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Friday Updates April 8, 2011

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From the Administration

Administration on Aging

AoA Announces Availability of Approximately \$2.25 Million for Lifespan Respite Care Programs

April 6, 2011

The U.S. Administration on Aging (AoA) announced the availability of approximately \$2.25 million for the implementation of the Lifespan Respite Care Act of 2006. This money will allow states to establish, enhance, or expand their Lifespan Respite Care systems. AoA will award up to 12 states with federal funding of up to \$200,000 for three year projects. These projects must propose to serve all eligible unpaid caregivers. They must also enhance the state's respite services and improve the access to these services.

Applications are due on Friday, May 20, 2011. Letters of intent to apply must be submitted by Monday, April 25, 2011. For more information on this opportunity, [click here](#).

Connecting Generations Video Challenge Being Sponsored by AoA

April 6, 2011

The U.S. Administration on Aging is sponsoring a video challenge to celebrate Older Americans Month 2011. This challenge, *Connecting Generations*, will bring together several generations to create videos featuring seniors connecting other generations. Each team must include at least one person over the age of 60 and one person under the age of 60.

AoA will post all entries online, and a panel of judges will select the top 10 entries. At that time, the general public will be able to vote on the winner.

Submissions are due by May 2, 2011. To learn more, visit www.olderamericansmonth.org.

Social Security Administration

Social Security Launches *Boldly Go*

April 6, 2011

The Social Security Administration (SSA) released a new initiative called *Boldly Go* to encourage baby boomers to use SSA resources to apply for retirement, disability, Medicare, and other services. To encourage this, SSA teamed up with George Takei and Patty Duke, of *Star Trek*.

[Click here to view the official press release.](#)

Boldly Go can be found at www.socialsecurity.gov

Department of Health and Human Services

HHS Releases \$311 Million in Additional FY 2011 LIHEAP Funds under the Current Continuing Resolution

April 7, 2011

On April 7, 2011, the U.S. Department of Health and Human Services (HHS) announced the release of an additional \$311 million in FY 2011 appropriations for the Low-Income Home Energy Assistance Program (LIHEAP). LIHEAP assists qualified families with their home energy needs such as heating in the winter, cooling their homes in the summer, and insulating their homes to make them more energy efficient. By doing so, families are able to pay for heating and electricity, make weather related improvements to their homes and prevent service interruptions.

The continuing resolution currently in place, and set to expire today, directs HHS to release these funds to states, territories, tribes and the District of Columbia. The \$311 million in block grant funds released supplement the previous LIHEAP funding made available to states under the series of continuing resolutions enacted since October 1, totaling \$4.26 billion for Fiscal Year 2011.

For a complete listing of state allocations of funds released, [click here](#).

Also, the HHS press release announcing the \$311 million LIHEAP allocation can be found [here](#).

HHS Announces Plan to Reduce Health Disparities

April 8, 2011

The U.S. Department of Health and Human Services released today two plans aimed at reducing health disparities: the *HHS Action Plan to Reduce Health Disparities* and the *National Stakeholder Strategy for*

Achieving Health Equity. The *HHS Action Plan to Reduce Health Disparities* outlines the goals and actions HHS will take to reduce disparities that exist among racial and ethnic minorities. The *National Stakeholder Strategy for Achieving Health Equity* sets goals and actions for public and private sector partnerships and projects to help racial and ethnic minorities reach higher levels of health. HHS Secretary Kathleen Sebelius said, “For the first time, the United States has a coordinated road map designed to give everyone the chance to live a healthy life.”

The Affordable Care Act has several provisions aimed at reducing these disparities. These include lowering the cost of health care, investing in preventative treatments, supporting primary care improvements.

With these plans, HHS will work with partners to determine environmental, social, or economic factors that lead to health disparities.

[To view the HHS press release, click here](#)

[For more information about the plans, click here.](#)

[For more information on health disparities and the Affordable Care Act, click here.](#)

Department of Housing and Urban Development

Worst Case Housing Needs of People with Disabilities

March 24, 2011

U.S. Department of Housing and Urban Development (HUD) released publication, [Worst Case Housing Needs of People with Disabilities – Supplemental Findings of the Worst Case Housing Needs 2009: Report to Congress](#). This publication serves as a supplement to February 2011’s *Worst Case Housing Needs 2009: Report to Congress*, and includes estimates of the number of households with people with disabilities who have worst case housing needs. This supplement discusses the additional difficulties people with disabilities face in finding safe and affordable housing and the need for improvement in estimating the number of people with disabilities and their housing needs.

Centers for Medicare and Medicaid Services

Final 2012 Payment Policies for Medicare Drug and Health Plans

April 4, 2011

The Centers for Medicare & Medicaid Services (CMS) has issued changes to Medicare Advantage (Part C) and Medicare prescription drug (Part D) plans for 2012. This year’s updates, detailed in what is known as the [Rate Announcement and Call Letter](#), are the result of comments received regarding the [Advance Notice and 2012 Call Letter](#) (Advance Notice), published February 18. Medicare Advantage plans (MA) will increase, on average, 0.4 percent, a decrease from 1.6 percent estimated in the Advance Notice. The final quality bonus percentages are unchanged from the [Advance Notice](#). The Part D deductible will increase from \$310 to \$320, the initial coverage limit from \$2,840 to \$2,930, and the out-of-pocket threshold from \$4,550 to \$4,700. [To read the CMS Fact Sheet issued click here.](#)

CMCS Releases State Medicaid Director Letter on HITECH Electronic Health Record

April 8, 2011

Center for Medicaid, CHIP, and Survey & Certification (CMCS) released a letter today to State Medicaid Directors to provide guidance on technical changes impacting Medicaid Electronic Health Record Incentive Program due to the 2010 Medicare and Medicaid Extenders Act.

[To view the letter, click here.](#)

From Congress

Potential Federal Government Shutdown

April 8, 2011

Since Congress has yet to pass a budget for FY11, the federal government has been operating under a series of short-term spending bills, known as Continuing Resolutions (CR), since October 1, 2010, when the current fiscal year began. The most recent funding mechanism (PL 112-6) will expire at midnight tonight, April 8. Without another CR in place by this time, federal appropriations will lapse, and non-essential government operations will temporarily shutdown. Despite this impending deadline, spending negotiations remain unresolved as of press time.

In preparation for a potential shutdown, federal departments and agencies are required to execute contingency plans for a lapse in appropriations, and these plans describe which agency activities are allowed by law to operate, and which activities must stop. Earlier today, HHS released its shutdown plan, *Contingency Staffing Plan for Operations in the Absence of Enacted Annual Appropriations*. To access the plan, which includes a more detailed compilation of activities to remain open and to be closed, as well as a staffing table, please click [here](#).

House Budget Committee votes to advance the Fiscal Year 2012 Budget Resolution

April 6, 2011

On Wednesday, April 6, 2011, by a party-line vote of 22-16, the House Budget Committee advanced the draft budget resolution proposed by House Budget Committee Chair Paul Ryan (R-WI), [The Path to Prosperity](#). A budget resolution is intended to guide appropriations and other spending and tax decisions for the applicable fiscal year, and does not carry the force of law.

One important function of a budget resolution is to set a ceiling on discretionary spending for the House Appropriations Committee to follow, and Chairman Ryan's would set the level of total non-security discretionary spending for fiscal year (FY) 2012 at \$1.019 trillion, \$102 billion lower than President Obama requested in his FY 2012 budget request to Congress. Additionally, Chairman Ryan proposes to repeal provisions of the Affordable Care Act that impact insurance coverage; to restructure the current corporate and individual tax systems; to convert the federal share of Medicaid spending into a block grant; and to transform Medicare from an entitlement program with defined benefits to a premium support system with defined government contributions.

The budget resolution will now go before the full House, where it will likely be adopted. Under the federal budget process, the Senate will also pass a budget resolution, and members from both chambers will then meet to resolve the differences between the two proposals. You may access *The Path to Prosperity* and its accompanying documents by clicking [here](#).

From DC

National Association of Medicaid Directors

Clarification Sought on Provider Reimbursement Rates: NAMD Letter to CMCS

In an April 4, 2011, letter to the Center for Medicaid, CHIP and Survey & Certification (CMCS) within the Centers for Medicare & Medicaid Services (CMS), the National Association of Medicaid Directors (NAMD) sought assistance and clarification on the rules regarding adjustments in provider reimbursement rates found in Section 1902(a)(30)(A) of the Social Security Act (SSA). In a recent ruling, the Ninth Circuit Court of Appeals took the position that states must conduct costs studies before altering the payment rates for any category of provider, and that their rates must be shown to be reasonably related to provider costs. NAMD explained that this ruling is inconsistent with other circuit courts, and that states in the Ninth Circuit should not be held to stricter conditions than states in the rest of the country.

Also noted by NAMD in their letter to CMS, “the interpretation of a statute by a federal agency charged with responsibility for administering it is normally entitled to deference by the courts.” Therefore, NAMD requested that CMS issue a guidance document, including reiteration of the positions that the statute requires neither cost studies nor a demonstration by states that rates are related to provider costs. Within the letter, NAMD also requested that in the upcoming issuance of a proposed rule, CMS:

- Acknowledge that states may set or adjust payment rates based on available state funds
- Provide states with the broadest possible discretion in setting payment rates
- Clarify several key issues including states’ responsibility for “ensuring efficiency, economy, quality of care and access [to health care], which is a much broader responsibility than simply the sufficiency of payment rates.”
- Include a strong policy against over-utilization of medical services to encourage state to adopt rate policies that include incentives for more efficient use of health care resources

[Click here for the full NAMD Letter to CMS](#)

National Association of State Directors of Developmental Disabilities Services

National Core Indicators Data-Briefs

April 5, 2011

On Tuesday, the National Association of State Directors of Developmental Disabilities Services (NASDDDS) released three National Core Indicators (NCI) Data-Briefs. These briefs highlight findings from 2008-09 data from state developmental disabilities agencies. The three areas addressed are self-direction, autism, and dual diagnosis.

In terms of [self-direction](#), the brief compares the experiences of adults participating in states’ self-direct services options. The [autism brief](#) serves as an update to a [similar brief](#) released in May 2008. The brief compares the experiences of individuals with a diagnosis of autism spectrum disorder with other individuals not diagnosed with autism spectrum disorder. The [dual diagnosis brief](#) describes the experience of individuals with diagnoses of both intellectual/developmental disabilities and mental illness, compared with those who do not have this dual diagnosis.

The NCI reports and other related information can be found at www.NationalCoreIndicators.org.

National Senior Citizens Law Center

LGBT Older Adults in Long Term Care Facilities: National Senior Citizens Law Center News Release

April 5, 2011

Detailing the results of a national survey, on April 5, 2011, The National Senior Citizens Law Center (NSCLC) and partners released a report entitled [LGBT Older Adults in Long-Term Care Facilities: Stories from the Field](#). The survey results show that a majority of lesbian, gay, bisexual and transgender (LGBT) older adult respondents believe that staff of long term care (LTC) facilities would discriminate against an LGBT elder who was open about his or her sexual orientation. The results also indicate that more than half of the respondents believe that staff or other residents would abuse or neglect an LGBT older adult. There were 769 survey respondents, 328 of whom reported 853 instance of mistreatment in a LTC facility.

The report details the [rights of all nursing facility residents](#) and suggests that the comments of some of the survey respondents point to possible violations of federal nursing home law.

The report contains a [list of recommendations](#) for state agencies on aging, policy makers, aging and disability resource centers, state and local communities, nursing homes and ombudsman programs to help advance the national conversation on “fair treatment, dignity and respect for sexual orientation and gender identity, and compassionate care for everyone.”

Additional Resources Listed in the NSCLC Report:

[National Resource Center on LGBT Aging](#)

[The LGBT Aging Issues Network \(LAIN\)](#)

AARP Public Policy Institute

Employment Situation for Older Persons

April 7, 2011

The AARP Public Policy Institute released a publication, *The Employment Situation, March 2011: Little Change in Unemployment Rate for Older Persons, But Rise in Unemployment Duration*. This report demonstrates that the average duration of unemployment for older adults increased in March. The average duration of unemployment for individuals over 55 rose to 51.5 weeks in March from 45.5 in February. There was a slight increase in part-time work for otherwise unemployed older adults, but discouragement among older workers rose in March.

To view the report, [click here](#).

Webcast on Launching Insurance Exchanges: How are States Doing

April 4, 2011

On Thursday, the AARP Public Policy Institute released a webcast of information on how states are launching insurance exchanges as written in the Affordable Care Act. This webinar featured AARP Executive Vice President John Rother; the head of the Exchange office at HHS Joel Ario; and officials in charge of health exchanges in Colorado, Utah, Virginia, and Maryland. The moderator was Chuck Milligan, the Director of the Hilltop Institute.

The webinar looked at central issues such as governance, adverse risk selection, plan selection, integration with other public programs, and transparency. It was attended by over 150 experts and Hill staff.

[The webcast is available here](#) and [the transcript is here](#).

From the States

Updated Directors List

Jeanette Burket was named Administrator for the office of Oregon Seniors and People with Disabilities



Upcoming Events from our Partners

[National Association of State Directors of Developmental Disabilities Services 2011 Mid-Year Conference, May 26-27, Philadelphia, PA](#)

[The NASMHPD Annual 2011 Commissioners Meeting is being held Sunday, July 17 – Tuesday, July 19, 2011, at the Westin Alexandria, 400 Courthouse Square, Alexandria, Virginia 22314.](#)

[National Association of Medicaid Directors Fall Conference, November 7-9, 2011, Washington, DC](#)

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