increase will help to provide additional resources to States to develop or enhance existing respite programs. The National Family Caregivers Support Program, authorized under the Older Americans Act, will receive an additional \$5 million for FY 2016. The ACL Assistive Technology Act grant program also received a significant \$4 million increase. However, \$2 million is targeted to support existing and new alternative financing programs that provide for the purchase of AT devices as directed by the House Appropriations Committee report language.

Other highlights:

-- The Centers for Disease Control and Prevention's (CDC) Injury Center received an overall increase including \$6.75 million for activities authorized by the TBI Act, an increase from FY 15's \$6.548 million.

-- Title V Maternal and Child Health Block Grant received a \$1.2 million increase

-- The National Institutes of Health (NIH) received an increase of \$85 million above the FY2015 funding level for the Brain Research through Application of Innovative Neurotechnologies (BRAIN) Initiative, to be pooled from various NIH institutes and centers, for a total of \$150 million for the initiative. The agreement also highlights an increase of \$350 million for Alzheimer's disease research.

-- The National Science Foundation (NSF) received \$146.9 million for the neuroscience and cognitive science research done through NSF Understanding the Brain (UtB) activity, which includes the BRAIN Initiative. It also clarifies that \$3 million of the funds provided for UtB shall support NSF's participation in the interagency National Brain Observatory as recommended by the House.

-- The omnibus includes a rider that prevents the Consumer Product Safety Commission from moving forward on their recreational off-highway vehicle rule until a National Academies of

-- State grants under the Individuals with Disabilities Education Act (IDEA) was increased by \$415 million to a total \$11.9 billion.

#### **President Signs the Education Reauthorization Bill**

On December 10th, the President signed the Every Student Succeeds Act (ESSA), S. 1177, reauthorizing the Elementary and Secondary Education Act (ESEA) and replacing No Child Left Behind Act. ESSA continues to include students with disabilities in State accountability systems and ensures students with disabilities will continue to have access to the general curriculum and be taught curriculum that is aligned with challenging academic content standards.

Among the provisions, ESSA further ensures accommodations for assessments for students with disabilities. Those assessment results must be disaggregated so that we can see how students with disabilities compare to students without disabilities. Local school district report cards must contain information on student achievement by subgroup, including students with disabilities, compared to students state-wide.

The ESSA requires States to create and make available an annual report that must contain information on incidents of bullying and harassment and the use of discipline procedures in schools. State plans must include information on how the State will support local educational agencies to reduce the use of aversive behavioral interventions that compromise student health and safety. In the report language accompanying the bill, the committee spells-out that the use of aversive interventions includes restraints and seclusion.

#### **Congress Passes Medicare Protection Act**

On the last day of the 2015 Congressional session, Dec. 18, Congress passed S. 2425, the "Patient Access and Medicare Protection Act." The bill includes among other bipartisan Medicare provisions, a one-year delay preventing the Centers for Medicare and Medicaid Services (CMS) from inappropriately restricting access to critical complex wheelchair components/accessories, which was slated to begin on January 1, 2016. This one-year delay will ensure that individuals with significant disabilities continue to receive the specialized technology they depend on to be functional and independent.

#### **President Signs Transportation Bill**

The Fixing America's Surface Transportation, H.R. 22, known as FAST Act, Act was signed into law on Dec. 4. The law reauthorizes funds for Federal-aid highways as well as highway safety and transition programs. The FAST Act provides much needed funding stability to help States plan strategic responses to their most pressing highway safety challenges, including drunk and drug-impaired driving, lack of seat belt use, and excessive speed. The law also brings increased attention and resources to the problem of drug-impaired driving, a growing concern across the country. The FAST Act also continues funding for the Elderly Persons and Persons with Disabilities grant program, which supports demonstration projects for individuals with disabilities.

happy holidays!

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