



giving states a voice

National Association of State Head Injury Administrators



Capitol News!

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Dear NASHIA Member,

Welcome to *Capitol News!* featuring information on current Congressional activities. Congress is not in session this week, having recessed last Thursday until after the November elections. Prior to the recess, the Senate passed S. 2539, TBI Reauthorization Act of 2014, which will need to be taken up and passed by the House when Members return. Congress also passed a continuing resolution (CR) to continue funding for federal government starting the new fiscal year, October 1, through mid December.

While Members of Congress are in their home districts is an excellent time to talk to them about brain injury issues. All Members of the House of Representatives are up for election and about one-third of the Senators will also be on the November ballot. NASHIA maintains information and materials relating to TBI reauthorization and other issues outlined in its Public Policy Platform on the [website](#). Please feel free to use this information and contact Susan Vaughn, Director of NASHIA Public Policy at publicpolicy@nashia.org should you have any questions.

Meanwhile, the NASHIA Public Policy Committee is drafting its recommendations for the 114th Congress to be presented to the membership during the Annual Meeting in October. If you have any suggestions or comments, please send them either to Bill Ditto, Public Policy Committee Chair at WilliamABDitto@aol.com or to Susan Vaughn.

This Week in Congress

Congress recessed last Thursday and will return after the November mid-term elections for a lame-duck session. There will still be a window of time to pass key legislation. Congress will need to pass an Omnibus bill or another Continuing Resolution to continue federal funding beyond December 11th.



Legislation Passed

EMSC Reauthorization Sent to President for His Signature

The Emergency Medical Services for Children Reauthorization (EMSC) of 2014, S. 2154, passed the House last week and has been sent to the President for his signature. Senator Robert Casey (D-PA) sponsored the legislation which reauthorizes funding for EMSC program administered by the U.S. Department of Health and Human Services (HHS), Health Resources and Services Administration (HRSA).

Congress Sends CR to President

Last week, Congress passed a \$1.02 trillion continuing resolution (CR) to continue federal funding for government programs through December 11th, 2014. The CR was necessary as Congress had not passed any of the twelve FY 2015 appropriation bills. The CR basically continues funding at the same level as FY 2014. Congress will need to address appropriations when it returns to continue funding from December 11th through September 30, 2015.

Pending Legislation

Senators Pass TBI Act Reauthorization

The Senate passed the TBI Reauthorization of 2014, S. 2539, last week. As the bill is different than the H.R. 1098, the House of Representatives will need to take up the senate bill for passage after Members return in November. The Senate added a section directing the Secretary of Health and Human Services (HHS) to develop a plan to improve coordination of federal activities with respect to TBI. Specifically, the provision requires the Secretary to review existing interagency coordination efforts with regard to TBI activities; to identify areas for improved coordination between relevant federal agencies and programs with a focus on serving individuals with TBI; to identify recommendations that have been/or has not been adopted; and to incorporate, as appropriate, stakeholder feedback, including feedback from individuals with TBI and their caregivers.

The Senate Committee also included a provision directing the Centers for Disease Control and Prevention (CDC), in consultation with the National Institutes of Health (NIH), to conduct a review of scientific evidence related to brain injury management in children, such as the restriction or prohibition of children from attending school or participating in athletic activities following a TBI and identify ongoing and potential further opportunities for research. Both H.R. 1098 and S. 2539 removed HRSA from administering the Federal TBI Program (state grant and P&A), leaving the administration to the discretion of the HHS Secretary. Members of Congress have expressed their desire to move the program to the Administration for Community Living (ACL) within HHS to coordinate and collaborate with other disability and aging programs providing an array of services and supports to individuals across the lifespan.

DRRC Pushes Rehabilitation Research Legislation

The Disability Rehabilitation Research Coalition (DRRC) sponsored a luncheon yesterday for member organizations to advocate for improved and expanded rehabilitation research within NIH. The coalition supports S. 1097, introduced by Senators Mark Kirk (R-IL) and Tim Johnson (D-SD), to enhance rehabilitation research based on recommendations from the 2012 *Blue Ribbon Panel on Medical Rehabilitation Report*.

Advocate Urge Congress to Take Up the ABLE/Assets Bill

Disability advocates are still hopeful that Congress will pass the Achieving a Better Life Experience Act (ABLE) legislation yet this year. Lawmakers say they have reached a deal to move forward on the legislation after November that would allow people with disabilities a way to save money without jeopardizing their government benefits. The bill would amend Section 529 of the Internal Revenue Code to allow savings over the current \$2,000 asset limit imposed by Social Security and Medicaid in order to enable people with disabilities and their families to save for disability-related expenses. These savings accounts could be used for such expenses as education, housing,

transportation, employment support, health, prevention and wellness costs, assistive technology, and personal support services. Sponsors and advocates have been trying to find a way to pay for the cost of the legislation, which has slowed the passage of the bill.

Senator Harkin Introduces "Access for All"

Last Thursday, Senator Tom Harkin (D-IA), as Chairman of the Senate Health, Education, Labor, and Pensions (HELP) Committee, released a new [report](#) on an investigation he called for regarding the barriers that people with disabilities face as they seek to rise out of poverty and enter the middle class.

To implement the recommendations made by the report, Harkin introduced three new bills as part of his "Access for All" agenda:

1. The *Universal Home Design Act*, which would increase the availability of accessible housing for individuals with disabilities and would cover single family houses and townhouses (new construction).
2. The *Accessible Transportation for All Act*, which would expand access to accessible transportation options for individuals with disabilities.
3. The *Exercise and Fitness for All Act*, which would encourage exercise and fitness service providers to provide exercise and fitness equipment that is accessible to individuals with disabilities.

Senator Harkin Appeals to Senate to Pass Disability Treaty (CRPD)

Last Thursday, in a heart felt speech, Senator Harkin (D-IA) asked the Senate to ratify the Convention on the Rights of Persons with Disabilities (CRPD) by unanimous consent, which is a fast-track procedure to pass legislation quickly. This procedure requires all 100 senators to unanimously agree to pass the bill with no objections. Unfortunately, Senator Lee (R-UT) objected to the procedure and the treaty was not passed. Senator Harkin placed the treaty on the Senate calendar for consideration in the November special session. Over 100 countries have signed on to this treaty, which is modeled after the Americans with Disabilities Act to ensure individuals with disabilities have rights and accommodations.

Hearings

Senate HELP Committee Holds Hearing on Economic Self-Sufficiency

On September 18, the Senate Health, Education, Labor, and Pensions (HELP) Committee held a hearing on highlighting major barriers to economic self-sufficiency for people with disabilities. The hearing was held in conjunction with the release of the committee's report, [Fulfilling the Promise](#). Geoffrey M. Lauer, Executive Director, Brain Injury Alliance of Iowa, testified at the hearing. The written testimony and archived hearing are available on the committee's [website](#).

This update was prepared by:

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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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