

## **FEDERAL AGENCY WATCH—September 2006**

Federal Agency Watch is a synthesis of Federal agency news and activities related to traumatic brain injury. Federal Agency Watch is sent on a quarterly basis to keep those involved with traumatic brain injury informed on activities conducted at the Federal level.

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## **Department of Health and Human Services (HHS) – Centers for Medicare and Medicaid Services (CMS) – CMS Administrator Announces His Resignation**

Mark McClellan, M.D., Ph.D., Administrator of the Centers for Medicare and Medicaid Services (CMS) has announced that he will resign in early October. As CMS administrator, McClellan oversees Medicaid and Medicare -- which together provide health benefits for about 90 million US residents -- and manages a Federal budget of about \$600 billion. He has been at the Centers for Medicare and Medicaid Services since March 2004.

A physician and an economist, McClellan served in the White House as a member of the President's Council of Economic Advisers. He also served as senior policy director for health care and related economic issues for the White House.

## **Department of Health and Human Services (HHS) – Centers for Medicare and Medicaid Services (CMS) – Announces Money Follows the Person Rebalancing Demonstration Grants**

On August 17, 2006, CMS encouraged State Medicaid directors to take full advantage of the Money Follows the Person (MFP) Rebalancing Demonstration grants designed to rebalance the long-term care systems in States. On July 26, 2006, CMS issued a solicitation for State applications for participation in the MFP Rebalancing Demonstration, which was created by section 6071 of the Deficit Reduction Act of 2005 (P.L. 109-171).

CMS is offering \$1.75 billion over 5 years in competitive grants to States and will award Demonstration grants to States on or about January 1, 2007. The demonstration will continue through September 30, 2011. The Single State Medicaid Agency must be the lead applicant for these grants. States must propose a demonstration period of no less than two consecutive fiscal years but no greater than five years. The State must indicate in its application the targeted group(s) and number of individuals it intends to transition.

States interested in applying for a “*Money Follows the Person*” grant can propose new programs to CMS that are aimed at sustaining people in their homes or communities who would have otherwise received care in a nursing home or other institution. The qualified expenditures may be eligible for an enhanced match rate from the Federal government equal to an increase of 50 percent of the usual State Medicaid percentage contribution in addition to the usual match rate. In effect, the Federal government will pay for 75 to 90 percent of the costs of transitioning individuals out of nursing homes and into community settings and the associated long-term care benefit costs. Grant funds may also be used to help control how they receive these services.

In making awards, CMS will give preference to States if they include multiple target groups and if they propose to deliver self-directed services. The deadline for the first year's applications is due to CMS on November 1, 2006. A copy of the “*2006 Money Follows the Person Rebalancing Initiative Demonstration Program*,” including the application forms, can be obtained at <http://www.grants.gov>. For more details about the New Freedom Initiative, visit the CMS Web site at: <http://www.cms.hhs.gov/newfreedom/>.

## **Department of Health and Human Services (HHS) – Centers for Medicare and Medicaid Services (CMS) – Prepares Tip Sheets on Prescription Drug Plans and Bridging the Coverage Gap**

The Centers on Medicare and Medicaid Services (CMS) has prepared two tip sheets – *How the Coverage Gap Works for People with Medicare Prescription Drug Plans* and *Bridging the Coverage Gap* – related to the coverage gap (sometimes called the “donut hole”). The first tip sheet is for partners who work with people who are Medicare beneficiaries and contains questions and answers related to the coverage gap. The second is written for distribution to Medicare beneficiaries and includes information on ways they can avoid or delay entering the gap, and continue to save money on drug costs while in the gap. Download the first tip at: <http://www.cms.hhs.gov/partnerships/downloads/PartneTipSheetExplCovGap080206.pdf>. Download the second tip sheet at: <http://www.medicare.gov/Publications/Pubs/pdf/11213.pdf>.

**Department of Health and Human Services (HHS) and Department of Homeland Security (DHS) – HHS Administration on Developmental Disabilities (ADD), HHS Office of Disability and DHS Have Posted Transcripts from the Emergency Management Conference for Individuals with Disabilities and the Elderly**

In July the HHS Administration on Developmental Disabilities and Office on Disability and the Department of Homeland Security (DHS) hosted the Emergency Management Conference for Individuals with Disabilities and the Elderly. The purpose of the conference was to bring together Governor-appointed State teams to connect State emergency management officials with key disability and aging experts to work toward integration of efforts within their jurisdiction's emergency management framework; to facilitate cooperative planning with senior officials of the Federal Emergency Management Agency regions and to identify and institute measurable outcomes and systems for tracking results. Transcripts from the Conference are available at <http://www.add-em-conf.com/>.

The Department of Homeland Security also supports a website on Disability Preparedness, <http://www.disabilitypreparedness.gov/>, that provides practical information on how people with and without disabilities can prepare for an emergency. It also provides information for family members of, and service providers to, people with disabilities. In addition, this site includes information for emergency planners and first responders to help them to better prepare for serving persons with disabilities.

**Department of Health and Human Services (HHS) -- Administration on Substance Abuse and Mental Health Services (SAMHSA) -- Awards Cooperative Agreements for Comprehensive Community Mental Health Services for Children and Youth with Serious Emotional Disturbances and Their Families**

On September 5, Assistant Surgeon General Eric Broderick, DDS, MPH, Acting Deputy Administrator of the Substance Abuse and Mental Health Services Administration (SAMHSA), announced the award of five cooperative agreements totaling \$41 million over six years to provide comprehensive community mental health services for children and youth with serious emotional disturbances and their families. These grants will be used to implement a "systems of care" approach to services, based on the recognition that the mental health needs of children with serious mental health needs can best be best met within their home, school, and community, and that families and youth should be the driving force in the transformation of their own care.

The five awards are for up to \$1 million in the first year and are renewable for up to six years. The total funding for 2006 is \$5 million. Grants were awarded to: Arizona, Pascua Yaqui Tribe, Tucson; Iowa State Department of Human Services, Des Moines; Minnesota Polk County, Crookston; Mississippi State Department of Mental Health, Jackson; and the Missouri Department of Mental Health, Jefferson City. For further information go to [http://www.samhsa.gov/news/newsreleases/060906\\_children.aspx](http://www.samhsa.gov/news/newsreleases/060906_children.aspx).

## **Department of Health and Human Services (HHS) -- Administration on Substance Abuse and Mental Health Services (SAMHSA) – Debuts New Traveling Exhibit on Institutionalization**

A new exhibit entitled *The Lives They Left Behind: Suitcases From a State Hospital Attic* debuted September 11 in observance of "The Year of the Consumer 2006" at the Substance Abuse and Mental Health Services Administration (SAMHSA) office in Rockville, Maryland. Previews of the exhibit begin September 1st.

The traveling exhibit features pictures and stories that illustrate the ordinary lives led by people dealing with hardships who were committed to a lifetime in a mental hospital. The Community Consortium, an organization of people with psychiatric histories and their allies, created the exhibit to honor the memories of these people and others like them who were removed from their communities and institutionalized in the early-mid 20th century. The exhibit is circulated by The Exhibition Alliance of Hamilton, New York.

In 1995, during the closure of the Willard Psychiatric Center in New York's Finger Lakes region, several hundred suitcases filled with the personal belongings of former patients were discovered in the hospital attic. The suitcases and their contents bear witness to the rich, complex lives these people led before they were hospitalized at Willard.

The exhibit is open to the general public from 8:30-5:00 p.m. daily until September 27 in the first floor historical and waiting rooms (HHS, SAMHSA office). To make an appointment to see the exhibit, please contact Carole Schauer at (240) 276-1948 or [carole.schauer@samhsa.hhs.gov](mailto:carole.schauer@samhsa.hhs.gov) or Carlton Speight at (240) 276-1949 or [carlton.speight@samhsa.hhs.gov](mailto:carlton.speight@samhsa.hhs.gov).

## **Department of Education (ED) – Office of Special Education and Rehabilitative Services (OSERS) Releases Report on Its 5-Year Goals**

John H. Hager, the Assistant Secretary of the Office of Special Education and Rehabilitative Services (OSERS), has announced OSERS' new long-term goals. The five goals are:

- 1) Achieve true excellence in education for all children and youths with disabilities;
- 2) Expand meaningful and competitive employment for people with disabilities and emphasize the transition of youths with disabilities to postsecondary education, employment or both;
- 3) Improve outreach, communication and visibility;
- 4) Build partnerships leveraging resources with Federal and other government agencies, nongovernmental organizations and the private sector; and
- 5) Expand access to, utilization of, and reuse of assistive technology.

For further information relating to these goals go to <http://www.ed.gov/policy/speced/guid/goals.html>

## **Department of Education (ED) – Office of Special Education and Rehabilitative Services (OSERS) Publishes Final IDEA Regulations**

The Department of Education published the final Individuals with Disabilities Education Act (IDEA) regulations on August 14. The regulations go into effect on October 13. The regulations cover the IDEA Part B State Grant Programs and the Preschool Program. Regulations for implementation of Part C (Early Intervention) and Part D (National Activities) Programs are still in development. The regulations are available through the Department of Education's website: <http://www.ed.gov/legislation/FedRegister/finrule/2006-3/081406a.html>. OSERS are holding eight regional meetings this fall to provide training on the regulations. For the schedule go to: <http://www.ed.gov/policy/speced/guid/idea/idea2004-schedule.html>. The regional meetings will also be a means for OSERS to distribute their toolkit on the regulations. To access this toolkit go to: <http://www.osepideasthatwork.org/toolkit/index.asp>.

## **National Council on Disability -- US Senate Confirms New Members**

On August 3, the US Senate confirmed four new members of the National Council on Disability (NCD). The new members are John R. Vaughn of Florida; Victoria Carlson of Iowa; Chad Colley of Florida, and Lisa Mattheiss of Tennessee. Upon his confirmation, John Vaughn became the new NCD chair. These new members replaced the outgoing Carol Novak, Joel Kahn, David Wenzel and Lex Frieden.

The National Council on Disability (NCD) is an independent Federal agency making recommendations to the President and Congress to enhance the quality of life for all Americans with disabilities and their families. NCD is composed of 15 members appointed by the President and confirmed by the US Senate.

## **Equal Employment Opportunity Commission (EEOC) – President Appoints New Chair**

President George W. Bush has designated Naomi Churchill Earp as Chair of the US Equal Employment Opportunity Commission (EEOC) effective September 1. She succeeds Cari M. Dominguez, who stepped down after serving a full five-year term during which the EEOC launched a campaign to advance the President's New Freedom Initiative in the area of employment for individuals with disabilities. Dominguez has been the second-longest serving chair.

Between April 2003 and September 1, 2006, Earp served as Vice Chair of the EEOC. During that time, she created and launched the EEOC's Youth@Work Initiative, a national education and outreach campaign to promote equal employment opportunity for America's newest generation of workers. To date, the EEOC has held more than 1,600 Youth@Work events nationwide, reaching more than 112,000 students, education professionals, and employers.

## **LEGISLATIVE TRACKING GRID**

For a comprehensive listing of pending Federal legislation, please visit: [http://www.nashia.org/pdf/legis\\_grid\\_2005\\_06.pdf](http://www.nashia.org/pdf/legis_grid_2005_06.pdf) to view the TBI Technical Assistance Center

at NASHIA's Legislative Tracking Grid. The grid contains information on bills introduced to the House and Senate including sponsors and a brief summary of each bill. The Legislative Tracking Grid is prepared by Susan L. Vaughn for the TBI Technical Assistance Center at NASHIA and was updated in August.

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If you have any questions about the above information, please contact Heather Crown at 301-656-3150 or [hacrown@tbitac.nashia.org](mailto:hacrown@tbitac.nashia.org).

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