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CONGRESS SET TO CLEAR FY12 OMNIBUS SPENDING PACKAGE

Earlier today, Congressional appropriators released the text of a nine-bill spending package (HR 2055) that is intended to fund the government for the remainder of fiscal year (FY) 2012, which began on October 1, 2011. The measure encompasses the bipartisan compromise, or conference agreement, that House and Senate negotiators have worked over the past weeks to complete.

The conference report attaches the eight unfinished appropriations bills to the FY12 Military Construction-Veterans Affairs bill, including the Labor-HHS-Education measure that sets funding for AoA and many important initiatives for older adults and individuals with disabilities. Under the agreement, many OAA programs would receive level funding with respect to the comparable amounts set for FY11, including nutrition programs, preventive health services, family caregiver programs, elder rights support activities, and Title VII's protections for vulnerable older Americans.

With the current stopgap measure set to expire at midnight, both chambers are working quickly to clear the omnibus and avoid a government shutdown. The House adopted (296-121) the nearly \$1 trillion bill this afternoon, and the Senate is expected to clear the final FY12 spending package for President Obama's signature later today.

To access the conference report and manager's statement, please follow [this link](#). For additional information, please see NASUAD's preliminary budget chart for FY12, available [here](#).

FROM THE ADMINISTRATION

Department of Health and Human Services

HHS Campaign to Cut Waste

December 13, 2011

On Tuesday, the U.S. Department of Health and Human Services announced a partnership with the Department of Justice to join the Obama Administration's Campaign to Cut Waste. The Department of Justice recovered \$8.4 billion from health care fraud. The Department of Justice announced that it doubled fraud recoveries between 2008 and 2011 in 21 states, the District of Columbia, and the Virgin Islands. State-by-state numbers can be found [here](#).

The Federal government is also decreasing the fraud that occurs through improper payment rates. These improper practices were cut by 11 percent in 2011, saving \$18 billion in taxpayer money from paying for fraudulent people and services.

More information about HHS's health care fraud campaign is available [here](#).

HHS Informational Bulletin: Essential Health Benefits

December 16, 2011

Today, the U.S. Department of Health and Human Services (HHS) released an information bulletin regarding proposed policies that will give states more flexibility in implementing the Affordable Care Act. The approach released is intended to give consumers, states, employers, and issues information for the establishment of Affordable Insurance Exchanges and preparing for 2014.

Essential Health Benefits, required services for Affordable Insurance Exchanges and health insurance plans, must include services within the following categories:

- Ambulatory patient services
- Emergency services
- Hospitalization
- Maternity and newborn care
- Mental health and substance use disorder services, including behavioral health treatment
- Prescription drugs
- Rehabilitative and habilitative services and devices
- Laboratory services

- Preventive and wellness services and chronic disease management, and
- Pediatric services, including oral and vision care

HHS announced today an intended approach that would give states the flexibility to select a benchmark plan that reflects the scope of services offered by a “typical employer plan.” The possible benchmark insurance plans are:

- One of the three largest small group plans in the state by enrollment;
- One of the three largest state employee health plans by enrollment;
- One of the three largest federal employee health plan options by enrollment;
- The largest HMO plan offered in the state’s commercial market by enrollment.

The default benchmark if a state does not select one of the above options is the small group plan with the largest enrollment in the state.

HHS intends to allow health plans to have the flexibility to adjust benefits, as long as they offer coverage for all of the Essential Health Benefits and the coverage has the same value. This flexibility will offer consumers greater choice and will promote innovation in coverage and design options for the plans.

The benchmarks will be updated in the future to reflect the most up-to-date practices.

The informational bulletin is available [here](#).

A summary can be found [here](#).

Department of Defense

STEP Act Allows Military to Administer Mental Health Services by Telephone

December 14, 2011

On Wednesday, the Defense Authorization bill was passed by the House. This bill included the “Servicemembers’ Telemedicine & E-Health Portability (STEP) Act,” which allows servicemen and women to access to mental health services and other health services by telephone, no matter which state they are in. The STEP Act removes the state licensure burden to allow health care professionals to provide care to a patient in a different state.

The STEP Act can be accessed [here](#).

FROM OTHER ORGANIZATIONS

Joblinks

Joblinks Launches New Website

Joblinks, a program of the Community Transportation Association of America, launched a new website this week. This website has updated information and tools, improved navigation, and a fresh look. With dedicated sections for workforce professionals and mobility providers, the site offers strategies and other solutions that respond to a variety of employment transportation goals. Their online resources, education programs, and customized on-site assistance can help individuals maximize their time and meet their goals.

The website can be accessed here.

PHI

PHI Report: Caring in America: A Guide to America's Home Care Workforce

PHI has published the first in-depth analysis of the largest and fastest-growing workforce in the nation -- the 2.5 million home care and personal assistance aides who provide long-term services and supports to elders and people living with disabilities in home and community-based settings. This analysis is found in their recently released report: *Caring in America: A Guide to America's Home Care Workforce*. This report presents the most complete picture possible of the home care and personal assistance workforce in America available. It provides demographics of home care workers and a discussion of wages and high turnover rates.

More information can be found here.

The report is available for download here.

National Association of State Budget Officers

NASBO State Expenditure Report

December 13, 2011

On Tuesday, the National Association of State Budget Officers (NASBO) released the latest edition of the State Expenditure Report. The report highlights the growth of total state expenditures for each of the past three years, due to increased spending demand brought on by the economic downturn. While expenditures rose, general funding from income and sales taxes declined in FY 2009 and FY 2010, and federal funds to states grew rapidly in FY 2009 and FY 2010 from the Recovery Act.

Medicaid continued to rise as the percentage of total state expenditures. In FY 2009, Medicaid represented 21.9 percent of total state expenditures. That number grew to 23.6 percent in FY 2011.

The outlook for state budgets is bleak. At the end of FY 2011, general fund revenues remained approximately \$39 billion below their pre-recession peak. Health care reform, federal funding levels, and economic growth add to future uncertainty.

A summary of the report is available [here](#).

The full report is available [here](#).



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