Congress Passes Deal That Fixes Debt Ceiling, Endangers Programs

On June 3rd, President Biden signed The Fiscal Responsibility Act of 2023. This bipartisan law (Democrat and Republican supported) raised the debt ceiling. The debt ceiling is the amount of money that the federal government is allowed to spend to pay its bills. This law allows the federal government to spend more money and pay its bills.

Congress made a deal to allow the government to suspend this “debt ceiling” until January 1, 2025, but big cuts in next year’s budget were part of that deal. There is a lot we do not yet know about the cuts. The National Association of Developmental Disabilities Councils (NADDC) says the cuts may be very big to some of the programs and services people with disabilities depend upon.

We do know that new work requirements for the Supplemental Nutrition Assistance Program (SNAP) were part of the deal. People below the age of 54 will be required to work a certain number of hours now to receive food assistance through SNAP. The new work requirements do not apply to veterans, people who grew up in foster care, and those who are unhoused. People with disabilities were not exempted from the new work requirements.

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Congress Passes Deal That Fixes Debt Ceiling (continued from page 1)

The new work requirements do not impact Medicaid, just food assistance. This is on top of the new state law that will add new household asset tests to SNAP. All assets of all people living in the same home will count against eligibility.

According to the non-profit Feeding America, one in thirteen Iowans are facing hunger, including 70,000 Iowa children. Nearly half of the families receiving SNAP in Iowa have children. Feeding America estimates the cost to address all food insecurity in Iowa is $145 million.

The deal has been cut, but the issue is far from settled. Suspending the debt ceiling is a temporary fix (through January 1, 2025). The deal also requires Congress to pass a budget by January 1, 2024, or the new budget will only be increased by 1%. Since that increase is well below inflation, it is really a cut to programs, services, and government. We will keep you informed as budget decisions are made.

Your members of Congress (US Senators, US Representative) have big decisions ahead. You can talk to our members of Congress about your concerns now. You are represented in Congress by two US Senators (Joni Ernst, Charles Grassley) and one US Representative (find out who represents you at tinyurl.com/MyFederalReps).

You can find tips on advocating with your federal elected officials on our website at https://www.iowaddcouncil.org/helpful-links and tinyurl.com/FedAdvocacyResources.

HCBS Access & Managed Care Rules: Comments Due July 3

Changes are not always made by Congress passing a bill. Sometimes changes can be made through an agency rule. That is what the Centers for Medicare and Medicaid Services (CMS) is doing with two new proposed rules. Iowans with disabilities have a chance to comment on them.

On April 27, CMS released two notices of proposed rulemaking:

- Ensuring Access to Medicaid (Access Rule)
- Managed Care Access, Finance & Quality (Managed Care Rule)

The goal of these proposed rules is to eliminate barriers that people with disabilities face trying to get quality health care. The rules:

- Set national standards for access to health care (regardless of managed care, fee for service). That means managed care companies will have the same expectations that state-managed programs.
- Make provider rates more transparent, including hourly rates paid to direct care workers. This gives decision makers – and you – more information on how tax dollars are used to provide services.
- Require 80% of provider rate goes to direct care worker pay. This goes further than transparency, making sure that most of the money is going directly into the pockets of the people providing the service, instead of administrative overhead.
- Empower choice by giving people more information and comparison shopping, which makes the system more accountable to those served and the taxpayers.
- Apply to Medicaid and Children’s Health Insurance Program (in Iowa, it’s called HAWK-I).

If you would like to see these rules go into place, you can make a simple or more detailed comment on them online until July 3, 2023. The actual rule language is very long and can get very complicated. Fortunately, the Administration for Community Living and ANCOR (American Network of Community Options & Resources) have written great summaries to help you out.

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You can read the proposed Access Rule at tinyurl.com/AccessRule2023

How to Comment on Access Rule:

1. You can read the summary and full rule (it’s long) online at tinyurl.com/AccessRule2023
   - There you can view posted comments (669 as of June 27, 2023).
   - You can submit your comment by clicking on the green “Submit a Formal Comment” box at the top of the page.
   - You will have the choice to attach a document, or you type in your comment.
   - You will be asked for your email, but it is not posted publicly.
   - You will also be asked if you are an individual, representing an organization, or if you would prefer to remain anonymous.

2. Make sure you refer to the rule as CMS-2442-P in your comments (like, “I’m writing to you today about the proposed access rule, CMS-2442-P.”)

3. Comments can be submitted through 10:59 pm (Iowa Time) on July 3, 2023.

You can read the proposed Managed Care at tinyurl.com/MCRule2023

How to Comment on Managed Care Rule:

1. You can read the summary and full rule (it’s long) online tinyurl.com/MCRule2023
   - There you can view posted comments (31 as of June 27, 2023).
   - You can submit your comment by clicking on the green “Submit a Formal Comment” box at the top of the page.
   - You will have the choice to attach a document, or you type in your comment.
   - You will be asked for your email, but it is not posted publicly.
   - You will also be asked if you are an individual, representing an organization, or if you would prefer to remain anonymous.

2. Make sure you refer to the rule as CMS-2439-P in your comments (like, “I’m writing to you today about the proposed managed care rule, CMS-2439-P.”)

3. Comments can be submitted through 10:59 pm (Iowa Time) on July 3, 2023.
New Rules Considered to Stop Discrimination in Housing
From Disability Scoop

The US Department of Housing and Urban Development (HUD) wants to make sure people with disabilities are not discriminated against in housing, and they want to know what you think about their proposed rules. The changes they are making update Section 504 of the Rehabilitation Act of 1973.

Section 504 does not allow discrimination based on disability. This applies to any program receiving funding from the federal housing agency like HUD. With so many changes to the housing industry and an increased demand for housing in community-based settings, HUD says it is time to update the rules it adopted in 1988.

“Inclusive communities and accessible, affordable housing are at the core of HUD’s mission,” said Demetria L. McCain, principal deputy assistant secretary for fair housing and equal opportunity at the agency. “Modern standards for accessible program design must reflect advances in building practices and technology. Hearing from the public, particularly stakeholders most directly impacted, is an integral part of HUD’s rulemaking process.”

HUD wants the public to weigh in on how the rules should “account for advances in accessible design, the use of websites and other technology and auxiliary aids and services, including assistive technologies” as well as whether to adopt an updated federal accessibility standard.

The agency said it’s likely to tweak its definition of “individual with disabilities” and it is asking stakeholders to comment on how a lack of affordable, accessible, and integrated community-based housing is influencing individuals at risk of institutionalization and those trying to transition away from group homes and other facilities.

Disability discrimination is the most common type of civil rights complaint received by HUD and such complaints account for more than half of what’s filed with the agency, officials indicated, with 582 filed in fiscal year 2022 alone.

HUD said that compliance reviews have revealed rampant issues including a lack of physical accessibility in newly constructed or modified public housing and other affordable housing programs as well as a failure to meet requirements for reasonable accommodations, ensuring effective communication and discrimination against those with intellectual and developmental disabilities, among other issues.

HUD is accepting public comment (at tinyurl.com/HUDRules) until July 24. After that, the agency plans to propose a new rule that will incorporate public comments.

2023 Iowa Session Review

On June 2, Governor Kim Reynolds finished signing bills into law and approved the $8.5 billion state budget. More than half of the state’s budget goes to education (including new private school “scholarships”) and Medicaid.

You can catch up on information about this session by reading our weekly reports, watching our weekly video Capitol Snapshots, and reviewing bills in our Bill Tracker at iowaddcouncil.org. You can also catch up with our May and June Capitol Chats at iowaddcouncil.org/capitol-chat.

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Here’s a quick review of bills that may impact you:

- **Schools will get a 3% increase for each student, but public schools may see fewer students.** That is because the Legislature allowed parents to use money that would have gone to the public school to pay for private school tuition. The Area Education Agencies (AEAs) that provide special education services were cut by $30 million. This is important because AEAs are required to provide services to students in both private and public schools. They are only paid for those in public schools. Public schools could see more students needing services without the money to provide them. There are a lot of things to worry about here. That’s why the Iowa DD Council has an issue paper on this (iowaddcouncil.org/educational-savings-plans). More information to come on this throughout the next year.

- **Mental Health and Disability Services Regions will now be required to have more community members on their boards.** County supervisors will be limited to 49% of the board. A majority of the members will now be required to be providers, persons served, families, courts, schools, and law enforcement. Regions are also required to provide a new service called community-based competency restoration. This allows a person found not able to go to trial to receive services in their community. The person does not need to wait for an opening in one of the state’s two mental health institutions.

- **People receiving SNAP (food assistance) benefits will have to go through a new asset test that combines the assets of all people living in the household.** The Iowa Department of Health & Human Services (HHS) has until July 1, 2025 to begin this new testing. We’ll keep you informed as HHS begins its work on this. This could be complicated by federal action recently taken adding new work requirements.

- **HHS has hired a company to do more in-depth checks on eligibility for new and existing Medicaid, HAWK-I (children’s health insurance program), and the Iowa Health & Wellness Plan members.** This will require a person to set up a new identity process. For example, banks may require you to answer questions like your mother’s maiden name to confirm your identity. This will take some time before it can be implemented. Watch for news on our social media, website, or from HHS/Medicaid.

- **Medicaid Managed Care Organizations (MCOs) are now subject to an insurance premium tax, that will be used to draw down additional federal funds.** These new dollars will go to Medicaid. This doesn’t impact Iowans with disabilities directly. It is a source of new money (more than $100 million a year). This could be used to pay for things like eliminating waiver waiting lists, increasing direct support staff wages, and supporting more community living options. When legislators say they don’t have the money to do something, suggest this!

- **Iowans wanting to participate in the Iowa Caucuses early next year will have to do so in person.** Legislators passed a bill that allows the parties to set their own rules but requires presidential choices to be done in person at the caucuses. That means Republicans can require a person to be registered to vote, and registered as a Republican, months before the caucus is held. Currently voters can register to vote and switch parties on caucus night to participate. That may not be allowed if Republicans decide to limit participation to those registered far in advance. Democrats say they will not set their rules to limit participation. They plan to do their presidential choice as a mail-in ballot (instead of picking them on caucus night). We will update you on changes once rules are adopted – they may impact how and if you caucus.

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The 2023 Interim: Time to Prepare for 2024

Iowa’s Legislature meets for about four months each year to decide how to spend money and make changes to Iowa law. That’s not a lot of time. Much of the work gets done during the “interim,” the months the Legislature is not in session (June-December).

We are now in the interim. Here is a list of some of the work that will be going on this interim:

- Continuing the work of reorganizing state government.
- Looking at all boards and commissions to decide if they are necessary.
- Reviewing HCBS waivers.
- Developing the new public assistance verification process.
- Improving state information technology to support all the changes going on.
- Complying with the next Department of Justice (DOJ) ruling.
- Looking at HHS service regions to see if there is a need for a single regional map for all HHS services.

The best way to stay updated is to watch our website, follow us on Twitter or Facebook, sign up for our newsletter and alerts, and tune in to our monthly Capitol Chats. More information on all of this can be found at iowaddcouncil.org/infonet.

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There are a lot of bills that did NOT pass this year. Some made it out of committee and a few were even voted on by one chamber. **All the bills that died in 2023 will be alive again when legislators are back in session on January 8, 2024.**

If you look at the “inactive” list on the Bill Tracker (iowaddcouncil.org/bill-tracker), you will see all the bills that didn’t make it. These are all ideas legislators had to fix a problem, and you might find some you like. Now is the time to talk to your legislators about those bills, to see if they can make it happen in 2024!

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**What Are YOUR 2024 Priorities?**

The Iowa DD Council wants to know what issues you want legislators to work in the next legislative session, which begins January 8, 2024. Now is the time to begin to think about your “asks” and start talking to your elected officials. You can help the Iowa DD Council with its 2024 priorities by taking this quick online survey at tinyurl.com/IssuesSurvey2024.

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**Two New Leadership Announcements Made**

Changing how state government is organized is a big job. Sometimes this means new leaders. Two key positions were announced this month, an interim Vocational Rehabilitation Director at Iowa Workforce Development and a new Aging and Disability Division Director at Iowa Department of Health and Human Services.

**Dennis Named Interim Vocational Rehabilitation Director**

Brian Dennis believes every Iowan has the capacity and the ability to work – those with disabilities may just need a little help to achieve it.

“Employment is possible for every person, but that journey will look different for everyone,” Dennis said. “The best way to assist someone on that journey is to provide as much support as possible.”

Dennis is currently Iowa Workforce Development’s Bureau Chief for Disability Services and is an adjunct instructor at Drake University’s counseling master’s degree program. On Monday, June 19, he was named Interim Administrator of Iowa Vocational Rehabilitation Services (IVRS), Iowa’s lead agency for helping individuals with disabilities find, retain, and/or advance in employment.

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Two New Leadership Announcements Made (continued from page 7)

IVRS is slated to become a division within IWD as part of a statewide government reorganization that takes effect July 1.

Dennis sees his role going forward as two-fold – empowering Iowans with disabilities to achieve their own goals and “making sure our employer partners understand the great deal of untapped potential that is out there.”

Dennis has been aware of that potential since childhood, when he first noticed that the students with disabilities who attended the preschool in Georgia where his mother taught were excluded from many of his later classrooms. That, combined with his parents’ own experiences with mental health concerns, prompted an interest in psychology. “I saw them both deal with things on a daily basis – sometimes well, sometimes not so well.”

He graduated from Georgia Southern University with a psychology degree in 1998, moved to Iowa (“just for the summer”), and quickly began helping others. He worked first in HCBS residential services, then case management services for Iowans with chronic mental health concerns, then in low-income housing programs. Dennis began dealing with education, employment, and training in 2013 – first for Des Moines Area Community College, then with the state of Iowa. He joined Iowa Workforce Development in 2020 as Disability Services Program Coordinator.

Along the way, Dennis picked up a master’s degree clinical rehabilitation counseling in 2013. Roughly 2½ years later, on Christmas Day 2015, he began his lived experience with disability when a spinal cord injury placed him in a wheelchair.

“I’ve gotten to experience disability services from both sides of the table,” Dennis said.

As IVRS prepares to move into IWD and the agencies learn to work together more efficiently, he is excited about the possibility of providing a wider variety of workplace services. It will be a chance to help even more Iowans achieve their goals.

“Our mission statement is ‘Serving Iowans,’” Dennis said. “There’s no caveat – it doesn’t say ‘Iowans without a disability,’ or ‘Those in Des Moines instead of Creston.’

“If we’re going to live up to that statement, we need to make sure that we’re including everyone. Every Iowan matters.”

For more on Iowa Vocational Rehabilitation Services, visit the IVRS website. (ivrs.iowa.gov/)

Rhein to Lead New Aging & Disability Division at HHS

Zach Rhein will join #TeamHHS as the new Aging and Disability Division Director. Rhein comes to HHS with years of experience in the Iowa Department on Aging and is eager to get to work as HHS builds out this new division focused on improving the lives of Iowans with aging or disability-related challenges.

Zach has more than 20 years of experience working in federal and state government and nonprofit organizations, where he has focused on designing programs that meet individuals’ basic needs. At the Iowa Department on Aging, Rhein served as the Director of Programs. He lives in West Des Moines, with his wife and their four children.

“I am extremely excited to join HHS to help establish the new Aging and Disability Division,” said Rhein. “I look forward to leading a talented and passionate group of people in building a system that ensures Iowans with disabilities and older Iowans receive the community-based supports they need to maintain their independence.”
The Iowa Department of Health and Human Services (HHS) has hired Health Management Associates (HMA) to study the delivery of health and human service programs across the state. This is one of those important reviews taking place over the interim this year.

“How Iowans access health and human services is different in almost every county,” explained director Kelly Garcia. “With 99 separate administrative systems, there are inconsistencies that make it difficult for Iowans to navigate services and burdensome for local governments to administer the programs.”

With the alignment of public health and human services to a single agency in 2022, HHS can leverage lessons learned from the pandemic to begin addressing these challenges and improve the HHS system for everyone who calls Iowa home.

“We’ve spent the last two plus years aligning the state agencies that oversee these programs and services,” said Garcia. “Now it’s time to align the system that underpins the delivery of these supports to Iowans.”

During the COVID-19 pandemic, it was a major challenge to navigate the multiple layers of decision makers for every program at the state, regional, county, and sometimes city level. “These challenges result in significant inefficiencies that can delay getting necessary funding, resources, and other supports to people on the front-line providing services to Iowans. This assessment aims to understand these systems and provide solutions to improve them.”

The assessment will study why the current systems are structured the way they are, and the historical context of such decisions. The study will also examine existing operational capabilities and gaps, and the funding and resource models that drive the current system.

Throughout the assessment, HMA will engage with stakeholders to gather input which will be used to form the final recommendations.

HHS hopes the assessment will help the agency have a clearer understanding of the linkages that currently exist between systems and current Medicaid programs, who the primary beneficiaries of these programs are, who the decision makers involved in each system are, and how to better connect these services to the Iowans who need them.

Program areas include:

- Local Public Health Agencies
- Environmental Health
- I-SMILE (dental program)
- Women, Infant, Children (WIC)
- Maternal and Child Health
- Family Planning
- Tobacco Community Partnerships
- Decategorization Projects (DECAT)
- Community Partnership for Protecting Children
- Mental Health & Disability Services Regions
- Certified Community Behavioral Health Centers (CCBHC)

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Iowa’s State Treasurer Roby Smith wants Iowans living with a disability and their support systems to know about the benefits of saving with IABLE, Iowa’s Achieving a Better Life Experience (ABLE) plan. “Being able to save for qualified disability expenses helps individuals achieve their better life experience,” stated Smith, who manages the IABLE program. “When someone invests in IABLE, they have the ability to save for their unique needs and expenses that improve their quality of life.”

IABLE account owners can save up to $17,000 a year without risking eligibility for means-tested assistance programs like Supplemental Security Income (SSI). Account funds can be used for “qualified disability expenses” such as housing, food, support services, education and assistive technology that improve or maintain health, independence or quality of life. Qualified withdrawals are tax-free and Iowa taxpayers can deduct up to $3,785 of their contributions to an IABLE account from their 2023 state income taxes.

“Financial independence should be possible for everyone. IABLE can help individuals save for short- or long-term goals enabling them to gain greater financial freedom to flourish,” concluded Smith.

To learn more about IABLE, visit IABLE.gov. There you can review the plan’s highlights, watch a recent webinar, connect with the State Treasurer on social media, and find resources to help in making your savings decisions.
HHS Hosts Crisis Provider Training Series

The Iowa Department of Health and Human Services is hosting a free webinar training series to assist Iowa’s 988 and behavioral health crisis providers in serving children and their families and individuals who identify as LGBTQ+. While this series was developed for crisis service providers it is open to everyone.

Participants may choose to attend one or more of the training sessions, which will be held July through October. Each training webinar will be presented twice during the series and will be available as a recorded event. Certificates of attendance will be offered for each training following completion of a survey. Learn more and sign up to attend at hhs.iowa.gov/mhds/training.

Lift Off to Advocacy at the 2023 Make Your Mark!

The Iowa DD Council will host its annual Make Your Mark! Conference in Coralville on August 30-31. This year’s theme is all about reaching new heights with your advocacy efforts! With the right tools and knowledge, you can be the force that creates a brighter future for yourself and your community in this universe and beyond.

Learn more and register to attend at iowaddcouncil.org/mym-conference.

Host a Town Hall or Event in Your Community

Now is a great time to connect with your state legislators or members of Congress. Meeting with them in a group is a great way to jump start your advocacy. The Iowa DD Council is here to help. Learn more about the Council’s Town Hall grants at iowaddcouncil.org/dd-council-town-halls.

The Iowa DD Council and Iowa APSE (Association of People Supporting Employment First) are hosting a “Take Your Legislator” to work campaign later this year. Stay tuned for more details.
Representing you in Congress:
Sen. Charles Grassley
Sen. Joni Ernst
Rep. [Representative]

Representing you at the State Capitol:
Sen. [Name-Senate]
Rep. [Name-House]

infoNET is a free policy resource published by the Iowa Developmental Disabilities Council in partnership with Iowans with Disabilities in Action.