



Capitol News!

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Dear NASHIA Member,

Welcome to *Capitol News*! In this issue you will find information on legislation introduced by members of Congress as well as a request to assist in recruiting co-sponsors and support for H.R. 1098, the Traumatic Brain Injury (TBI) Reauthorization Act of 2013. For further information on H.R. 1098 and other key issues visit the NASHIA website (www.nashia.org).

This Week in Congress

Both the House and Senate are in session this week, but will be heading home to their districts for the Memorial Day Recess. This will be an excellent time to talk about the TBI Act reauthorization and funding for TBI programs.



Budget and Appropriations

Budget

The House Appropriations Committee has released the proposed funding allocations - also known as the 302(b)s - for the 12 Appropriations bills for FY 2014. The figures in the allocation report would lead to deep cuts to health and human services. The Labor, Health and Human Services and Education allocations, for instance, would be reduced from the House request of \$150 billion in the current fiscal year (FY 2013) to \$122 billion in the next fiscal year (FY 2014). Because the committee is reluctant to further cut NIH, Defense and other Homeland security spending, it expects the HHS budget to absorb the biggest cut. In fact, Defense spending would increase 6% over FY 2013.

The House \$967 billion discretionary allocation is down from \$1.043 trillion in enacted FY 2013 appropriations, reduced because of the sequester, which lowered caps for defense and nondefense spending in FY2014. TBI Act programs and most disability and health care research, prevention, and service programs are discretionary programs.

In the Senate, however, Appropriations Chairwoman Barbara Mikulski (D-MD) plans to act on bills as if the sequester had been repealed for FY 2014 and proceed with a \$1.058 trillion cap. The House allocation is so low that it's certain that the L-HHS-ED bill will not ever be finalized unless the House and Senate leadership get more serious about budget negotiations with one another and with the President.

TBI Act -- Appropriations

The Congressional Brain Injury Task Force (CBITF) circulated a "dear colleague" letter in support of increased funding for TBI Act and Model Systems programs and then forwarded the letter on to the House Appropriations Committee. NASHIA has also submitted testimony calling for increased funding. Information on TBI Act program funding recommendations for FY 2014 is on the NASHIA website under Public Policy, [Key Issues](#).

Assistive Technology -- Appropriations

NASHIA signed on to a Consortium for Citizens with Disabilities Technology and Telecommunications Task Force letter to appropriators to request that the House and Senate FY2014 Labor, Health and Human Services (L-HHS-ED) Appropriations Subcommittees provide \$37.5 million for the Assistive Technology (AT) Act. This modest \$5 million increase would allow every State and Territory to receive at least the minimum grant outlined under the current formula in the AT Act and would help meet the urgent demand for veterans, the growing aging population, and youth with disabilities who have been through secondary and postsecondary education but might need technology to assist them in getting and keeping a job. It would also help States promote the adoption of commercial, off-the-shelf, multiple-use technology to support people with all types of disabilities.

Special Education Research -- Appropriations

NASHIA signed on to an open letter urging Congress to support funding for the Individuals with Disabilities Education Act's (IDEA) Personnel Preparation program. The President's FY 2014 budget proposes to cut the program by an additional \$2.5 million. This program has already been cut from \$90.6 million (FY 2010) to its current \$83.7 million (FY 2013). Any further cuts will exacerbate the existing severe shortage of qualified special educators. According to the U.S. Department of Education, nearly every State reports a shortage of special education teachers and related service personnel. In fact, 90% of high poverty districts reported difficulty in attracting highly qualified special education teachers. In response to these cuts, several education organizations have started a campaign to prevent cuts to this program. To find out more and sign the letter, visit the Council for [Exceptional Children's Campaign site](#).

Legislation Introduced

TBI Act Reauthorization

NASHIA and other TBI stakeholders are actively working on obtaining co-sponsors for H.R. 1098, the Traumatic Brain Injury Reauthorization Act of 2013, sponsored by Rep. Bill Pascrell, Jr. (D-NJ) and Rep. Tom Rooney (R-FL). The TBI Act authorizes funding for CDC to conduct prevention, public awareness, collect data to describe the incidence/prevalence and problems associated with TBI, and to develop guidelines for such things as falls prevention among the elderly and concussion and return to play guidelines for students participating in sports related activities. In addition, the TBI Act is the only federal legislation that specifically helps States to design, expand and improve services for individuals with TBI - across all ages - and their families; and expands Protection & Advocacy services to include TBI.

NASHIA members are encouraged to contact their representative and ask them to co-sponsor the bill. You may direct them to Kristen Molloy (Kristen.Molloy@mail.house.gov) in Congressman Pascrell's office, (202) 225-5751 for additional information or to express interest in being a co-sponsor.

Youth Sports Concussion Act of 2013

This week, Rep. Bill Pascrell, Jr. (D-NJ-09), co-founder and co-chair of the Congressional Brain Injury Task Force (CBITF), and CBTF co-chair Rep. Tom Rooney (R-FL) introduced bipartisan legislation aimed at protecting youth athletes from the dangers of sports-related traumatic brain injuries. The Youth Sports Concussion Act of 2013 would ensure that new and reconditioned

football helmets for high school and younger players meet safety standards that address concussion risk and the needs of youth athletes. The bill also increases potential penalties for using false injury prevention claims to sell helmets and other sports equipment. Companion legislation was also introduced in the U.S. Senate by Sen. Tom Udall (D-NM).

The Youth Sports Concussion Act of 2013 sets a deadline, nine months after enactment, for improvements by industry groups to the voluntary standard for football helmets. If that deadline is not met, the Consumer Product Safety Commission (CPSC) must set mandatory football helmet standards to protect children's safety.

Sports are the second leading cause of traumatic brain injury for people who are 15 to 24 years old, behind only motor vehicle crashes. Every year American athletes suffer up to an estimated 3.8 million sports-related concussions. More than one million American high school students play football, including nearly 8,000 high school students in New Mexico.

NASHIA is among the supporters of the Youth Sports Concussion Act of 2013, which also includes: NFL, NFL Players Association, Major League Baseball, MLB Players Association, NBA, NHL, NCAA, Major League Soccer (MLS) Players Union, American Academy of Neurology, American Academy of Pediatrics, Brain Injury Association of America, Brain Trauma Foundation, Cleveland Clinic, Consumer Federation of America, Consumers Union, Natl. Consumers League, Safe Kids USA, Natl. Athletic Trainers Association, Natl. Fed. of State High School Associations (NFHS), NOCSAE, US Lacrosse and US Soccer Federation.

Health Care

The House voted to repeal the Affordable Care Act on Thursday for the third time since its enactment. (It is the 37th time the House has voted to repeal or defund at least part of the bill.) Only two Democrats sided with Republicans in the party-line 229-195 vote - Jim Matheson (UT) and Mike McIntyre (NC). All Republicans voted in favor of repeal. The Senate does not plan to vote on the repeal bill and the President has issued a veto message.

Medicaid

Rep. Bill Cassidy (R-LA) has introduced the Medicaid Accountability and Care (MAC) Act, H.R. 1853, which would change the funding structure of Medicaid to a per-capita-cap. Currently, Medicaid reimburses States a certain percentage of the cost of providing services through the Medicaid program, based on a State's per-capita income. This bill would change the formula to a set amount of federal funding for each person in Medicaid, with different amounts for each category of beneficiary: elderly, blind or disabled, children, and adults.

Family and Medical Leave Act

Senator Dick Durbin (D-IL) and Rep. Carolyn Maloney (D-NY) have introduced the Family and Medical Leave Inclusion Act, a reauthorization of the Family and Medical Leave Act (FMLA) that would expand the types of family members to whom the law applies. Originally passed in 1993, FMLA allows workers to take unpaid leave to care for a spouse, child, or parent. The reauthorization would expand the law to include adult children, siblings, grandparents, and same-sex spouses or partners.

Restraint and Seclusion

Rep. George Miller (D-CA), Ranking Member of the House Education & Workforce Committee, along with 12 other bi-partisan co-sponsors, re-introduced the Keeping All Students Safe Act, H.R. 1893, on May 9th. The bill would ban the most harmful forms of restraint, ban restraint and seclusion except in emergencies where someone is in immediate danger of physical harm, require that parents be notified when restraint or seclusion are used on their child, and promote less restrictive alternatives like positive behavioral interventions and supports and de-escalation techniques.

Veterans Bills

On May 9th, the Senate Committee on Veterans' Affairs held a legislative hearing, reviewing

twenty bills that address health care issues ranging from veterans' access to the Department of Veterans Affairs' (VA) health care services to eradicating homelessness among veterans. Among the bills considered includes S. 851, the "Caregiver Expansion and Improvement Act of 2013", introduced by Sen. Bernie Sanders (I-VT). The bill proposes to extend eligibility to the VA Family Caregiver Program to all veterans with a serious service-connected disability. Currently, veterans must have incurred their disability on or after the arbitrary date of September 11, 2001.

S. 633, sponsored by Senator John Tester (D-MT), would extend VA beneficiary travel reimbursement benefits to non-service connected catastrophically disabled veterans. If enacted, this legislation would provide reimbursement for travel that is in connection with care provided through a VA special disabilities rehabilitation program to veterans with a spinal cord injury or disorder, double or multiple amputations, or vision impairment. Such care must also be provided on an inpatient basis or during temporary lodging at a VA facility.

Committee Hearings

Senate Hearing Focuses on Outreach to Veterans

On April 28th, the Senate Committee on Veterans' Affairs held a hearing to discuss the current outreach of the VA to the nation's 22 million veterans. Chairman Bernie Sanders (I-VT) requested the hearing and he was joined by Ranking Minority Member Richard Burr (R-NC). VA's Assistant Secretary for Public and Intergovernmental Affairs Tommy Sowers explained VA's efforts to reach all veterans. He said they have had tremendous success reaching the recent Iraq and Afghanistan era veterans using social networking, although not all veterans, particularly those over 50 years old, have access to a computer or are familiar with the social networking sites.

The Massachusetts Department of Veterans Services was recognized for being active with helping veterans such as providing case management, finding employment and employment training, and helping veterans and their families with social services and counseling. The committee also heard from Wendy Spencer, CEO of the Corporation for National and Community Service CEO, Eric Weingartner of the Robin Hood Foundation and Mike Monroe, a vice president of Points of Light.

Other

Convention on the Rights of Persons with Disabilities (CRPD)

The U.S. International Council on Disabilities (USICD) and the Disability Rights Education and Defense Fund (DREDF) held a community leadership teleconference last week to share information and discuss strategy for successfully ratifying the international disability treaty this year. Sen. Tom Harkin (D-IA), a lead advocate for the treaty, joined the call to provide the current status in the Senate and to rally the troops. Sen. Harkin reported that the Senate Foreign Relations Committee plans to hold hearings and mark up the Treaty in June so that it can be ready for a floor vote by July 26, the anniversary of the ADA.

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