Health/ACA

On September 5, a U.S. District Court judge in Texas held a hearing in the case of Texas v. United States, in which twenty Republican state attorneys-general are challenging the constitutionality of the Affordable Care Act (ACA) since the "individual mandate" or tax penalty was repealed. The Administration is not defending the law and is siding, in part, with the plaintiffs. The judge has not yet issued a ruling on the motion for a preliminary injunction. This case could eventually come before the U.S. Supreme Court.

ACE Kids Act

Last week the Subcommittee on Health of the House Committee on Energy and Commerce held a hearing and passed the Advancing Care for Exceptional (ACE) Kids Act. The bill, co-sponsored by Rep. Joe Barton (R-TX) and Kathy Castor (D-FL), provides Medicaid reimbursement for states that choose to establish health homes for children with medically complex conditions to better coordinate their care (see bill summary). A Senate companion bill is sponsored by Finance Committee Chairman, Charles Grassley (R-IA). The Autism Society sent a letter of support to both House and Senate sponsors. It is hoped that this bill will be approved and signed into law before the end of this session of Congress.

Empower Care Act

Momentum is building for passage of the EMPOWER Care Act (H.R. 5306/S. 2227). The bill reauthorizes the "Money Follows the Person" (MFP) program. MFP provides additional resources for state Medicaid programs to help ensure individuals needing long term care are served in their communities. Funding for the program officially expired in 2016, and states have been using reserve funds since then. But all states must stop accepting new participants by the end of this year and can only use remaining funds to help existing enrollees through 2020. First authorized in 2005, the program enjoys wide bipartisan support. Evaluations over the years have shown it saves states hundreds of millions of dollars and improves people's quality of life. It plays an important role in state efforts to refocus long-term services from typically expensive institutions to more cost-effective care in communities.

The House bill (H.R. 5306) was introduced by Rep. Guthrie (R-KY) and Rep. Dingell (D-MI) to extend funding for the Money Follows the Person Program (MFP demonstration). Sens. Rob Portman (R-OH) and Maria Cantwell (D-WA) are sponsoring the Senate companion bill (S 2227). The Subcommittee on Health of the House Committee on Energy and Commerce held a hearing and approved the "EMPOWER Care Act" during the week of September 3. The CCD Long Term Care Task Force co-sponsored a Hill briefing during the same week to push for the reauthorization. Advocates are now urging the House and Senate to get this bill passed before they recess in October. Readers are encouraged to contact their Members of Congress urging them to support this bill.

Health Disparities

On July 26, Reps. Seth Moulton (D-MA) and Gregg Harper (R-MS) introduced the bipartisan Healthcare Extension and Accessibility for Developmentally disabled and Underserved Population Act of 2018, or HEADs UP Act (HR 6611). This bill designates people with Intellectual and Developmental Disabilities (I/DD) as a Medically Underserved Population (MUP).
under the Health Services and Resources Administration (HRSA). People with Autism and other developmental disabilities experience poorer health, shortened life expectancies, and lack access to even the most basic forms of care when compared to the non-disabled population. A designation as a MUP would help to close these gaps and achieve better health outcomes. The MUP designation would open up over 25 government programs within HRSA and other federal agencies for the I/DD population, including access to community health centers and funding sources to train health care professionals how to treat people with I/DD.

There are currently five bipartisan co-sponsors of this bill; but we need many more to get this bill moving through Congress. There is no Senate companion bill to date. People with autism and their allies are encouraged to urge their Representatives to co-sponsors this important legislation. The Autism Society Action Center has a sample letter that makes it easy to write and send this message. (See also Autism Society letter sent to the sponsors.)

**Employment**

The Autism Society is helping to plan a Congressional briefing entitled, “Success of Youth with Disabilities Transitioning From School to Competitive Integrated Employment,” scheduled for Wednesday, Sept. 26. The briefing is sponsored by the Collaboration to Promote Self-Determination (CPSD) together with the National Council on Disabilities (NCD), in collaboration with Representatives Harper (R-MS) and Langevin (D-RI), co-chairs of the House Bipartisan Disabilities Caucus, Senator Bob Casey (D-PA), Senator Jerry Moran (R-KS), Senator Maggie Hassan (D-NH), Rep. Cathy McMorris Rodgers (R-WA), and Rep. Seth Moulton (D-MA). For more information about the agenda and speakers see the invitation on the CPSD site and on Facebook. The Autism Society is advocating for Congress develop legislation that will help increase the Labor Force Participation Rate of people with autism.

**U.S. Supreme Court**

The Senate Judiciary Committee held four days of hearings (Sept. 4-7) to help inform committee members whether to vote for the nomination of Judge Brett Kavanaugh to the U.S. Supreme Court, a lifetime position. The hearings were contentious at times, with Democrats questioning whether the process was fair and public protesters interrupting the proceedings throughout the week.

While the Autism Society of America has not taken an official position on the nomination, staff have been monitoring the hearings for questions and answers related to the Affordable Care Act, voting rights, and self-determination and autonomy, and other issues that may impact people with disabilities.

On the last day of the hearings, Liz Weintraub, Autism Society’s Professional of the Year recipient, testified before the committee. Her testimony addressed a decision referred to as Doe v. D.C. related to self-determination and autonomy of people with intellectual and developmental disabilities (see AUCD fact sheet on Doe). Jackson Corbin, a 13-year-old with Noonan Syndrome, a disorder that affects multiple body systems, testified about the importance of health insurance coverage for people with pre-existing conditions. See the recorded video of the whole panel on the committee website.

The next step is for the Judiciary Committee to vote to confirm the nominee. If the committee approves, then the Senate must vote to approve by a simple majority (51 votes). (See also the August 7 issue of Ignite for more information.)

Please see all issues of Ignite now archived on the Autism Society Public Policy section of the website.