



Capitol News!

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Celebrating Brain Injury Awareness Month!

March 15, 2017

Dear NASHIA,

Greetings and welcome to *Capitol News!*, which you receive as a NASHIA member. On Monday, President Trump signed an Executive Order calling for federal departments to submit "a proposed plan to reorganize the agency, if appropriate, in order to improve the efficiency, effectiveness, and accountability of that agency." Tomorrow, the President is expected to put out a "skinny budget" for FY 2018 reflecting a \$54 billion reduction in non-defense discretionary programs in order to increase military spending. Meanwhile, last week the two House Committees passed the Republican Leadership's bill to repeal the Affordable Care Act, which includes restructuring and cutting the Medicaid program. Read further below.

Next week, the **Congressional Brain Injury Task Force (CBITF) is sponsoring Awareness Day events on Wed., March 22**, to inform and educate policymakers about the needs of individuals with brain injury and their families. **This is a critical time for advocates to speak to the needs of individuals with brain injury and their families.** Rebecca Wolfkiel, NASHIA Government Relations, has scheduled office visits for NASHIA members attending the events. *If you can't attend, you can still help by emailing your Representative* to invite him/her to the events, as noted below, and to ask him/her to sign on the CBITF Co-chairs [letter](#) asking Members to support funding for TBI programs.

Meanwhile, NASHIA's Public Policy Platform and Brochure have been posted to the [website](#). Please feel free to use that information as you see fit!

This Week in Congress

The U.S. House of Representatives stayed home Tuesday due to weather, but returned the next day. The Senate on Wednesday confirmed former Senator Dan Coats to serve as President Trump's director of national intelligence (DNI).



FY 2018 Appropriations

The President is to expected to release limited details on his fiscal year (FY) 2018 budget tomorrow, being referred to as the "skinny budget". The skinny budget is to provide an outline of his proposals to reduce discretionary spending, which refers to programs funded during the annual appropriation process, such as the Federal TBI Program and other disability and health care programs. The proposal will not address taxes or spending for entitlement programs, such as Social Security, Medicare, and Medicaid. Early reports are showing that funding for affordable housing programs will take major cuts, including rental assistance programs for individuals with disabilities and older adults.

On Monday, President Trump signed an executive order directing federal agencies to "propose a plan to reorganize governmental functions and eliminate unnecessary agencies ... components of agencies and agency programs". The President already signed an order last month directing

federal agencies to create "regulatory reform" task forces which will evaluate federal rules and recommend whether to keep, repeal or change them. After the President receives agency heads' initial recommendations, the agencies will have another 180 days to submit a plan to include "recommendations to eliminate unnecessary agencies, components of agencies, agency programs and to merge functions." The President is proposing to reduce federal spending for the non-defense discretionary programs by \$54 billion in order to increase military spending.

Legislation

House Committees Pass ACA Replacement Bill

Last week, the House Committees on Energy and Commerce and on Ways and Means pushed through a bill to repeal the Affordable Care Act (ACA) with the American Health Care Act (AHCA). This week the Congressional Budget Office (CBO) released its estimated costs/savings of the bill, should it be enacted. The CBO estimates that enacting the AHCA would reduce federal deficits by \$337 billion over ten years and increase the number of people who are uninsured by 24 million in 2026 relative to current law. The cost savings would largely be the result of reducing Medicaid spending and federal funding to assist individuals to obtain health insurance.

The bill repeals taxes authorized by the ACA and also restructures the Medicaid program and cuts the program by \$880 million over the next decade. The legislation proposes to repeal the Medicaid Expansion program and change funding for the Medicaid program from an entitlement program to a Per Capita Cap program in order to reduce and contain costs. Dramatic reductions in federal support for Medicaid will force States to cut services and/or eligibility that will impact individuals with disabilities, including brain injury, who need health care, rehabilitation and long-term services and supports. Furthermore, the repeal and replacement bill affects these ACA provisions, as noted by the Consortium for Citizens with Disabilities (CCD):

1) **Community First Choice** -- Repeals the increased Federal Medical Assistance Percentage for the 1915(k), known as the Community First Choice (CFC) option. CFC currently allows individuals with disabilities to receive needed supports to remain at home, with States receiving extra Medicaid federal matching funds to cover the services.

2) **Essential Health Benefits in Medicaid** -- Eliminates a requirement that Medicaid cover the Essential Health Benefits (EHBs), which includes mental health and substance use disorder services, prescription drugs, rehabilitative and habilitative services and devices, preventive and wellness services, chronic disease management, and pediatric services.

3) **Tax Credits** -- Replaces the ACA's tax credits that help people pay for health care coverage with much more limited tax credits, maxing out at \$4,000 per year for individuals over the age of 60. While the ACA tax credits reflect the cost of actual coverage and ensured that people only paid a percentage of their income, the replacement tax credits do not have this flexibility, and it is unlikely these limited credits will be sufficient to cover the costs facing families. This is especially true in high cost areas of the country.

4) **Repeal of the Individual Mandate and Continuous Coverage** -- The individual mandate was to ensure that there is the largest risk pool possible, so that healthcare costs are shared broadly. The provision in the Energy and Commerce bill penalizing those who do not maintain continuous coverage is meant to replace the mandate. The continuous coverage requirements penalize anyone who experiences a short-term financial hardship and can no longer afford healthcare coverage, such as a job loss with unaffordable COBRA payments or a move to part time employment due to healthcare needs.

5) **Cost Sharing** -- Repeals the cost-sharing protections that the ACA put in place to help people below 250 percent Federal Poverty Level (FPL) afford their healthcare.

6) **Patient and State Stability Fund** -- Creates a Patient and State Stability Fund, allocating \$15 billion for the next two years and \$10 billion per year from 2020 to 2026, to be shared between the fifty States and the District of Columbia - amounting to \$80 billion over the next 9 years. The fund is designed to help States with many different challenges, including creating high risk pools, providing various forms of reinsurance, prevention, and assisting with cost sharing.

7) **Prevention and Public Health Fund** -- Ends the Prevention and Public Health Fund in 2018. It is anticipated that the Centers for Disease Control and Prevention (CDC) would lose 12 percent of its annual budget if the Prevention and Public Health Fund is repealed. States would end up losing more than \$3 billion over the next five years from grants and programs supported by the Prevention Fund.

8) **Age Banding** -- Allows health insurance companies to charge older adults up to 5 times the premiums paid by younger individuals.

Click [here](#) to see "Top 10 Changes to Medicaid Under House Republicans' ACA Repeal Bill".

Congressional Briefings

Congressional Brain Injury Task Force Hosts Awareness Day and Briefing

Next week, the Congressional Brain Injury Task Force will host its annual Awareness Day Fair, Briefing and Reception - all of which will be held in the Rayburn House Office Building. The Fair will be held in the First Floor Foyer from 10:00 am - 2:00 pm followed by the Congressional Briefing to be held in the Rayburn Gold Room 2168 from 2:30 pm - 4:00 pm. William A.B. Ditto, Chair of the NASHIA Public Policy Committee, will moderate the Briefing, "Faces of Brain Injury: The Invisible Disability Affecting Children and Adults." The Reception will be held in Rayburn Gold Room 2168.

NCIL Sponsors Briefing on State of Disability in America

The National Council on Independent Living (NCIL) is hosting its annual Congressional Briefing & Reception on the State of Disability in America. The briefing will take place on Wednesday, March 29, 2017 from 5:00-7:00 in the Rayburn House Office Building 2044. The reception will include a short presentation on the state of the Independent Living Program in America, and brief remarks by members of the NCIL Board of Directors. Members of the House and Senate, as well as members of the Administration, are also invited to provide brief remarks. If you plan to attend, please RSVP at the link below or to NCIL's Policy Analyst, Lindsay Baran, at Lindsay@ncil.org or (202) 207-0334, ext. 1108 by Friday, March 24, 2017.

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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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