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Friday Updates March 25, 2011

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From the Administration

Centers for Medicare and Medicaid Services

New Website: Innovations.cms.gov

March 21, 2011

On Monday, the Center for Medicare and Medicaid Innovation re-launched its website, Innovations.cms.gov. This site provides information on the Center's mission, and provides ways for the Center to compile ideas on improving the system for Medicare, Medicaid, and CHIP beneficiaries. The Center also held a stakeholder call on Monday to discuss the site and answer any questions. [Click here to view the CMS press release.](#)

CMS Releases Several Medicare Products In Multiple Languages

This week, the Centers for Medicare and Medicaid Services (CMS) released a number of Medicare products in languages other than English. The "Understanding Medicare" PowerPoint and PDF workbook has been translated into Chinese and Spanish. You can view these products, as well as a range of other National Medicare Training Program (NMTP) products, at this [link](#). Also, CMS has translated brochures on the health reform law, help paying health care costs, and protecting your personal information on the

web in Spanish, Chinese, Vietnamese, Korean, and Russian versions. You can find this information at this [link](#).

Department of Health and Human Services

HHS says 48,000 people with Medicare have used Part D's drug discount this year

March 21, 2011

Beginning in 2011, once a Medicare beneficiary reaches the donut-hole, the Affordable Care Act provides a 50 percent discount on covered brand name prescription drugs and a 7 percent discount on generic drugs. According to a new report released by the Department of Health and Human Services (HHS), [The Affordable Care Act Reduces Out-of-Pocket Drug Costs for Millions of People with Medicare](#), 48,000 seniors have saved a combined \$38 million – an average of \$800 each – in January and February this year due to the health care law's discount on brand-name drugs for beneficiaries who reach the donut hole.

Last year, Medicare beneficiaries who had drug costs in the donut hole received a one-time, tax-free \$250 rebate check from Medicare to help pay for their prescription drugs. To date, DHHS reports that 3.8 million people have received a one-time \$250 rebate check. The five states with the largest number of individuals who received a rebate check are: California, Florida, New York, Pennsylvania, and Texas.

A copy of the DHHS Report can be found [here](#).

HHS Releases Compendium of Unimplemented Regulations

March 16, 2011

The Office of Inspector General within HHS released the March 2011 edition of the *Compendium of Unimplemented Regulations*, which summarizes significant monetary and nonmonetary recommendations that, when implemented, will result in cost savings and/or improvements in program efficiency and effectiveness. The Compendium is comprised of four distinct sections: Medicare Parts A and B; Medicare Parts C and D; Medicaid; and Public Health, Human Services, and Department-wide Issues. Among the recommendations included in the publication are several targeted ,
OIG finds that AoA should revise its regulations that permit states to use voluntary contributions to meet cost-sharing or matching grant requirements, in order to bring these rules in line with the OAA's requirement that voluntary contributions be used to increase services for the elderly. OIG also recommends that AoA should (1) ensure that states' cost-sharing practices comply with OAA requirements, (2) provide more guidance to states about cost sharing, and (3) improve the quality of its data so that any effects of cost sharing can be determined. The publication is available for download [here](#).

The White House

Next White House Monthly Disability Call

March 22, 2011

The White House Disability Group will be convening its next monthly call at 5:00 PM EDT on March 31 to update stakeholders on various disability issues, as well as to introduce individuals who work on disability issues in the federal government. The upcoming call will feature remarks by U.S. Secretary of Education, Arne Duncan, as well as other administration personnel, and will highlight recent political appointments, as well as developments relating to employment, civil rights, health care, and transportation. Please note that this call is off the record and not for press purposes, and the White

House encourages you to dial in about five minutes early, due to the expected high number of callers. To participate, please dial (800) 230-159, and tell the operator that you would like to join the “White House Disability Call” when prompted.

Federal Communications Commission

911 Emergency Services for Individuals with Disabilities Survey Released

March 16, 2011

On March 16, 2011, the FCC's Emergency Access Advisory Committee (EAAC) released a national on-line survey to determine the most effective and efficient technologies and methods by which persons with disabilities may access Next Generation 9-1-1 emergency services systems. Among other things, the survey asks about accessing emergency services via video, text, and voice. The results of the survey will inform the EAAC as it develops recommendations for the FCC to draft rules to ensure that people with disabilities can access NG 9-1-1 services. The survey is available in English, Spanish and American Sign Language (ASL) video).

This survey will be available until April 24, 2011. We encourage people with disabilities to complete this survey, and share information about the survey with other people with disabilities and organizations that represent persons with disabilities.

[Click here for English and ASL.](#) [Click here for Spanish.](#)

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

From the Courts

ACA in the Courts

March 11, 2011

On March 11, the 11th Circuit Court of Appeals agreed to expedite its review of *Florida v. HHS*, releasing a briefing schedule for the 26-state challenge to the ACA, which set the Justice Department's (DOJ) initial filing deadline for April 4, and the states' reply brief deadline for May 25. The appellate process normally requires the case to be heard by a three-judge panel before the full court weighs in by reviewing the panel's decision, but the plaintiff-appellees (the states) have asked the appeals court to expedite review by granting their request for a hearing en banc, which would allow for an initial review by the full court. In response, DOJ cited the failure of the states to establish the necessity or precedent to proceed in this manner, as well as the court's existing agreement to expedite the case. If granted, the states argue that their petition could allow a faster track to the Supreme Court, while DOJ maintains that such a strategy is not the best way to accelerate the case, as it is more time consuming for the full court to review the case than a three-judge panel; a decision from the court is expected shortly. On Thursday, March 24, it was announced that former Solicitor General under George W. Bush and current partner and King & Spalding, Paul Clement, will argue on behalf of the plaintiff-appellees in the 11th Circuit.

Elsewhere, Virginia is seeking to have its challenge to the health reform law, *Virginia v. Sebelius*, sidestep the appellate review process and go directly to the U.S. Supreme Court. Currently, the Fourth Circuit Court of Appeals is scheduled to hear oral arguments in both *Virginia v. Sebelius* and *Liberty*

University v. Geithner on May 10 in Richmond, Virginia, and the Supreme Court is slated to consider at its April 15 conference whether to hear Virginia's lawsuit before an appeals court rules on the case. Also this week, the U.S. Circuit Court of Appeals for the District of Columbia has decided to expedite its review of a case challenging the ACA, *Seven-Sky v. Holder* (formerly *Mead v. Holder*), setting a briefing schedule that puts a potential decision in the case about four months behind the two Virginia cases in the Fourth Circuit, three months behind the cases in the Sixth and Eleventh Circuits. As a result, it seems unlikely that this will be the case eventually heard by the Supreme Court.

From DC

The Commonwealth Fund

Health Reform's Protections for Americans with Disabilities

March 24, 2011

The Commonwealth Fund released an [issue brief](#) on the effect of the Affordable Care Act on the treatment of Americans with disabilities. The brief explains that the Affordable Care Act helps ensure that people with disabilities have access to affordable coverage. They say that health reform "could transform the insurance market for this vulnerable population."

This issue brief is a part of their series "[Realizing Health Reform's Potential](#)", which aims to explain the improvements the Affordable Care Act will make on healthcare.

From the States

Dr. John Thompson Named Acting Executive Director of the District of Columbia Office on Aging

NASUAD is pleased to announce that staff member Dr. John Thompson will be leaving NASUAD to become Acting Executive Director of the District of Columbia Office on Aging. [Please click here to view the press release.](#)



National Home and Community Based Services Conference

September 11-14, 2011
Washington, DC

 

The banner features a background image of the U.S. Capitol building. The text is in a serif font, and the logos are in a sans-serif font. The NASUAD logo includes the text "National Association of States United for Aging and Disabilities". The HCBS logo includes the text "NATIONAL HOME & COMMUNITY BASED SERVICES CONFERENCE".

[Archived Friday Updates are available on NASUAD's website here.](#)