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ACTION ALERTS



ACTION ALERTS are messages for you to send to elected officials and need your IMMEDIATE RESPONSE. Click on the link(s) below to take action on current DPC action alerts.



ONGOING None

MAJOR EVENTS LAST WEEK

U. S. Congress

Both Houses of Congress experienced delays in bringing key bills to the floor for votes. Republicans in both Houses are using delaying tactics, primarily in protest from being excluded by the Democratic majority in key decisions. Senate filibusters, House parliamentary maneuvers and White House veto threats served to stifle action on key bills.

Social Security

The House Ways and Means Subcommittee on Social Security held a hearing on “Employment Eligibility Verification Systems and the Potential Impact on SSA’s Ability to Serve Retirees, People with Disabilities and Workers” and the Senate Finance Committee held a hearing on “More Work, Less Resources: Social Security Field Offices Struggle to Deliver Service to the Public.” Both hearings served to focus more Congressional attention on the continuing crisis in service to the public, including a massive backlog in decisions on applications for disability benefits, caused by the persistent and cumulative under-funding of administrative costs of the Social Security Administration.

Medicare

At a hearing of the House Ways and Means Committee's Health Subcommittee, chaired by Rep. Pete Stark (D-CA), members on both sides of the aisle sharply criticized the Centers for Medicare and Medicaid Services (CMS) Medicare competitive bidding program for durable medical equipment (DME - e.g. power wheelchairs, augmentative communication devices, etc.). The program is scheduled to be rolled out in 10 metropolitan statistical areas (MSAs) on July 1 for ten categories of DME. CMS Acting Administrator Kerry Weems staunchly defended the program because it will reduce costs for current providers. Subcommittee members claimed that the process for selecting new DME providers was flawed. Medicare beneficiaries are very concerned that the program will negatively impact access and quality. Their concerns, with which United Cerebral Palsy and The Arc concur, are described in detail in the testimony of the Consortium for Citizens with Disabilities Health Task Force at: http://www.c-c-d.org/task_forces/health/Competitive-Bidding-Testimony-D0191678.pdf. See fact sheet on the program, including a list of the 10 MSAs at: http://www.medpac.gov/documents/MedPAC_Payment_Basics_07_DME.pdf

ADA Restoration Act (ADARA)

The business and disability communities continued to meet to draft mutually-agreed upon language in an effort to move ADARA forward in a bipartisan fashion. Without this consensus, it is unlikely ADARA will garner the support it needs to be signed into law. Despite continuing good-faith efforts, the disability and business communities have yet to find resolution.

MAJOR EVENTS AHEAD

FY 2008 Emergency War Supplemental Funding

On Wednesday, the House of Representatives is scheduled to vote on the FY 2008 Emergency War Supplemental Appropriations bill. This bill includes funding for the war in Iraq, **the moratoria on the seven CMS Medicaid regulations** (including the rehab option, case management and school based administration/transportation rules), an extension of unemployment insurance, and new funding for veterans education programs.

House Democrats need to secure sufficient votes from Democratic Blue Dogs (conservatives) who want to offset all non-defense spending in the bill and Republicans who don't want any non-defense spending in the Emergency War spending bill. The Senate, meanwhile, appears ready to add substantially more non-defense spending in their version of the bill than their House counterparts. Democrats are sure to encounter filibusters by Republicans related to this spending.

On Thursday, the Senate Appropriations Committee, chaired by Sen. Robert Byrd (D-WV), is scheduled to mark-up the FY 2008 Emergency War Supplemental Appropriations bill. The bill which the Committee released last week contains the one year **moratoria on all seven CMS rules.** Sen. Charles Grassley (R-IA), Ranking Member of the Senate Finance Committee and an outspoken opponent of the Medicaid moratoria, is urging

the Appropriations Committee to drop the moratoria from the Supplemental Appropriations legislation.

FY 2009 Budget Resolution

With two weeks remaining before the Memorial Day recess, House and Senate conferees will need to make substantial progress this week if there is any chance that a Fiscal Year 2009 Budget Resolution might be adopted. Most previous Congresses have given up on a Budget Resolution if one is not passed prior to June

Medicaid

On Wednesday, the House Small Business Committee's Subcommittee on Regulations, Healthcare and Trade, chaired by Rep. Charlie Gonzalez (D-TX), will hold a hearing on "The Impact of the CMS Healthcare Regulations and Programs on Small Health Care Providers".

Health Care

On Wednesday, the House Ways and Means Committee's Subcommittee on Health, chaired by Rep. Pete Stark (D-CA), will hold a hearing on "Health Savings Accounts and Consumer Driven Health Care". See:

<http://waysandmeans.house.gov/hearings.asp?formmode=detail&hearing=632&comm=1>


On Thursday, the House Energy and Commerce Committee's Subcommittee on Health, chaired by Rep. Frank Pallone (D-NJ), will hold a hearing on H.R. 5998, Protecting Children's Health Coverage Act of 2008.

Transportation

The House Subcommittee on Railroads, Pipelines, and Hazardous Materials will hold a hearing on the reauthorization of Amtrak on Wednesday May 14th. The House is expected to introduce a reauthorization bill this week. The Senate passed S. 294 reauthorizing Amtrak last October. The Senate bill includes a provision requiring Amtrak to report back to Congress with an evaluation of the improvements necessary to make all existing stations it serves readily accessible to and usable by individuals with disabilities, as required by the Americans with Disabilities Act of 1990.

ANNOUNCEMENTS

Disability Public Policy Calendar – **NEW!**

Past & future events discussed in the Capitol Insider are now posted on The Arc & UCP's web sites. This dynamic tool allows users to post events automatically to their MS Outlook calendars and receive updates on items added since they last viewed the Calendar via an RSS feed link  located below the calendar. See:

<http://www.thearc.org/NetCommunity/Page.aspx?&pid=209&srcid=183> and

http://www.ucp.org/ucp_generalsub.cfm/1/8/16333

Emergency Preparedness/Pandemic Protocol

The May, 2008 edition of CHEST, a periodical of the American College of Chest Physicians, outlined a summary of suggestions from the Task Force for Mass Critical Care Summit held in January of 2007. A panel of physicians, and representatives from the military, Centers for Disease Control, and the Departments of Homeland Security and Health and Human Services drafted a treatment protocol for use during pandemics. This panel suggests that hospitals act uniformly to “target the resources available to those who are most likely to benefit in order to maximize overall survival. This is accomplished through...balancing available resources with the demands on those resources at a population level rather than at the individual patient level.” Specifically this report suggests limiting care to populations including: those with severe mental impairment; those with severe chronic disease such as heart failure, lung disease, and poorly controlled diabetes; and people over 85, among others. Individuals with intellectual and significant disabilities have historically been targets of this type of discrimination and unjust miscategorization of being deemed less worthy than those without disabilities. To read an online executive summary of this article, go to http://www.chestjournal.org/cgi/content/full/133/5_suppl/1S. The Arc and UCP are developing a response to this document.

Ashley Treatment - updated Information

Disability Rights Washington, the Washington State Protection and Advocacy System, has recently updated its website to include new information about the Ashley Treatment investigation. The term “Ashley treatment” was created after parents in the Seattle, Washington area, along with the local Children’s Hospital, engaged in growth attenuation therapy and the removal of sex organs and breast tissue of a young girl with significant cognitive and physical disability. The parents, who remain anonymous, refer to their child as their “pillow angel” and hoped these procedures would help keep her physically small and child-like to ease what they described as the growing burden of physical care. The updated material on Disability Rights Washington’s website responds to numerous requests for information about ways hospitals can help protect the rights of people with disabilities. See: <http://www.disabilityrightswa.org/news-1/ashley-treatment-investigation>.

NIH Committee on Autism Meeting

Today the National Institutes of Health and the National Institute of Mental Health is holding a public meeting of the Interagency Autism Coordinating Committee (IACC) to discuss agency updates, reports from subcommittees and work group recommendations for an IACC plan for research and review of recent advances. Contact: Tanya Pryor at 301-443-7153 or pryort@mail.nih.gov. For more information, see: www.nimh.nih.gov/research-funding/scientific-meetings/recurring-meetings/iacc/events/index.shtml

Disparities in Health Care Briefing

Today the Alliance for Health Reform (AHR) and the Commonwealth Fund holds a briefing to examine recent research into state and federal policies and experiments

with strategies for reducing health care disparities among racial and ethnic minorities. Contact: 202-789-2300 or info@allhealth.org

Social Security and Medicare Discussion

The Woodrow Wilson International Center for Scholars today holds a discussion on "The Seniors' Entitlement Crunch: The Politics of Social Security and Medicare Reform." For more information see:

www.wilsoncenter.org/index.cfm?fuseaction=events.event_summary&event_id=274709

The Arc's New Executive Director

Peter Berns, the newly appointed Executive Director of The Arc of the U.S., will meet with staff of the Disability Policy Collaboration this week as he begins working prior to assuming his full time duties on July 7.