

# CREATING PATHWAYS TO WORK

*The Newsletter of Rhodes to Independence*

## FEDERAL NEWS

### ADA RESTORATION ACT

The ADA Restoration Act (ADARA), a bill designed to restore workplace protections eroded by Supreme and lower courts, is gearing up. House Majority Leader Hoyer (D-MD) has named ADARA a legislative priority this summer, and the disability community has shown its own enthusiasm with 27 organizations signed on to the negotiated language along with several organizations from the business community. Given the small number of legislative workdays left in this Congress and the need for bipartisan support - including the business community - momentum at this stage will be critical to give ADARA a chance at being signed into law this year.

(Source: Capitol Insider, Vol. 13, Issue 23, June 9, 2008. Disability Policy Collaboration)

### SENATE ACTION: MORATORIA ON SEVEN MEDICAID REGULATIONS

On May 22, the Senate overwhelmingly passed a supplemental war spending bill with domestic policy provisions including moratoria on seven Medicaid regulations, as well as the Aug. 17, 2007, Centers for Medicare and Medicaid Services directive on State Children's Health Insurance Program (SCHIP) coverage. The domestic policy provisions were passed in a separate amendment by a vote of 75-22. The amendment includes moratoria until April 1, 2009, for seven controversial Medicaid regulations on public providers, provider taxes, graduate medical education, school-based administration, transportation, rehabilitation services.

The amendment includes an expansion of veterans' education benefits, an extension of unemployment benefits, \$10.4 billion for hurricane and disaster recovery, and \$1 billion for the Low-Income Home Energy Assistance Program.

After the strong bipartisan vote in favor of the domestic policy initiatives, the Senate failed to pass an amendment that included both war funding and controversial Iraq war policy provisions. Instead, the Senate passed by 70-26 an amendment with more than \$165 billion in war spending.

Because the Senate altered the amendments passed by the House, including the addition of war funding, the legislation must be sent back to the House so that body can pass the amended package. It will face a possible veto by President Bush, who has said he will not approve any spending bills beyond his budget proposals.

The House is scheduled to vote on the supplemental war-spending bill in June. According to some reports, the leadership will attempt to trim some of the domestic spending that the Senate included in its package to avoid a Presidential veto. Medicaid stakeholders are pushing the House to retain the one-year moratoria on the seven Medicaid regulations.

(For more information, please visit [http://www.nasmd.org/Home/home\\_news.asp](http://www.nasmd.org/Home/home_news.asp); Sources: Working for Tomorrow, May 2008, Center for Workers with Disabilities; Capitol Insider, Vol. 13, Issue 22, June 2, 2008. Disability Policy Collaboration)

## BUDGET RESOLUTION UPDATE

The Senate and House narrowly approved a \$3.1 trillion FY 2009 Budget Resolution (S. Con. Res. 70). The Senate vote was 48-45 and the House vote was 214-210. The Budget Resolution includes large increases in funds for domestic programs and excludes reductions in Medicare and Medicaid spending proposed by President Bush. The Budget Resolution is a blueprint for Congressional appropriators, not legislation that must be signed by the President. The resolution would increase funds for domestic federal agencies by almost 5%, or \$24 billion. The resolution would provide approximately \$21 billion more in discretionary spending than the President requested. It does not contain reconciliation instructions requiring adjustments to entitlement programs.

(Source: Capitol Insider, Vol. 13, Issue 23, June 9, 2008)

## SOCIAL SECURITY

The House and Senate passed the Concurrent Resolution on the Budget for Fiscal Year 2009 that provides \$10.7 billion for the Social Security Administration's administrative expenses. This amount is \$240 million above the President's request. The additional resources are provided "to address the serious backlog of disability claims and hearings, as well as other backlog workloads for which additional resources are needed." The conference agreement also rejects the President's private account proposal for Social Security. The additional amount can be realized only if the Congress actually appropriates the funds through the FY 2009 L-HHS-Ed appropriations bill or a FY 2009 Continuing Resolution.

## TICKET TO WORK FINAL REGULATIONS

The Social Security Administration published the final regulations for the Ticket to Work and Self-Sufficiency Program (Ticket to Work program), which was authorized by the Ticket to Work and Work Incentives Improvement Act of 1999. The final rule, based upon proposed rules from September 2005 and August 2007, will increase the amount of revenue available to employment networks (ENs) and will create opportunities for greater collaboration between private ENs and the public vocational rehabilitation program. A number of substantial changes to the Ticket to Work program are included in the rule, such as:

- Expanding which beneficiaries are eligible to receive a ticket;
- Allowing reimbursement for a Trial Work Period;
- Increasing equity of payments available for serving Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI) beneficiaries; and
- Providing opportunities to share reimbursements between ENs and Vocational Rehabilitation.

The final rule will become effective on July 21, 2008. An electronic copy of the regulations is available online at

<http://edocket.access.gpo.gov/2008/E8-10879.htm>

The Social Security Administration issued final rules designed to improve the Ticket to Work program. The changes will improve the effectiveness of the Ticket program in helping beneficiaries with disabilities who want to return to work.

This information has recently been updated, and can be accessed by visiting this link:

<http://www.disabilityinfo.gov/digov-public/public/DisplayPage.do?parentFolderId=165>.

## CAPITOL HILL: HOUSE TENTATIVE AGENDA FOR HOUSE FLOOR ACTION BEFORE CONGRESSIONAL SUMMER RECESS

House Majority Leader Steny Hoyer (D-MD) announced a tentative agenda for House floor action between June and the start of the summer recess on August 11. Those issues likely to be scheduled for floor action include the Emergency War Supplemental Appropriations; the Americans with Disabilities Act Restoration Act; the housing financing crisis and mental health parity. There have been no firm decisions on a strategy to deal with FY 2009 appropriations.

(Sources: Capitol Insider, Vol. 13, Issue 23, June 9, 2008. Disability Policy Collaboration; Working for Tomorrow, May 2008, Center for Workers with Disabilities)

## MAY 2008: U.S. UNEMPLOYMENT RATE RISES

The unemployment rate rose to 5.5 percent in May, up from 5.0 percent just a month before. According to the Wall Street Journal, that is the largest one-month increase in the past 22 years. Over the past six months, private sector jobs have dropped by 411,000, according to the Economic Policy Institute.

Rhode Island's unemployment rate remained stable in April at 6.1 percent, according to the RI Department of Labor and Training.

There were 861,000 more unemployed people last month, bringing the total to 1.6 million people have been out of work for 27 weeks or more, up from 1.1 million a year ago. Both the House and Senate have voted to provide at least a 13-week extension of unemployment benefits attached to the war-funding bill now before Congress

(Sources: [http://www.dlt.state.ri.us/News\\_Releases/NR\\_051608.htm](http://www.dlt.state.ri.us/News_Releases/NR_051608.htm); <http://www.chn.org/> )

## TRANSPORTATION: ACCESSIBILITY

In June or July, The House of Representatives is expected to begin consideration of H.R. 6003, a bill to reauthorize Amtrak. Included in the bill is an authorization for funding to improve rail station accessibility. Amtrak is also required to report to Congress on how it plans to meet its 2010 Americans with Disabilities Act deadline for rail station accessibility.

(Source: Capitol Insider, Vol. 13, Issue 23, June 9, 2008. Disability Policy Collaboration)

## RECENT REPORTS AND PUBLICATIONS

### OFFICE OF DISABILITY POLICY'S UNIVERSAL DESIGN AND UNIVERSAL STRATEGIES EXPLAINED

Good customer service means providing a welcoming environment, respectful treatment and needed information. Universal Design provides an important toolset for companies seeking to provide these advantages for their customers and for their employees, who also want to feel welcome and respected, and who require adequate and timely information to do their jobs.

(Read more at <http://www.dol.gov/odep/alliances/universal.htm>)

### BRIEF SERIES ON TANF RECIPIENTS WITH DISABILITIES

Mathematica Policy Research Releases Brief Series on TANF Recipients with Disabilities In April, Mathematica released a series of briefs based upon a study of state programs that specifically serve individuals with disabilities who receive cash assistance through the Temporary Assistance for Needy Families (TANF) program. These briefs provide information on program design and implementation, including a number of case studies from around the nation.

(The briefs may be found at:

<http://www.mathematica-mpr.com/welfare/tanfdisabilities.asp>;

Source: Working for Tomorrow, May 2008, Center for Workers with Disabilities)

### **COST OF INSURANCE OUTPACING INCOME, ROBERT WOOD JOHNSON STUDY FINDS**

Americans who get health insurance for their families through their jobs have seen their premiums increase ten times faster than their income in recent years, according to a new report from the Robert Wood Johnson Foundation.

Based on data from the U.S. Census Bureau and the Agency for Healthcare Research and Quality's Medical Expenditure Panel Survey, the report, Squeezed: How Costs for Insuring Families Are Outpacing Income, found that, nationwide, the amount employees pay for family coverage increased nearly 30 percent from 2001 to 2005, while family policyholders' income increased just 3 percent. The report also found that the proportion of insurance premiums workers pay for family coverage remained constant at about 24 percent during that period, while the dollar amount that workers contribute increased by nearly \$2,500.

According to the report, the number of private-sector employers nationwide who offered health insurance benefits to their employees fell by 30,000 from 2001 to 2005, with 4.1 million fewer people working for such employers. Meanwhile, the number of Americans with private health insurance fell nearly 2.4 million — or 6 percent — during the same period. According to the latest Census Bureau data, 47 million Americans do not have any health insurance.

(Source: "Cost of Insurance Far Outpaces Income." Robert Wood Johnson Foundation Press Release 4/29/08)

### **START-UP/USA FACT SHEET ON COMMUNITY RESOURCES FOR SMALL BUSINESS DEVELOPMENT**

A new fact sheet from START-UP/USA explains how individuals with disabilities who want to start a business can find assistance and support from a number of different local agencies. These generic resources usually are funded by taxpayer dollars and are available to anyone including people with disabilities. Some of them include Small Business Development Centers (SBDC), the Service Core of Retired Executives (SCORE), One-Stop Career Centers, Business Leadership Networks (BLN), and others described in this Q&A. Informal supports, such as families and friends, are recommended as resources particularly if they have relationships with local small businesses. Resources for assisting Native Americans and veterans are also provided.

The fact sheet, Self-Employment Q and A: Community Resources for Small Business Development is available at <http://www.start-up-usa.biz/resources/content.cfm?id=648>.

(Source: Working for Tomorrow, May 2008, Center for Workers with Disabilities)

### **STATES' SCORECARD FINDS BIG DIFFERENCES IN KID'S HEALTH CARE**

The quality of children's health care in America varies widely from state to state, as does their access to insurance and care and the likelihood of living long and healthy lives, according to a scorecard published by the Commonwealth Fund. The report was released on May 28, 2008.

According to **U.S. Variations in Child Health System Performance: A State Scorecard**, the leading states "consistently outperform the lagging states on multiple child health indicators and dimensions." With the exception of Connecticut, the New England states emerged at the top quartile of overall performance rankings. For

overall variations, Rhode Island ranked the eighth best in the United States, posting high scores in Access, Quality, and Equity, lower scores under Costs and Potential to Lead Healthy Lives.

The full report can be accessed at <http://www.commonwealthfund.org>. A PowerPoint can be obtained from [http://www.commonwealthfund.org/user\\_doc/site\\_docs/slideshows/ChildScorecard/ChildScorecard.html](http://www.commonwealthfund.org/user_doc/site_docs/slideshows/ChildScorecard/ChildScorecard.html)

### **UNITED NATIONS CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES AND THE NATIONAL COUNCIL ON DISABILITY REPORT**

The National Council on Disability (NCD) released "Finding the Gaps: A Comparative Analysis of Disability Laws in the United States to the United Nations Convention on the Rights of Persons with Disabilities (CRPD)" to clarify the potential impact of the Convention's articles.

The UN estimates that more than half of all disabled people in developed nations and the vast majority of those in developing countries are unemployed. Others are under-employed.

The U.N. General Assembly adopted a new convention in 2006 enshrining the rights of the world's citizens with disabilities. Approval of the 32-page convention culminated a campaign spearheaded by disability rights activists and the governments of New Zealand, Ecuador, and Mexico.

The report can be accessed at: [http://www.ncd.gov/newsroom/publications/2008/doc/ncd\\_crpd\\_analysis.doc](http://www.ncd.gov/newsroom/publications/2008/doc/ncd_crpd_analysis.doc)

### **AN FYI TO READERS**

#### **HELP WITH INSURANCE: GRANTS FOR FAMILIES**

The United Health Care Children's Foundation is providing grants to families who have children ages 16 or younger with medical needs not covered or not fully covered by their commercial health benefit plan. Individuals who receive care via Medicaid, Medicare or other state or federally subsidized health insurance programs are not eligible. The amount awarded to an individual within a 12-month period is limited to either \$5,000 or 85% of the fund balance, whichever amount is less. Awards to any one individual are limited to a lifetime maximum of \$7,500.

See: [http://www.uhccf.org/apply\\_applicant.html](http://www.uhccf.org/apply_applicant.html)

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*Rhodes to Independence operates under the auspices of the University of Rhode Island College of Pharmacy and is funded by a US Department of Health and Human Services, Centers for Medicare and Medicaid Services, Medicaid Infrastructure Grant*