

A Communication from the Policy Information Exchange

Slice of Pie

A *Slice of Pie* is an ongoing publication keeping our readers informed about important public policy issues. It is the mission of the Policy Information Exchange to **educate and inform Pennsylvanians with disabilities, their families and advocates, and the general public, regarding public policy issues and to further the exchange of policy information between the Pennsylvania Developmental Disabilities Council and federal, state and local policy makers.**

The Policy Information Exchange is funded in part by the Pennsylvania Developmental Disabilities Council.

STATE NEWS

CLOSURE OF POLK AND WHITE HAVEN STATE CENTERS

Department of Human Services (DHS) Secretary Teresa Miller announced the closure of Polk State Center in Venango County and White Haven State Center in Luzerne County on August 14th. The closure process is expected to take approximately three years. Both centers are intermediate care facilities for individuals with intellectual and developmental disabilities. The closures reflect the Administration’s work to serve more people in the community, reduce reliance on institutional care, and improve access to home and community-based services so every Pennsylvanian can live an everyday life. DHS held public hearings within 30 days of the closure announcement to accept comment about the closure from stakeholders, officials, and the community. Hearings were held at Polk, White Haven, and the PA State Capitol.

A toll-free hotline has been established for family members of Polk and White Haven residents who have questions during the closure process. Family members will be able to speak with staff from 8:30 a.m. to 4 p.m. Monday through Friday by calling 1.888.565.9435 or by email at RA-PWRASateCenters@pa.gov. For more information regarding services for people with intellectual disabilities and the closure, visit www.dhs.pa.gov.

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COUNCIL TO PROTECT VULNERABLE PENNSYLVANIANS

Governor Wolf's "Protection of Vulnerable Populations" Executive Order establishes an Office of Advocacy and Reform. Maintained by the governor's office with an executive director that includes a new Child Advocate position, the office integrates the Long-term Care Ombudsman, and a Council on Reform. It includes 25 voting members appointed by Gov. Wolf who will support this effort by looking at protecting vulnerable populations from three perspectives: prevention and diversion, protection and intervention, and justice and support. Both the Council on Reform and the Office of Advocacy and Reform will identify reforms needed for Pennsylvania to better protect and support individuals relying upon services and assistance from the commonwealth.

DISCONTINUANCE OF GENERAL ASSISTANCE EFFECTIVE 8/1/2019

General Assistance (GA) is state-funded cash assistance that provides money and other services for eligible individuals who do not meet the requirements for Temporary Assistance for Needy Families (TANF). Act 2019-12, eliminated GA cash assistance as of August 1, 2019. The notice sent to all recipients informs the recipient that if they are pregnant or caring for a child, or have a serious disability, or are blind or have limited vision, to contact the county assistance office or apply online using COMPASS as they may potentially be eligible for TANF, Social Security benefits or State Blind Pension. DHS is also reviewing any available case data to see if current recipients meet the criteria for TANF or State Blind Pension benefits.

- PA 2-1-1 is available as a resource for people affected. 2-1-1 can connect people to services that may be able to help people meet basic needs such as food and housing.
- Organizations should contact 2-1-1 to ensure their information is included and up-to-date so they may be a resource to people seeking assistance.

TRANSPORTATION BROKER HALTED

Due to protests and concerns from transportation advocates, consumers, providers and others, Governor Wolf signed Act 19 of 2019 (SB 695 amended) which was passed by the state legislature to delay implementation of the human services transportation broker for MATP and CHC transportation. PPTA (PA Transit Providers) shared concerns over cuts and systems impact had the proposal moved forward. *Effective immediately*, PA DHS must undertake a 180-day study on the issue in conjunction with PA Departments of Aging and Transportation to assess the impacts of such changes. PA DHS must produce a report on the proposed study within the first 90 days. Additional related impacts to various systems will be assessed. These include the Person with Disabilities (PWD) Shared Ride and ADA para-transit under PennDOT along with Senior Shared Ride under PA Department of Aging. Human services transportation broker efforts undertaken in other states are also to be examined during this time. This study delays the implementation of Act 40 of 2018 where language for the proposed human services transportation broker came and the RFA.

HUMAN SERVICES

JOINT BULLETIN ON OVR REFERRALS

The Department of Human Services and the Department of Labor & Industry issued a joint Bulletin (00-19-02) **OVR Referrals During a Period when OVR's Order of Selection is Closed** on July 1, 2019, effective on that date. The Bulletin supplements guidance provided in ODP Bulletin 00-19-01 and identifies the procedures to be used during a period when OVR is operating under a closed order of selection.

BILLS OF INTEREST

Below we summarize some bills of interest to the disability community from the 2019-2020 Session. For more information about these bills or any other state legislative activity, go to <https://www.legis.state.pa.us/>.

HB 672. Introduced by Representative Jason Ortity (R-Allegheny). This bill would amend the act of February 13, 1970 (P.L.19, No.10), entitled “An act enabling certain minors to consent to medical, dental and health services, declaring consent unnecessary under certain circumstances,” further providing for **mental health treatment** and for release of medical records. Referred to Human Services, March 1, 2019. Referred to Human Services, June 6, 2019 [Senate].

HB 1235. Introduced by Representative Brandon Markosek (D-Allegheny). This bill would provide **special absentee ballots printed in Braille** to qualified voters who submit a written request for a special ballot. Referred to State Government, April 17, 2019.

HB 1709. Introduced by Representative Malcolm Kenyatta (D-Philadelphia). This bill would provide **emergency relief** to those who previously received support through General Assistance. Referred to Health, July 16, 2019. See also, **SB 799** introduced by Senator Katie J. Muth (D-Berks).

HB 1739. Introduced by Representative Wendi Thomas (R-Bucks). This bill would establish “The Family Care Act,” to establish a statewide **Family and Medical Leave Insurance** Program. Referred to Labor and Industry, Aug. 16, 2019. See also, **SB 580** introduced by Senator Daniel Laughlin (R-Erie).

SB 277. Introduced by Senator Michele Brooks (R-Crawford). This bill would provide for a medical assistance “**deemed eligible**” program for seniors for home care and home health services. Referred to

Health and Human Services, Feb. 7, 2019. Re-referred to Appropriations, June 24, 2019 [Senate].

SB 580. Introduced by Senator Daniel Laughlin (R-Erie). This bill would establish “The Family Care Act,” to establish a statewide **Family and Medical Leave Insurance** Program. Referred to Labor and Industry, July 8, 2019. See also, **HB 1739** introduced by Representative Wendi Thomas (R-Bucks).

SB 799. Introduced by Senator Katie J. Muth (D-Berks). This bill would provide **emergency relief** to those who previously received support through General Assistance. Referred to Health and Human Services, July 23, 2019. See also, **HB 1709** introduced by Representative Malcolm Kenyatta (D-Philadelphia).

SB 818. Introduced by Senator Judy Schwank (R-Berks). This legislation would mean adopting universal, “no-excuse” absentee voting; establishing a true “**permanent absentee voter**” status; and amending the time frame and deadlines for absentee voting. It also will make changes to the absentee voting process to ensure the integrity of the process while simplifying the application and submission process, and to ensure that all legitimate votes are counted. Referred to State Government Aug. 7, 2019

SB 819. Introduced by Senator Bob Mensch (R-Berks). This bill would fix a constitutionality issue created by a state Supreme Court decision in 2015 that it is unconstitutional for the offenses listed in the **Older Protective Services Act** to result in a lifetime employment ban without further evaluation. Senate Bill 899 fixes this constitutionality issue and also provides for employment practices that are safe for care organizations. Referred to Aging and Youth, Aug. 7, 2019.

SB 837. Introduced by Senator Michele Brooks (R-Crawford). This bill would allow constituents to obtain a **disability placard** in their respective legislative district offices rather than waiting to receive them in the mail. Referred to Transportation, Aug. 26, 2019.

RESOLUTIONS

HR 445. Introduced by Representative David R. Millard (R-Carbon). This bill would establish an **advisory committee** to conduct a study on the challenges individuals with disabilities face when traveling within Pennsylvania. Referred to Tourism and Recreational Development, Sept. 3, 2019.

ODP

ODP Convenes Technology Task Force

The Office of Developmental Programs (ODP) Task Force will focus on advancing technology solutions for Pennsylvania and will develop recommendations to present to Deputy Secretary Kristen Ahrens on strategies to expand the use of technology for people with an Intellectual Disability and/or Autism (ID/A). The Task Force is comprised of advocates, providers, Supports Coordination Organizations, and ODP staff. It is charged with evaluating existing service definitions regarding technology and exploring opportunities for the expansion of technology to increase independence.

BULLETIN:

Prioritization of Urgency of Need for Services (PUNS) Manual (00-19-03) was issued on July 23, 2019 and was effective on that date. The Bulletin distributes the updated PUNS manual with instructions for the completion of the updated PUNS form in HCSIS implemented on February 2, 2019.

OLTL

COMMUNITY HEALTH CHOICES

The Office of Long-term Living (OLTL) continues to implement the **Community Health Choices (CHC)** program across the state. The next

Regions to go into CHC are the Northeast, Northwest, and Capital/Lehigh on January 1, 2020. The state is preparing providers and participants for the change to the managed care program with mailings and informational sessions. Information is available at <http://www.healthchoices.pa.gov/info/about/community/>.

OMHSAS

The Office of Mental Health and Substance Abuse Services has issued two new Bulletins:

- **Service Location Enrollment for Behavioral Health Providers (OMHSAS-19-02)** was issued on July 30, 2019 and is effective on October 1, 2019. The Bulletin clarifies that Medical Assistance Bulletin 99-18-11 applies to behavioral health providers and that effective October 1, 2019, they must use the enrolled service location at which a service was provided on claims.
- **Serious Mental Illness: Adult Priority Group, (OMHSAS-19-03)** was issued on August 6, 2019 and was effective immediately. The Bulletin updates the Adult Priority Group for planning and service development for adults with serious mental illness (SMI).

These and other Department of Human Services program bulletins are available at: <http://www.dhs.pa.gov/provider/BulletinSearch/index.htm>.

NATIONAL NEWS

FEDERAL BUDGET 2020

On August 2, 2019, the President signed into law the *Bipartisan Budget Act of 2019*, that includes a two-year deal for spending limits and a suspension of the debt limit through July 2021. It also lifts the strict discretionary budget

caps put in place by the Budget Control Act of 2011. Included in the deal are increases to non-defense discretionary spending of \$27 billion in fiscal year 2020. Congress has begun work on the 12 appropriations bills that fund the federal government for the fiscal year that begins on October 1, 2019. Over the summer the House agreed to combine four regular appropriations bills (1) Labor-HHS-Education, (2) Defense, (3) State-Foreign Operations, and (4) Energy and Water and to combine five other appropriations bills including Transportation, Housing and Urban Development (THUD). These two groupings of spending bills contain the bulk of funding for programs and services that affect the disability community. The Senate has not acted on any appropriations bills. Information about the status of the bills is available here:

<https://www.congress.gov/resources/display/content/Appropriations+for+Fiscal+Year+2020>

NEW CLEARANCES REQUIRED

A federal requirement under the re-authorization of the Child Care Developmental Block Grant (CCDBG) means a new clearance--the National Crime Information Center/National Sex Offender Registry (referred to as the NSOR clearance). The following individuals must complete the National Sex Offender Registry (NSOR) verification certificate by July 1, 2020:

- Any individual 18 years or older residing in the child care facility;
- All individuals working for Regulated Child Care Providers;
- Any individual with an ownership interest (corporate or non-corporate) in a Regulated Child Care Provider and who participates in the organization and management of the operation.

The clearance is in addition to the currently required clearances of Child Abuse History Clearance (CY113), Pennsylvania State Police Criminal Record Checks for Employment (SPA-164) or Volunteers (SPA-164A), Federal Bureau of Investigation (FBI) Fingerprinting. The NSOR will verify that a check of the National Sex Offenders Registry was conducted and the individual can work for a regulated child care provider or cannot work for a regulated child care provider. There is no fee for the NSOR clearance. By late summer/early fall 2019, there will be a paper application process for the NSOR clearance, and in late fall there will be an electronic process in place at keepkidssafe.pa.gov. By July 1, 2020, all existing staff and household members must have a completed NSOR clearance.

DISASTER PLANNING

The President has signed a new law that requires the federal government to do more to consider the needs of people with disabilities during natural disasters. **The Pandemic and All-Hazards Preparedness and Advancing Innovation Act** will improve planning for disasters and requires a National Advisory Committee on Individuals with Disabilities and Disasters to look at better ways of being prepared. A recent report by the Government Accountability Office showed that people with disabilities and individuals over 65 faced more challenges evacuating to safe shelter, getting their medicine, and getting recovery help than others.

REINTRODUCTION OF BILL TO IMPROVE ADA COMPLIANCE

In conjunction with the 29th anniversary of the signing of the Americans with Disabilities Act (ADA), Representatives Donald McEachin (D-VA) and Jim Langevin (D-RI) and Senators Tammy Duckworth (D-IL) and Bob Casey (D-PA) re-introduced the Disabled Access Credit Expansion Act ([H.R.4045/S.2290](https://www.congress.gov/bills/115/4045)). This bill will

double the **Disabled Access Credit (DAC)** and increase the number of businesses eligible for it. The DAC is a tax credit for small businesses that make renovations to make their facilities accessible. Additionally, the bill increases funding for the voluntary ADA Mediation Program in the Department of Justice and requires data collection and reporting on the types of calls received by the ADA Information Line.

U.S. HOUSE APPROVES AUTISM CARES ACT REAUTHORIZATION

On July 24, the House of Representatives approved the Autism Collaboration, Accountability, Research, Education, and Support (CARES) Act of 2019 ([H.R.1058](#), as amended). The Autism CARES Act funds autism research, surveillance, and education programs at the National Institutes of Health (NIH), Centers for Disease Control and Prevention (CDC), and Health Resources and Services Administration (HRSA), respectively.

RESOURCES

EVERYDAY LIVES CONFERENCE

The Office of Developmental Program's 2020 EveryDay Lives Conference will be held at the Hershey Lodge and Convention Center, 325 University Drive, Hershey, PA. (Jan. 7 pre-conference day). Watch for more details to come!

THE ARC UNITED STATES AND THE CENTER FOR FUTURE PLANNING

The Arc US is supporting and encouraging families to plan for the future. The Center provides reliable information and assistance to individuals with I/DD, their family members and friends, professionals who support them and other members of the community on areas such as person-centered planning, decision-making, housing options, and financial planning. Link: <https://futureplanning.thearc.org/pages/learn/about>

USCCR RELEASES REPORT ON SCHOOL TO PRISON PIPELINE

On July 23, the United States Commission on Civil Rights (USCCR) released a report titled [Beyond Suspensions: Examining School Discipline Policies and Connections to the School-to-Prison Pipeline for Students of Color with Disabilities](#). The report notes that students of color and students with disabilities are disproportionately subjected to suspension. Additionally, it notes that few empirical studies have evaluated the intersection of race and disability when it comes to discipline. Recommendations include continued guidance and enforcement from the Department of Education's Office of Civil Rights (OCR) and Congressional appropriations to help states and school districts train and support teachers and provide an adequate number of counselors and social workers in all schools.

PIE ADVISORY COUNCIL

The PIE Advisory Council is looking for volunteers who would like to join and participate on the council. Individuals would assist the PIE Advisory team in planning the Slice of PIE issues, participate in the PIE policy calls monthly, and brainstorm how to help PIE reach a larger audience.

The Policy Information Exchange (PIE) is the collaborative effort of a team of individuals who have many years of experience with disability issues and who understand the challenge of effectively communicating with a diverse audience including policy makers. The role of the advisory committee is to:

1. Inform PIE of the issues of importance to people with disabilities throughout the lifespan.

2. Inform PIE of local, state, and federal legislation that impacts the lives of people with disabilities.
 3. Assist PIE in the design and development of strategies for information sharing during monthly calls, emails, and the publication of the PIE newsletter.
 4. Strategize with the PIE Team regarding efforts to reach communities targeted as “high poverty”.
 5. Assist and inform PIE of local community connections in communities experiencing high percentage of poverty.
 6. Provide support and information to emerging leaders within the disability community about the legislative process and the opportunities for reaching decision makers.
- Interested individuals can call The Arc of Pennsylvania at 717-234-2621 and ask for Katie Yost or email her at kyost@thearcpa.org.

CONTACT PIE

Contact the PIE Team with any questions, comments, suggestions, or information to share at PIE, c/o The Arc of Pennsylvania, 301 Chestnut Street, Suite 403, Harrisburg, PA 17101, by email at pie@thearcpa.org or by phone at 800-692-7258.

- o **A Slice of Pie** is available by email and contains hyperlinks for ease of accessing websites and internet documents and resources.
- o PIE Alerts, PIE Information, and PIE Job Postings are available by email to keep people informed about disability issues between newsletters.
- o Sign up for A Slice of Pie or PIE electronic messages by phone at 800-692-7258 or by emailing pie@thearcpa.org.
- o Individuals who already get A Slice of Pie and/or PIE electronic messages can make changes at any time by clicking “Update Profile/Email Address” at the end of any PIE email message.
- o A Slice of Pie is available at the Developmental Disabilities Council website www.paddc.org, by clicking on “Publications” and “Slice of Pie”. Archived editions can also be found there.
- o **A Slice of Pie** is available in alternate format upon request.
- o The PIE office will download, copy, and mail information mentioned in A Slice of Pie upon request.

A Slice of Pie

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Change of Information?

We want to be certain that you do not miss an issue of *A Slice of Pie*, so please send name or address changes either by phone 800-692-7258 or by email to pie@thearca.org. Thank you.

The PIE Team

THE ARC OF PENNSYLVANIA

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