

## **Agenda**

ADVOCACY, OUTREACH, AND EDUCATION COMMITTEE

Thursday, March 5, 2020

12:15 PM – 1:45 PM

Waterbury Vocational Rehabilitation

Room Ash

HC 2 South 280 State Drive, Waterbury, VT 05671

- 12:15 pm – 12:17 pm**      **Introductions** (Sam Liss, Chair)
- 12:17 pm – 12:18 pm**      **Approval of Agenda** (Sam Liss)
- 12:18 pm – 12:20 pm**      **Open for Public Comment**
- 12:20 pm – 12:22 pm**      **Approval of Minutes** (Sam Liss)  
Minutes from January 9, 2020
- 12:22 pm – 12:45 pm**      **April 2<sup>nd</sup> Card Room Event Planning** (Group)
- 12:45 pm - 1:10 pm**      **Legislative Updates** (Group)  
**Federal Legislation**
- 1) MFP Reauthorization/Extension Act (HR 3253)
  - 2) National Council on Independent Living (NCIL) policy proposals on Childhood Disability Beneficiaries (CBDs) and eliminating the termination age of 65 for Medicaid Buy Ins (MBIs) (S. 3010; HR 5429)
  - 3) [The ABLE Age Adjustment Act](#) (S.651; HR 1814)
  - 4) President's 2021 Budget
  - 5) Other
- State Legislation**
- 1) Minimum Wage
  - 2) Paid Family Leave
  - 3) Attendant Services Program (ASP)
  - 4) Other
- 1:10 pm - 1:20 pm**      **Recent Event Report Out** (Group)
- 1) SILC Networking Breakfast
- 1:20 pm - 1:40 pm**      **Calendar of Upcoming Events** (Group)
- 1) [VFN's 2020 Annual Conference](#) (March and April dates)
  - 2) SILC Olmstead Summit (June 2020)
  - 3) Disability Awareness Day (March 12<sup>th</sup> – Statehouse)
- 1:40 pm – 1:45 pm**      **Other Business** (Chair)
- 1) Other
- 1:45 pm**      **Adjournment** (Chair)

## **Draft Minutes**

ADVOCACY, OUTREACH, AND EDUCATION COMMITTEE

Thursday, January 9, 2020, 12:15 PM – 1:45 PM

Waterbury Vocational Rehabilitation, Room Cherry A

HC 2 South 280 State Drive, Waterbury, VT 05671

### **Meeting called by:**

Sam Liss, Chair, called the meeting to order at 12:22 p.m.

### **Members Present:**

- Calla Papademas
- Marlena Hughes
- Sarah Launderville
- Sam Liss
- Brian Smith
- Bill Meirs (via Skype)
- Martha Frank (via Skype)

### **Members Absent:**

- Sherrie Brunelle
- Olivia Smith-Hammond
- Diane Dalmasse (ex-officio, non-voting)
- Cari Kelley

### **SRC Liaison:**

- James Smith

### **SRC Coordinator:**

- Kate Larose

### **Interpreters:**

None

### **Speakers or Presenters:**

None

### **Guests:**

None

### **1) Introductions (Sam Liss)**

#### **Discussion:**

Those in attendance went around the table and introduced themselves. Sam shared appreciation for Tim Bradshaw with the SILC transportation committee as he was able to help members arrange transportation for today's meeting.

**Conclusions:**

Thanks to everyone!

**Action Items, Person Responsible, Deadline:**

None

**2) Approval of Agenda (Sam Liss)**

**Discussion:**

Sam asked for any proposed additions or changes to the agenda. There were none. Brian moved to accept the agenda and it was seconded. No further discussion. All approved. Vote unanimous 6-0-0

**Conclusions:**

Motion passes: today's agenda accepted.

**Action Items, Person Responsible, Deadline:**

None

**3) Open for Public Comment (Sam Liss)**

**Discussion:**

No one from the public was present.

**Conclusions:**

n/a

**Action Items, Person Responsible, Deadline:**

None

**4) Approval of Minutes for November 7, 2019 (Sam Liss)**

**Discussion:**

Sam asked for any proposed changes or amendments to the November 7, 2019 minutes. There were none. Brian moved to accept the minutes and it was seconded. No further discussion. All approved. Vote unanimous 6-0-0

**Conclusions:**

November 7, 2019 minutes were approved.

**Action Items, Person Responsible, Deadline:**

Upload approved minutes to the SRC website. **Kate Larose**, 1/14/2020.

**5) Vote: Chair (Sarah Launderville)**

**Discussion:**

Sam asked Sarah to assume this agenda item. Sarah asked for nominations or

self-nominations from the floor. Sam Liss was nominated by Calla. Brian seconded. Sarah twice more requested nominations. Hearing none, and an Australian ballot not being necessary, voting was made by a voice vote. Sarah asked all those in favor of electing Sam Liss as Chair of the AOE Committee to say Aye. All those not in favor to say No. Hearing none, Sam Liss was elected as Chair. Vote unanimous 6-0-0

**Conclusions:**

Sam Liss was elected chair

**Action Items, Person Responsible, Deadline:**

None

**6) Legislative Updates (Group)**

**Discussion:**

Sam provided an update on the following:

**Federal Legislation**

**A. MFP Reauthorization/Extension Act (HR 3253)**

Money Follows the Person Bill (Medicaid)

May 2, 2019 Update: More good news! Short-Term Money Follows the Person Extension signed into law through the end of this year! Now we need to wait (and advocate for) a long-term extension.

September 5, 2019 Update: There are several bills before congress that would allow for long term extensions of the MFP Medicaid Demonstration Act which provides federal money for people transitioning out of nursing homes and provides for spousal asset protection. Instead, Congress has passed short term extensions.

November 7, 2019 Update: No movement.

January 9, 2020 Update: In the 2020 budget MFP was reauthorized through May 22, 2020 and it has been paired with the home and community based spousal impoverishment protections. Additional language may be added to include Centers for Independent Living in this bill. Sarah added that in Vermont we are mandated to provide care to people transitioning out of nursing homes. Appreciation was shared for Patrick Flood, Dave Yacovone and others who helped to change the focus in Vermont.

**B. National Council on Independent Living (NCIL) Proposals (S. 3010; HR 5429)**

- 1.) **Eliminate work disincentives for Childhood Disability Beneficiaries** (CDBs), and
- 2.) **Eliminating the termination age of 65 for Medicaid Buy Ins** (MBIs) as authorized in the Ticket to Work Program of 1999. Senator's

Portman and Casey may sponsor the bill appending it to an appropriations bill or the Empower Care Act. It is moving slowly.

November 7, 2019 Update: There is bipartisan support of these two policy proposals, and it is hoped that these get appended to the next continuing resolution. Republican Mary Cantwell of the State of Washington would most likely support this bill but does not want to be a co-sponsor. Republican Representative Don Young from Alaska may be interested in being a co-sponsor. Both policy proposals would slightly change the Social Security Act. There has been requests to reopen the regulations and NCIL has written opposing reopening them.

January 9, 2020 Update: Sam shared that it is a moot point in Vermont but there is incongruity in other states. The CBD portion of the bill was dropped and NCIL is unclear as to why. Congressman Welch has an intent to introduce both bills and is still waiting for a co-sponsor. Social Security's Chief Actuary Steven Goss conducted a cost analysis and the Congressional Budget Office recently came back with a figure of a cost of \$25 million per year. The field feels that this amount is misleading as it does not acknowledge that many will age into Medicare, which will have a cost associated with it. Field staff are putting in employment information for consumers who are over the age of 65 and this is not taken into account in the analysis. Sen. Portman has found the paid-fors and is thinking of inserting into a health care bill in May. Sens. Portman and Casey indicated that they would tack it into budget and drug pricing bills, but neither were able to happen.

**C. [The ABLE Age Adjustment Act](#) (S.651; HR 1814)**

Was introduced with strong bipartisan support. This bill increases from 26 to 46 the age threshold for tax-favored ABLE (Achieving a Better Life Experience) accounts. It requires large offsets so as not to increase taxes.

May 2, 2019 Update: The positive movement is the National Down Syndrome Society now supports it. The National Association of State Treasurers supports it as it is the right thing to do.

September 5, 2019 Update: It is gaining momentum in Congress on a bipartisan basis. Anyone who is eligible and takes out an Able Account is not subject to SSI limitation up until \$100,000 and can maintain their Medicaid no matter what they have in their account. An ABLE account is a tax-advantaged savings account available to individuals diagnosed with significant disabilities before age 26. Previously, only those who incurred disability prior to the age of 26 were eligible. This act raises eligibility up to age 46. Beth Pierce, Vermont State Treasurer and a member of the National Association of State Treasurers, is in support of this change. It would benefit our veterans. It is still in committee.

November 7, 2019 Update: Five years ago, President Obama signed into the law the original Able Act. It allowed for tax free Able Accounts to be set up

for people with disabilities, but their disabilities had to set in before the age of 26, which is the key. Currently it is gaining momentum. One is the State Treasurers (including Beth Pierce of Vermont) are finding that it was greatly overestimated the number of people that would sign up. Eight million people were originally estimated as being eligible. Only 50,000 have taken advantage of it. Because of this shortage, people are not paying the fees into the program and without this the entire program may not be sustainable. The \$2 billion scored for the program will not come close to that with the 26-year eligibility cap. If the age was raised to 46, it is estimated that 6 million for a total of 14 million would be eligible. It is hoped that in the next continuing resolution that expires November 30, 2019 that this bill would be inserted into it. November 14th is the next call in day! Get the word out to have as many people as you know call their Congressional representative to support this bill. Senator Casey is hosting a reception to gain publicity in order to pass this bill on November 19<sup>th</sup> at the Capitol Building in Washington, DC in the Russell Building in Room 385.

January 9, 2020 Update: Sen. Casey's office is attempting to tack this on to the healthcare vehicle in May and he has pay-fors established. The feeling in NCIL is that it is stalled in the House. There are 18 co-sponsors in the Senate and only 2 of them are Republican. Advocates are currently attempting to garner support from constituents in Iowa, requesting that they call in to Grassley's about this and previous bills. The World Institute on Disability has a new executive director named Marcie Roth. Under her leadership they are looking to network with other organizations like NCIL particularly on this act, including writing a letter of support.

#### **D. Other**

- **Social Security Administration Rulemaking**

Sam shared information about the technical rule being proposed by SSA which will result in more frequent Continuing Disability Reviews (CDR). It has yet to be clearly defined, but the current thinking is that the Trump administration believes it will save money with more CDRs given the increases in better medical and assistance technology in recent years available to support people in rehabilitative employment and recovery. In plain language, this means that they anticipate a lot of people will be kicked off benefits, and it is anticipated that 4.4 million people will be affected. In theory or in rule Congress can ask for disability reviews more often, but SSA has never had the staff capacity. However, 11,000 new people were just hired which implies that there will be an eventual cost savings through reduction in benefits. A fourth CDR category of "likely to recover" is being proposed for people with severe neurological disabilities who might be able to return to work with new assistive technology, but the delineation of how this will differ from the already established categories of "not expected to recover", "expected to recover", and "possible to recover" is unclear. The fear in the field is that people who respond to the CDR as not working will trigger SSA to ask why not and then kick them off. Or if they say that they are working and still needing support SSA will deny benefits moving forward. Brian asked if other

departments should come up with a response in preparation for requests from the field. It was shared that NCIL and the Consortium of Citizens with Disabilities (CCD) will be suggesting best practices in responding to the new rule.

Sam shared that there is some good news to report: SSA field offices will once again be open all day on Wednesdays, and they recently made the formal determination to not use applicants' social media content in disability determination.

- **Federal Budget:** Centers for Independent Living were level-funded which isn't great but is better than the administration's proposed cuts. There is also an increase under Title I for Vocational Rehabilitation, which is believed to be reflective of the cost of living increase that was written into statute.
- **Other Federal Legislation:** No movement was reported on the other bills listed at the bottom of the minutes.

## **State Legislation**

### **A. \$15 Per Hour Minimum Wage/Family Leave Bills**

May 2, 2019 Update: The House General, Housing and Military Affairs Committee approved legislation Friday to increase Vermont's minimum wage to \$15 by 2024. The bill has already passed the Senate. The House committee didn't make many changes to the bill, but this week's deliberations were occasionally tense as lawmakers argued for protections to prevent the bill from hurting the business community. The bill, S.23, would raise the minimum wage to \$11.50 in 2020, \$12.25 in 2021, \$13.10 in 2022 and \$14.05 in 2023. The measure seemed to hit a speed bump Tuesday after an analysis found a bill amendment would have forced the state to increase Medicaid spending by as much as \$27.9 million over the next five years.

November 7, 2019 Update: Democrats are really trying to push this bill but there is concern that it will cut programs in other places and hurt those individuals with disabilities.

January 9, 2020 Update: There is currently agreement from the House Speaker and Senate President Pro Tempore that they will take up and vote on these bills this session, with a desire to move them through early in the session. The specifics are unclear at the moment and may include raising the wage to a dollar figure less than \$15 an hour or increasing the time frame for getting to \$15 an hour (i.e., \$12 an hour in three years and then reevaluate). Sarah shared that VCIL and Vermont Coalition for Disability Rights are both Raise the Wage members. Comments were submitted to the Raise the Wage Coalition and, as a result, the Coalition included language around not harming services, as well as benefits cliffs information. The Coalition has guiding principles that specifically named women and labor rights but not

disability rights. As a result of the submitted comments, they have now included disability rights in the guiding principles and there is language that people with disabilities won't be harmed. However, this cannot be mandated without additional funding being allocated to services. It is unclear if the Governor will compromise and sign bills if passed, or veto.

## **B. Attendant Services Program (ASP)**

Advocates are working through appropriations to unfreeze the Attendant Services Program (ASP). The Attendant Services Program has been frozen for more than four years. Advocates successfully advocated to have it return but with a smaller budget. The budget surplus was the rationale for the legislative push. Currently, and unique to Vermont, there is no resource/income limit for program; but there may be need to compromise to pass the bill. The program allows more people with disabilities (PWD) to gain and maintain employment. This program is for middle class individuals who would have to impoverish themselves in order to get services. Commissioner Monica Hutt agrees with the inequity but is concerned that when the legislature hears that people have funds in the bank, we may need to compromise on the resource/income limit. Bill Botzow suggested that the advocates work on the financial threshold not with the legislators in the best interest of individuals with disabilities. This will be VCIL's main legislative platform.

May 5 Update: At the last meeting, Sam reported that we were hoping to unfreeze the program to new applicants. Unfortunately, there is currently a gap in the State's budget. The bill is in Senate Appropriations and it is not considered a priority. Many individuals testified. It doesn't look good for the program to be unfrozen this session. Currently, no one can even apply so there is no wait list. The main advantage of the program is that those that are not eligible for Medicaid can receive their personal attendant care services but can also direct their care without impoverishing themselves.

September 5 Update: Unfreezing the ASP Program (General Funded PDAP) didn't get anywhere last legislative session. It has been suggested that we should at least implement a waiting list as this wouldn't cost anything. In addition, you can gauge the interest in the program. If we can't get it passed any other way, perhaps having a high-income limitation.

November 7, 2019 Update: No movement.

January 9, 2020 Update: Sarah reported that VCIL has been working on the VCDR platform which will soon be available on their website. Legislators have requested a disability package that prioritizes a handful of items that advocates will push for, but it was decided to not do it this session and instead focus on planning for the next biennium. For example, this might include platform items such as increased funding for the Vermont Association for the Blind and Visually Impaired and the Attendant Services Program. The need for ASP exists. With more funding comes more outreach and more applications which result in a waiting list. The waiting list demonstrates need



to the legislature, but Sarah noted that she is skeptical that the full need is being shown as people are being put in Medicaid ASP instead and continuing conversations are being held about that. Sarah also shared that VCIL and VCDR are not in favor of moving towards an asset limit, as the goal is for people to have the opportunity to build more assets. Brian asked how return on investment can be demonstrated and Sarah shared that— because many people in the program have already aged out of working age and because the program was frozen a few years ago— the numbers in the program remain small, making return on investment harder to calculate.

### **C. Other:**

- **An act relating to health insurance coverage for hearing aids** (H. 348, S. 137)

There is momentum in these bills on both the house and senate sides given that the states of Maine and New Hampshire recently passed similar laws. Group members acknowledge that they would like to see similar legislation in the future for dentures, especially given that lack of dentures present barriers to people seeking employment.

- **Brattleboro Retreat**

The group discussed the recent situation with the Brattleboro Retreat and their need for additional funding to avoid potential closure. They made a \$2 million request which was recently denied by AHS Secretary Smith. It was acknowledged that being a for-profit facility complicates requests for state funding, and that they likely have too many beds to be able to be run by the state given the stipulations around institutions.

### **Conclusions:**

There is much legislation moving forward and it is important for members of this committee to continue to stay informed. Please see above

### **Action Items, Person Responsible, Deadline:**

See above

## **7) Recent Event Report Out (Group)**

### **Discussion:**

#### **A. December 2, 2019 Governor's Summit on the Employment of People with Disabilities** (aka Disabilities Transportation Summit)

May 2, 2019 Update: It will be held at the DoubleTree Inn (formerly the Sheraton in So. Burlington). The Governor has approved the summit. The morning will be on transportation barriers as related to employment. Providers will be there. The State Independent Living Council (SILC) wants to make sure that not only providers are there but people with disabilities that are experiencing transportation barriers can attend too. SILC wants to make sure that transportation is provided if needed and will provide some funding. The Vermont Department of Transportation will contribute what they can. There will be a luncheon open to the public. The keynote speaker will be in the afternoon. We are hoping to get former State Senator Ted

Kennedy Jr. to be the speaker. We are looking for business sponsors to offset some of the costs.

September 5 Update: State Senator Ted Kennedy Jr. declined to be the keynote. Martha will forward the name of several people to Sam that she thinks might be good.

November 7, 2019 Update: The Governor has committed to attending so we are finalizing the agenda. Travis Roy is the Keynote Speaker. Martha asked Diane if there has been consideration about reaching out to the Youth Advocacy Council and include them? Diane said that may be a great time to include them is during the facilitated conversation part of the agenda. SILC is contributing \$5,000 towards the conference.

January 9, 2020 Update: There were some good reports from regions and districts shared at the event. VTrans is about to release their five-year plan and several transportation improvements are anticipated as a result of the input received at the summit. There is still a long way to go on improving transportation options and resources continue to be limited, but progress is being made including micro transit pilot programming. The summit for the southern part of Vermont has yet to take place.

## **B. December 20, 2019 Vermont Coalition of Disability Rights (VCDR) Board of Governor's Meeting**

This event was held and Sarah reported that upcoming regular VCDR meetings are scheduled throughout the year and people are always welcome to attend. These meetings typically start with planning for upcoming events and then transition into policy planning discussion. There are also occasionally guest presentations. For example, the Executive Director of the Human Rights Commission will be presenting at a meeting later this month about workplace sexual harassment.

### **Conclusions:**

See above.

### **Action Items, Person Responsible, Deadline:**

- **Sarah Launderville** will email Calla Papademas with information about upcoming meetings she might be interested in attending
- Sarah Launderville shared that VCDR is currently recruiting for Steering Committee members and a secretary. **Interested parties** should contact her for more information about getting involved

## **8) Calendar of Upcoming Events (Group)**

### **Discussion:**

### **Upcoming Events**

- A. [VFN's 2020 Annual Conference](#)** (March and April dates)

VFN is hosting four conferences in four locations in the state with one presenter. Sara Forward is performing the presentation. "Power of Play: Opening Doors in a Small Town" is the name of her presentation. The intent is to reach more families of children with disabilities or special health needs and the professionals who support them, especially those who may have never had an opportunity to attend in the past.

January 9, 2020 Update: The dates have changed. See below.

- Saturday, March 21, 2020 from 10 am – 2 pm at a location to be determined in Springfield, VT
- Tuesday, March 31, 2020 from 4 pm – 8 pm at the Eastside Restaurant in Newport, VT
- Thursday, April 2, 2020 from 8:30 am – 1 pm at the Delta Hotel (formerly Trader Duke's) in South Burlington, VT
- Saturday, April 4, 2020 (time/location to be determined) in Burlington, VT. The focus audience will be parents from New American communities. As with all conference dates, everyone is welcome to participate!

**B. April 2, 2020 Card Room Event** (Statehouse)

November 7, 2019 Update: An agenda will be formed as we move closer to the event.

January 9, 2020 Update: This event will run in tandem with an onsite Youth Advocacy Council meeting and it is the hope that there will be Youth Advocacy Council members present at the card room event.

**C. SILC Olmstead Summit** (tentatively scheduled May 2020)

The State Independent Living Council (SILC) hasn't had this event for three years. We were asked by the Vermont Affordable Housing Coalition and Housing Conservation Board to present before the Olmstead Meeting.

September 5 Update: This is the 20<sup>th</sup> anniversary of the SCOTUS Olmstead decision that forced the integration mandate in 1990. The Vermont Olmstead Plan is gathering dust with legislators never hearing of it. We are looking to find out what has been done to date to fulfill the Olmstead requirements and what needs to be done going forward.

November 7, 2019 Update: There has been much interest and more information will be available as the date approaches.

January 9, 2020 Update: Much progress has been made in the planning. There are new partners aboard and it will most likely be held at Capital Plaza. The planning team is currently looking for sponsors to help cover the cost of the event.

**D. [Disability Awareness Day](#)** (March 12th – Statehouse)

Sarah reported that the budget for a keynote speaker was reduced. Instead, they are planning to host a panel of legislators who have disabilities. The planning group is excited about highlighting people with disabilities who are in elected office and leadership positions.

**E. SILC Networking Breakfast** (February 4<sup>th</sup>, Statehouse Cafeteria)

Sam shared that this will take place from 7:30am-9:30am. It is not just for SILC members as all are welcome to attend. As the SRC and SILC are mandated to work together, this would be a perfect vehicle for SRC members to take part in the networking with legislators and our advocacy friends. If you can be there, please be there.

**F. January 22<sup>nd</sup> Deborah Lisi-Baker Awards**

Sarah shared that the Vermont Center for Independent Living will be hosting this awards ceremony at the VCIL office in Montpelier from 10:30am-12:00pm. The Youth Advocacy Council will be among the group of award winners this year and all are invited to attend. To RSVP, email or call Stefani at (802) 224-1820 or [smonte@vcil.org](mailto:smonte@vcil.org)

**Conclusions:**

See above for events to attend and/or to play a role in helping to plan.

**Action Items, Person Responsible, Deadline:**

See above.

**9) Other Business** (Group)

**Discussion:**

**A. Introduction to February Presentations**

Martha reminded the group that at the October retreat the AOE committee prioritized dual enrollment as a topic to learn more about. As a result, Jess DeCarolis from the Vermont Agency of Education will be attending the full council meeting to give a presentation. This is of particular importance as the AOE committee determined that dual enrollment numbers for students with disabilities are low and it is important for dual enrollment to be more available to students with disabilities. Martha also shared that the Youth Risk Behavior Survey (YRBS) high school data will be released next week, and that the middle school data will be released in six to eight weeks

Sam shared that Tom Hamilton, Executive Director of the State Independent Living Council (SILC), will also be presenting at the February meeting about why the SRC and SILC should be working closely together.

**Conclusions:**

See above

**Action Items, Person Responsible, Deadline:**

None.

**10) Adjournment** (Sam Liss)**Discussion:**

Sam requested a consensus vote to adjourn, citing the time. All approved.  
Vote unanimous 5-0-0

**Conclusions:**

The meeting was adjourned at 1:47pm

**Action Items, Person Responsible, Deadline:**

- Draft minutes uploaded to SRC website, **Kate Larose**, 1/13/2020
- Draft minutes emailed to Committee members, **Kate Larose**, 1/13/2020
- Minutes approved, **Committee**, 3/5/2020
- Approved minutes uploaded to website, **Kate Larose**, 3/9/2020

**Legislation with No Movement to Report at This Time**

- [Stop the Wait Act](#) (S.2496; H.R.4386)  
This bill would eliminate the five-month waiting period plus eliminate the general two-year waiting period for Medicare after determination of SSDI. This bill is important because when people begin receiving the appropriate healthcare the sooner they are able to get back to work.
- [Capability Act](#) (H.R. 3070)  
Representatives Seth Moulton (D-MA) and Cathy McMorris Rodgers (R-WA) introduced on June 4th, 2019 an amendment to the Rehabilitation Act of 1973 in order to establish a demonstration program to assist transition-aged youth with covered disabilities in obtaining customized, competitive integrated employment. This Act may be cited as the "Customized Approaches to Providing and Building Independent Lives of Inclusion for Transition-aged Youth Act of 2019" or the "CAPABILITY Act of 2019". The bill creates six competitive grants for states that would span four years. The states that earn the grants would use them on pre-employment transition services that support Americans with autism spectrum disorder or intellectual and developmental disabilities that comply with requirements applicable to competitive, integrated employment.

On June 3, 2019 the bill was referred to the House Committee on Education and Labor. The details will be in the regulations.

November 7, 2019 Update: No movement.

January 9, 2020 Update: No movement.

- **Disability Employment Incentive Act** (S.255)

A bill to amend the Internal Revenue Code of 1986 to include individuals receiving Social Security Disability Insurance benefits under the work opportunity credit, increase the work opportunity credit for vocational rehabilitation referrals, qualified SSI recipients, and qualified SSDI recipients, expand the disabled access credit, and enhance the deduction for expenditures to remove architectural and transportation barriers in the handicapped and elderly.

On January 29, 2019, the bill was reintroduced. The bill text had not changed from last year. It will expand three existing tax credits to support employers who hire individuals with disabilities and make workplaces more accessible to those employees.

September 5, 2019 Update: There is bipartisan support and is just sitting in committee. 1) It would double the opportunity tax credit from \$15K to \$30K 2) employers could include those on SSDI and SSI and 3) extends credits to employers who eliminate transportation and physical barriers to employment for people with disabilities and seniors.

November 7, 2019 Update: No movement.

January 9, 2020 Update: No movement.

- **Long Term Unemployment Elimination Act** (S.1920)

On June 20, 2019, U.S. Senators Chris Van Hollen (D-Md.) and Ron Wyden (R-Ore.) introduced the Long-Term Unemployment Elimination Act, which would create an innovative federal program that would generate real job opportunities for people who have been unemployed for six months or more. It would provide another funding stream through the Workforce Investment Board and encourage them to utilize their influence to reduce the possibility that PWD and others with difficulty obtaining employment to have extended periods of unemployment. This bill is in the first stage of the legislative process. It will typically be considered by committee next before it is possibly sent on to the House or Senate as a whole. It is supported by a wide range of groups.

November 7, 2019 Update: No movement.

January 9, 2020 Update: No movement.

- **Empower Care Act** (Money Follows the Person Reauthorization) (H.R.5306; S.2227)

Would reauthorize, and appropriate money follows the person Medicaid demonstration project that shifts money from institution care to home and community-based care. This is important because more people with disabilities could live at their homes and be able to work. The president signed three months of appropriation.

May 2, 2019 Update: We are still waiting for longer term legislation.

September 5, 2019 Update: This bill is still sitting in Congress.

November 7, 2019 Update: No movement.

January 9, 2020 Update: No movement.

- U.S. Representatives Brett Guthrie (R-KY) and Debbie Dingell (D-MI) introduced a **companion bill** in the U.S. House of Representatives which is **identical to the Senate bill S. 2227, the EMPOWER Act**. This bill would renew the Money Follows the Person (MFP) program as well as improve it.

September 5 Update: This bill is still sitting in Congress.

November 7, 2019 Update: No movement.

January 9, 2020 Update: No movement.

- **[Transformation to Competitive Employment Act](#)** (S.260; HR 873) Provides states, services providers, subminimum wage certificate holders, and other agencies with the resources they need to create competitive integrated employment service delivery models and the inclusive wraparound services that some individuals with disabilities will need. The clauses are also in the **[Raise the Wage Act](#)** (Senator Sanders)

September 5 Update: This is a continuation of several bills presented over several congresses. For Vermont, however, it is a moot point as Vermont already dispensed with sheltered workshops with Competitive Integrated Employment being the focus. It would allow for appropriations for the sheltered workshops to transition to integrated sustainable employment. Senator Grassley promised that when Congress reconvenes to move NCLS remove employment disincentives and Sam interpreted that he would put it in an appropriations bill.

November 7, 2019 Update: This bill would phase out sheltered workshops for people with disabilities and also has funding to transition to competitive integrated employment. This bill has bipartisan backing.

January 9, 2020 Update: No movement.

- **The Social Security 2100 Act (H.R. 860)**, Introduced in the House on 1/30/2019, this bill increases various Old Age, Survivors, and Disability Insurance (OASDI) benefits and related taxes.
  - The bill increases the primary insurance amount (e.g., the amount a Social Security beneficiary receives if the beneficiary begins receiving benefits at normal retirement age) by increasing the percentage of the beneficiary's average indexed monthly earnings used to calculate the amount.

- The Bureau of Labor Statistics shall publish a Consumer Price Index for Elderly Consumers, which the Social Security Administration (SSA) shall use to calculate cost-of-living adjustments to benefits. Currently, the SSA uses a price index for wage earners to make such adjustments.
- The bill increases the minimum benefit amount for individuals who worked for more than 10 years by creating an alternative minimum benefit. A qualifying beneficiary shall receive that alternative minimum if it is higher than the standard calculated benefit amount.
- The bill increases the income threshold that a beneficiary must reach before Social Security benefits are taxable.
- Increased benefits from this bill shall not count as income when determining an individual's eligibility or benefit amounts for (1) Medicaid, (2) the Children's Health Insurance Program, or (3) the Supplemental Security Income program.
- Income above \$400,000 shall be included when calculating Social Security benefits and taxes. The bill also increases rates for the payroll and self-employment taxes that fund OASDI.
- The bill establishes the Social Security Trust Fund, which replaces the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

September 5 Update: House Majority Leader Pelosi indicated that this would come to a House vote prior to the end of the year. This would extend the base of social security benefits for everyone. PWD tend to work less months than people without disabilities. The bill raises the social security benefit based upon the number of months worked. The National Council on Independent Living (NCIL) expressed the concern that it might increase the disparity but were reassured that this would not happen.

November 7, 2019 Update: No movement.

January 9, 2020 Update: No movement.