



*giving states a voice*

National Association of State Head Injury Administrators



## Capitol News!

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### Dear NASHIA Member,

Welcome to *Capitol News*, the first issue of this year! This issue contains updates on committee chairs; legislation introduced to date; and committee hearings. The 114th Congress convened earlier this month on January 6th. Click [here](#) for the House calendar for 2015. The Senate has also published a [calendar](#). You may find your representative and contact information [here](#) and information pertaining to your senators [here](#).

Rebecca Wolfkiel, NASHIA Governmental Relations, is working closely with the Congressional Brain Injury Task Force (CBITF) to plan the Brain Injury Awareness Day scheduled for **Wednesday, March 18th**. Watch for further information as plans are confirmed. She also represented NASHIA at the annual meeting of the Consortium for Citizens with Disabilities (CCD) held last week.

Meanwhile, click here to see the [Final Report](#) of the 113th Congress, summarizing legislation passed that pertained to NASHIA priorities. NASHIA is looking forward to another productive year with regard to public policy efforts. We are currently updating our public policy webpages to reflect priorities for this Congress. If you have any questions, please send them either to Bill Ditto, Public Policy Committee Chair at [WilliamABDitto@aol.com](mailto:WilliamABDitto@aol.com) or to Susan Vaughn, Director of Public Policy at [publicpolicy@nashia.org](mailto:publicpolicy@nashia.org).

### This Week in Congress

The House and Senate are in session this week. The Senate Judiciary Committee is considering the nomination of Loretta Lynch to be U.S. Attorney General.



### Administration

#### President Delivers the State of the Union Address

Last Tuesday, President Obama delivered his sixth State of the Union Address before a joint session of Congress. His message focused on economic opportunity and announced several new proposals, including broadband access, free community college and the Precision Medicine

Initiative. The purpose of the new Precision Medicine Initiative is to help deliver the *right treatment to the right patient at the right time*. It is an emerging approach to promote health and treat disease that takes into account individual differences in people's genes, environments, and lifestyles, making it possible to design highly effective, targeted treatments for cancer and other diseases.

Seated in the First Lady's box was a wife and mother of 6- and 10-year-olds who was diagnosed with a brain tumor in May 2013, but at the time she didn't have health insurance and delayed treatment. Last year, she enrolled in the Marketplace and obtained health insurance and had surgery to remove the tumor. She wrote the President to thank him for passing the Affordable Care Act.

### **President to Release Budget Monday**

The President is to release his full budget recommendations on Monday. In a White House press statement today, the President is to address the U.S. House Democratic Caucus in Philadelphia and will announce his proposal to end the across-the-board sequester cuts that affect federal programs. The President's budget will fully reverse those cuts for domestic priorities, and match those investments dollar-for-dollar with the resources our troops need to keep America safe.

He expects the reinstated funds to be paid for with cuts to inefficient spending programs and closing tax loopholes to make sure everyone pays their fair share. The President's budget proposes to make critical investments in the things we need to grow, like new advanced manufacturing institutes, rebuilding crumbling infrastructure, combatting antibiotic resistant bacteria, and leading a new age of precision medicine that uses cutting-edge science to treat diseases like diabetes and cancer. The budget calls for strengthening the middle class by providing working parents a chance to get ahead with guaranteed paid sick leave, and giving workers of all ages a chance to earn new skills by making community college free for responsible students.

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## **Legislation Introduced**

### **Legislator Introduces a Balanced Budget Amendment**

Representative Robert Goodlatte (R-VA) has introduced House Joint Resolution (HJR) 1 proposing a balanced budget amendment to the Constitution, requiring a balanced budget each year. The amendments also proposes caps on outlays as a share of GDP and only allow revenue increases if passed by three-fifths of the House and Senate. To be adopted, both the House and Senate would need to pass it and be ratified by three-fourths of the States. Opponents predict catastrophic spending cuts should it be adopted, which would significantly hamper the nation's ability to respond to national security emergencies, recessions, and other macroeconomic instability. Click [here](#) to learn more from the Center on Budget and Policy Priorities.

### **S. HELP Committee Supports OAA Reauthorization**

On Wednesday, the Senate Health, Education, Labor and Pensions (HELP) Committee unanimously approved S. 192, the bipartisan legislation to reauthorize the Older Americans Act (OAA) programs. The bill was recently introduced by Senate Help Committee Chairman Lamar Alexander (R-TN) and Ranking Member Patty Murray (D-WA) with co-sponsors Senators Richard Burr (R-NC) and Bernie Sanders (I-VT). This legislation includes reauthorization of Title III-E, the National Family Caregiver Support Program, with a new provision extending eligibility to older parents of adult children with disabilities for family caregiver support services, including respite. With regard to the Aging and Disability Resource Centers (ADRCs), the legislation:

- Improves ADRC coordination with area agencies on aging and other community-based entities in disseminating information regarding available home and community-based services for individuals who are at risk for, or currently residing in, institutional settings
- Updates the definition of "Aging and Disability Resource Center" to be consistent with current practice and current law, including an emphasis on independent living and home

and community-based services

Chairman Alexander is making OAA reauthorization a top priority this year, the 50th anniversary of the Act. Click [here](#) to see the highlights of the bill. NASHIA submitted a support [letter](#) calling attention to the crosscutting issues relating to seniors and TBI, as well as supporting the expansion of the caregiver support program to extend the program to those caregivers of adult children with TBI.

#### **Lawmakers Plan to Reintroduce ConTACT Act**

Senator Robert Menendez (D-NJ) and Rep. Bill Pascrell, Jr. (D-NJ) plan to reintroduce the ConTACT Act to help protect student athletes from the dangers of sports-related concussions in their respective legislative bodies. The federal legislation would authorize resources for schools to implement concussion management guidelines for student athletes. The bill authorizes a grant program for States to provide professional development for athletic trainers and coaches and ensure schools have adequate medical staff coverage all to implement best practices in concussion diagnosis, treatment, and management. It calls for grant guidelines to be based from recommendations by the Centers for Disease Control and Prevention's (CDC) Pediatric Mild Traumatic Brain Injury Expert Panel.

#### **Senate HELP Committee Considers ESEA Reauthorization**

Senator Lamar Alexander (R-TN), Chair of the Senate HELP Committee, has held two hearings relating to the reauthorization of the Elementary and Secondary Education Act (ESEA) the past two weeks. One was held last week on assessments and accountability issues and another held this week relating to supporting teachers and evaluation. Next week, on February 3, the committee will hold a roundtable discussion on innovations to fix No Child Left Behind. Meanwhile, Senator Alexander has circulated a draft of the reauthorization legislation, "Every Child Ready for College or Career Act of 2015," for input.

Disability advocates are urging committee members to work in a bipartisan manner to develop legislation that ensures access to the general curriculum with supports in order to make it possible for students with disabilities to graduate with a general high school diploma and move on to post-secondary education and careers; and to include all students with disabilities in the assessment and accountability processes using the same standards and assessments with accommodations -- not with alternate or modified standards and assessments.

#### **Legislation Introduced to Help Unpaid In-home Caregivers**

Senator Cory Booker (D-NJ) has introduced S.2866, "In-Home Caregiver Assessment Resources and Education Act or In-Home CARE Act," and Representative Bill Pascrell, Jr. (D-NJ) has introduced a similar bill, H.R. 5633, to require the Administration for Community Living to award grants to carry out home visiting programs for unpaid caregivers. Specifically, grantees would be required to provide:

- caregiver education and training regarding medication management, food preparation, falls prevention and other subjects;
- services or referrals for services related to home care, such as transportation, home modification, or respite care; and
- an assessment and referral for physical and mental health services for the caregiver or person receiving care from the caregiver.

#### **House Adopts Rule Impacting SSDI**

One of the first order of business for the House of Representative, was the adoption of the House rule that could destabilize Social Security by preventing a routine, technical fix. In previous years, Congress would reallocate funds between the retirement trust fund and Disability Insurance trust fund, depending on which fund was short, in order to keep both trust funds solvent. The rule prohibits this practice impacting the Disability Insurance Trust Fund, which is expected to be

depleted in late 2016. This means that beneficiaries would receive a 20% cut in benefits should this short-fall not be addressed. The House rule disallows such reallocation and instead requires either a tax increase or benefit cut in the DI program, rather than considering other alternatives to fix the solution.

## **Committee Hearings and Appointments**

### **House Holds Hearing on Medicare SGR**

The House Energy & Commerce Subcommittee on Health, chaired by Representative Joe Pitts (R-PA), scheduled a two-day hearing last week to discuss the elimination of the Medicare SGR (Sustainable Growth Rate). Subcommittee members are discussing how to bring SGR reform to the President's desk before the current patch expires at the end of March 2015. The SGR formula is a budget cap passed into law in 1997 to control physician spending. Since 2003, Congress has spent nearly \$150 billion in short term patches to avoid unsustainable cuts imposed by the SGR. The most recent patch will expire on March 31st.

### **Senate HELP Committee Releases Cures Report**

Today, the Senate HELP Committee has released its version of the 21st Century Cures effort, the *Innovations for Healthier Americans: Identifying Opportunities for Meaningful Reform to Our Nation's Medical Product Discovery and Development*. The forward, written by Dr. Andrew von Eschenbach, states, "Innovation is an important call to action, soliciting input and participation from the full universe of stakeholders interested and/or involved in medical innovation in America. It directs attention to the National Institutes of Health and the Food and Drug Administration, two prestigious federal institutions that remain vital to our health care ecosystem. Senator Alexander and Senator Burr pose an elegantly simple question: "How could they be even better?" It is the start of a dialogue to determine what policy changes Congress and the Executive Branch must make to reaffirm our undisputed global leadership in discovery, development, and delivery of new medical products." Click [here](#) to view the report.

### **Leadership Announces Committee Appointments**

Most of the committee chairs have been announced and most of them served in the same capacity as the previous Congress. The Chairman of the House Committee on Energy and Commerce will continue to be Rep. Fred Upton (R-MI); Rep. Marsha Blackburn (R-TN) as the Vice Chair; and Rep. Frank Pallone Jr. (D-NJ) will assume the position of Ranking Member. Rep. Joe Pitts (R-PA) will serve as the Chair of the Subcommittee on Health and Rep. Gene Green (D-TX) is the Ranking Member. Key committee leaders include:

- Senate Budget Committee: Chair, Senator Mike Enzi (R-WY); Ranking Member, Senator Bernie Sanders (I-VT)
- Senate Appropriations Committee: Chair, Senator Thad Cochran (R-MS); Ranking Member, Senator Barbara Mikulski (D-MD)
- Senate Appropriations Subcommittee on Labor-HHS-Ed: Chair, Senator Roy Blunt (R-MO); Ranking Member, Senator Patty Murray (D-WA)
- Senate Health Education Labor and Pensions (HELP): Chair, Senator Lamar Alexander (R-TN); Ranking Member, Senator Patty Murray (D-WA)
- Senate Finance Committee: Chair, Senator Orrin Hatch (R-UT); Ranking Member, Senator Ron Widen (D-OR)
- Senate Judiciary Committee: Chair, Senator Charles Grassley (R-IA); Ranking Member,

Senator Patrick Leahy (D-VT)

- House Budget Committee: Chair, Senator Tom Price (R-GA); Ranking Member, Rep. Chris Van Hollen (D-MD)
- House Appropriations Committee: Chair, Rep. Hal Rogers (R-KY); Ranking Member, Rep. Nita Lowey (D-NY)
- House Appropriations Subcommittee on Labor-HHS-Ed: Chair, Rep. Tom Cole (R-OK); Ranking Member, Rep. Rosa DeLauro (D-CT)
- House Education and Workforce Committee: Chair, Rep. John Kline (R-MN); Ranking Member, Rep. Bobby Scott (D-VA)
- House Ways and Means Committee: Chair, Rep. Paul Ryan (R-WS); Ranking Member, Rep. Sander Levin (D-MI)
- House Judiciary Committee: Chair, Rep. Robert Goodlatte (R-VA); Ranking Member, Rep. John Conyers (D-MI)

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in promoting partnerships and building systems to meet the needs  
of individuals with brain injuries and their families.*

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