



Capitol News!

by the
National Association of State Head Injury Administrators

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Dear NASHIA Member,

Welcome to *Capitol News!* Last month, the Congressional Brain Injury Task Force (CBITF) held its Brain Injury Awareness Day activities which provided an opportunity for NASHIA members to make office visits, as well as to learn about national and federal initiatives from the Administration for Community Living (ACL) Stakeholders Meetings, Awareness Day exhibitors and Briefing speakers. Since then, Congress passed its fiscal year 2018 appropriations bill to finish out the current fiscal year. The Federal Traumatic Brain Injury (TBI) Grant Program, administered by the ACL, received a little more than \$2 million in funding which will be allocated between the State grant and Protection & Advocacy grant programs. Other disability, research and health care programs also received additional funding.

This week, Congress returned after the Easter/Passover break having time off to think about the spending bill. As a result, there has been reports that Congress is considering rescinding some of the federal funding and also to consider a balanced budget bill, which the amendment may be considered today. Meanwhile, the President signed an Executive Order calling for review of public assistance programs and policies needed in order to carry out work requirements for recipients.

While we have made gains, we need not be complacent as our work is not done! Read further for more information and visit the public policy pages on NASHIA's [website](#) for resources and materials.

This Week in Congress

Both the House and Senate are in session this week. Yesterday, House Speaker Paul Ryan (R-WI) announced that he will not be running again for office, adding to the number of Republican Members who have announced their retirement after this year. On Tuesday, the Senate Judiciary and Commerce Committees held a joint hearing on Facebook with CEO and founder Mark Zuckerberg testifying.



Appropriations and Budget

House to Consider Balanced Budget Resolution - Today!

The U.S. House of Representatives is scheduled for vote on H.J. Res. 2 today, Thurs., April 12. The bill proposes a balanced budget amendment (BBA) to the Constitution of the United States. To achieve the a balanced budget, Congress would need to either impose spending cuts or by raising taxes -- though to raise taxes also would require a three-fifths vote in both the House and the Senate. Under the amendment, Congress could not raise the debt ceiling without super majority votes. House Judiciary Chairman Robert (Bob) Goodlatte (R-VA) introduced the amendment. Both the House and Senate would have to approve the proposed amendment by super majority votes and ratification from the majority of States. While it does not directly cut entitlements or other programs. it would put these

programs at risk should revenue not be sufficient to cover the costs. It would also limit the flexibility for Congress to increase federal spending and debt in order to meet emerging issues, such as economic downturns and war.

Congress May Reconsider Fiscal Year 2018 Funding

After authorizing a \$1.3 trillion omnibus bill to keep government running through Sept. 30, many Congressional Members and the President have had "buyers remorse," believing they should not have included program increases, particularly for non-defense programs, that add to the federal debt. Therefore, the White House is considering using a provision of the Congressional Budget and Impoundment Control Act of 1974 to cut spending from the omnibus funding bill through a rescission resolution requiring a simple majority vote in the Senate, as well as the House. It is unclear if there is likely passage of this measure. The omnibus spending bill for fiscal year 2018 includes:

Department of Health and Human Services

- \$2.2 billion, which is \$178 million above last year, for Administration for Community Living.
- \$11.321 million total for Traumatic Brain Injury Program, which is \$2 million more than FY 2017 (combined funding for both State grant and P&A grant programs).
- \$1 million additional funding for the ACL National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR) program.
- \$750,000 increase for the ACL Lifespan Respite Care Program.
- \$30 million increase for the National Family Caregiver Support program.
- \$36 million for the ACL Assistive Technology State programs, a \$4M increase from last year.
- \$8.3 billion overall for CDC - an increase of \$1.1 billion above the fiscal year 2017 level.
- \$6.75 million to fund CDC's Injury Center's TBI Program.
- \$9 million for the CDC's injury and research centers, which the President's FY 2019 budget is recommending to be eliminated.
- \$2.05 million for CDC's Elderly Falls prevention program, which is eliminated in the President's FY 2019 budget.
- \$3 billion increase for National Institutes of Health.
- \$149 million in new funding for the BRAIN Initiative to map the human brain.
- \$3.6 billion, an increase of \$2.55 billion or 244 percent, to fight opioid addiction -- improving treatment and prevention efforts; finding alternative pain medications; workforce needs, especially in rural communities; and behavioral health.
- \$3.2 billion, a 17 percent increase, for mental health research, treatment, and prevention.
- Funds SAMHSA at \$5 billion - \$1.3 billion above the fiscal year 2017 enacted level.
- \$1.63 billion, \$135 million above FY 2017, for Community Health Centers to expand behavioral health and substance use disorder prevention and treatment services, including opioid abuse, and provide access to overdose reversal drugs and recovery support services.

Department of Labor

- \$295 million, an increase of \$16 million above FY2017 for Veterans Employment Training (VETS) Programs.
- \$1.7 billion to combat Social Security Disability Fraud through periodic reviews to ensure that individuals receiving Social Security disability benefits are still eligible under program rules.

Department of Education

- \$275 million increase for IDEA/Special Education State grants.

The bill included report language clarifying that the existing "Dickey Amendment" language does not prohibit CDC from awarding grants to study gun violence. However, no funding was included to carry

out firearm violence research.

Appropriators Are Working on Fiscal Year 2019 Funding

House and Senate appropriations subcommittees are starting to work on the twelve fiscal year 2019 appropriation bills. The House Appropriations Subcommittee on the Labor, Health and Human Services, and Education will hold the public witness hearing on [Thursday, April 26, 2018](#), at 10:00am (ET). The deadline to submit requests to testify was last Friday.

The Congressional Brain Injury Task Force submitted a [letter](#) to appropriators requesting additional funding for the ACL TBI Grant program, ACL NIDILRR Model Systems and the Centers for Disease Control and Prevention (CDC) TBI program, as well as a [letter](#) for funding for the Department of Defense programs for service members with TBI.

Legislation Passed

Congress Passes Legislation to Protect Beneficiaries of Social Security Disability Benefits

Congress has passed H.R. 4547, the Strengthening Protections for Social Security Beneficiaries Act, to increase independent oversight of the Social Security Administration's Representative Payee Program and the bill is now on the President's desk. A representative payee is a person who acts as the receiver of Social Security Disability or Supplemental Security Income (SSI) for a person who is not fully capable of managing their own benefits. H.R. 4547 specifically authorizes the nation's Protection and Advocacy (P&A) system to monitor and investigate how representative payees are administering Social Security funds. The House of Representative approved the bill unanimously in February and the Senate passed the bill at the end of March.

President Signs State Veterans Home Adult Day Health Care Bill

On March 23, 2018, President Trump signed S.324, the State Veterans Home Adult Day Health Care Improvement Act of 2017 (P.L. 115-159), sponsored by Sen. Orrin Hatch (R-UT). The bill directs the Department of Veterans Affairs (VA) to enter into an agreement with each State home to pay for medical supervision model adult day health care for a veteran for whom the home is not receiving VA nursing home care payments. The veteran must need such care either specifically for a service-connected disability, or, if not specifically for one, the veteran must have a service-connected disability rated 70% or more.

Other Legislation

Lawmakers Draft TBI Act Reauthorization Bill

Senators Orrin Hatch (R-UT) and Bob Casey, Jr. (D-PA) and Congressmen Bill Pascrell, Jr. (D-NJ) and Tom Rooney (R-FL) are introducing the TBI Reauthorization Act with minor changes. You may contact your Senator or Representative to ask them to be a co-sponsor by contacting Karen LaMontagne in Sen. Hatch's office at Karen_LaMontagne@hatch.senate.gov or Sarah Reingold in Congressman Pascrell's office at Sarah.Reingold@mail.house.gov. Click [here](#) for further information.

Advocates Push for Money Follows the Person Legislation

Disability and aging advocates are continuing to push for Congress to pass S. 2227/H.R. 5306, known as the EMPOWER Care Act, to reauthorize the Money Follows the Person (MFP) program that provides enhanced money to States to assist in transitioning individuals from nursing and institutional facilities to the community. Senators Rob Portman (R-OH) and Maria Cantwell (D-WA) and Reps. Brett Guthrie (R-KY) and Debbie Dingell (D-MI) are bill sponsors. AUCD has developed a [toolkit](#) to help with advocacy.

House Sends STOP School Violence Act to Senate

On March 14, the House of Representatives passed H.R. 2909, the STOP School Violence Act of

2018, sponsored by Rep. John H. Rutherford (R-FL). The bill amends the Omnibus Crime Control and Safe Streets Act of 1968 and authorizes \$50 million annually to the U.S. Department of Justice to fund training and other initiatives to enhance school safety and \$25 million annually for physical improvements, such as metal detectors, stronger locks, and emergency notification and response technologies for schools to notify law enforcement of emergencies. The bill is now in the Senate for consideration.

Administration

President Signs Order Urging Work Requirements for Public Assistance Programs

This week, President Trump signed an Executive Order called "Reducing Poverty in America", to force low-income recipients of food assistance, Medicaid and low-income housing subsidies to work or lose their benefits. The Secretaries of the Treasury, Agriculture, Commerce, Labor, Health and Human Services, Housing and Urban Development, Transportation, and Education have 90 days to produce plans that impose work requirements on able-bodied recipients and to block ineligible immigrants from receiving assistance. The Secretaries are to draft "a list of recommended regulatory and policy changes" to take recipients off of these programs and into the workforce.

The order states: The Federal Government's role is to clear paths to self-sufficiency, reserving public assistance programs for those who are truly in need. The Federal Government should do everything within its authority to empower individuals by providing opportunities for work, including by investing in Federal programs that are effective at moving people into the workforce and out of poverty. It must examine Federal policies and programs to ensure that they are consistent with principles that are central to the American spirit - work, free enterprise, and safeguarding human and economic resources. For those policies or programs that are not succeeding in those respects, it is our duty to either improve or eliminate them."

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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.*