

## DC Update June 15, 2009

This week the U.S. House of Representatives is expected to vote on a war supplemental bill, with the U.S. Senate to take up the measure soon after. Also in both chambers, various committees will work on FY 2010 appropriations bills. NACBHDD will keep members updated as appropriations bills of interest move through the process. In addition, health reform activity continues. Below are brief overviews of Senate and House action.

### Health Reform

#### *U.S. Senate*

This week the Senate Health, Education, Labor and Pensions (HELP) Committee will mark up its health reform bill, *Affordable Health Choices Act*. The DC Update email includes a section by section summary, created by the HELP Committee. In a press release from Senator Kennedy, HELP Committee Chairman, 5 key elements are outlined as part of the draft legislation:

- 1) Choice to keep the coverage you already have or choose an affordable alternative;
- 2) Reduce costs through health information technology, prevention, better quality, and address fraud and abuse;
- 3) Prevention and early promotion of screenings;
- 4) Invest in workforce training and coordination of care; and
- 5) Make long term care and services available to keep individuals in their homes. This is based on the Community Living Assistance Services and Supports Act (CLASS).

The legislation indicates coverage cannot be based on a person's health status. Also outlined in the bill language is design of an Affordable Health Benefit Gateway defined as a mechanism that "*facilitates the purchase of health insurance coverage and related insurance products through the Gateway at an affordable price by qualified individuals and qualified employer groups.*" Mental health, substance abuse services, rehabilitative and habilitative services are to be included as eligible in a benefit design.

The Senate Finance Committee continues to craft its health reform legislation and is expected to reveal the provisions soon.

#### *U.S. House of Representatives*

The three committees of jurisdiction, Ways and Means; Energy and Commerce; and Education and Labor, released a joint statement on Tuesday, June 9 indicating the committees were working together to craft legislation. They plan to take action on legislation soon and have it on the House floor prior to the August recess. The three

committee chairs unveiled a draft outline of key provisions to be included in the legislation. To view the document check the following link:

<http://waysandmeans.house.gov/media/pdf/111/tri.pdf>

### **Medicaid Bill Introduced**

Last week, Senators Debbie Stabenow (D-MI), Blanche Lincoln (D-AR), and Mark Begich (D-AK) introduced a bill to help preserve Medicaid services for vulnerable populations including those with severe mental illnesses and people with developmental disabilities.

*(The Senators' press release provided the following outline.)*

#### **“The Medicaid Services Restoration Act:**

- Finances therapeutic services for children in the child welfare system with serious mental and emotional disturbances.
- Authorizes Medicaid to pay for standard pediatric medical care for children treated in residential treatment centers and psychiatric hospitals.
- Allows states to bundle rates in paying for services.
- Clarifies existing Medicaid third-party liability law and regulation of rehabilitative services.
- Authorizes 180 days of intensive case-management services for Medicaid patients with disabilities who are transitioning from institutions to the community.
- Allows state to assign case managers to individual Medicaid beneficiaries.
- Authorizes state to employ multiple care managers primarily for Medicaid patients with co-occurring chronic medical conditions, and children and adults with severe disabilities.”

The House does not have a similar bill at this time.

### **Long Term Services and Supports**

In early June, Representatives Frank Pallone (D-NJ) and Diana DeGette (D-CO) introduced the *Empowered at Home Act* (HR 2688). The bill removes barriers to accessing community based services (HCBS) under the Medicaid State Plan amendment option for individuals. It will allow increasing the federal medical assistance percentage (FMAP); revising the income eligibility up to 300% of SSI; and giving states the option to provide HCBS waiver services to prevent, delay or decrease the likelihood of institutionalized care. No Senate companion exists at this time.