

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.**

*This project (program, publications, etc.) is supported by a grant from the Pennsylvania Developmental Disabilities Council; in part by grant number 1901PASCDD-02 from the U.S. Administration for Community Living, Department of Health and Human Services, Washington, D.C. 20201. Grantees undertaking projects with government sponsorship are encouraged to express freely their findings and conclusions. Points of view or opinions do not, therefore, necessarily represent official ACL policy.*

## STATE NEWS

### GOVERNOR’S BUDGET

On February 2, 2021, Pennsylvania Governor Tom Wolf released his proposed budget for the 2021-2022 fiscal year which begins on July 1, 2021. Below we summarize some items of interest to the disability community in the Governor’s budget proposal. The budget proposal includes several tax and spending initiatives, including changes to the minimum wage in Pennsylvania and changes in education funding. Both chambers of the General Assembly remain Republican majority following the 2020 elections. There are significant amounts of Federal revenue from COVID-19 relief measures included in the proposal, however the state budget does not include the recently enacted \$1.9 trillion American Rescue Plan economic relief package.

#### Health & Human Services

- The governor proposes a \$168.5 million increase in state funds (10.24%) for the

**Intellectual Disabilities community waivers** to expand waiver services to an additional 100 people on the emergency waiting list; continued support for people coming out of state centers and transferring from Intermediate Care Facility/Intellectual Disability settings, and an initiative to support transition of individuals to independent living services. The governor also proposes a reduction of \$1,014,000 in state funding in the **adult community autism program**, or -3.83% but does not propose service cuts. The proposed budget continues funding for the remaining four State Centers with an increase of \$2.5 million, which is 2.47%.

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- State funds for the **Intellectual Disabilities Community Base Program** would decrease by .41% (\$594,000).
- The governor would increase state funding for **mental health** by \$1.85 million or .22%. The mental health line item funds both mental hospitals and community services. There is funding for 20 additional people to move out of state hospitals (**CHIPPs**) but not for restoration of the funds cut under the FY2012-13 human service block grant.
- State funding for Medical Assistance for Workers with Disabilities (**MAWD**) would increase \$14.8 million, or 24.53%.
- **Medical Assistance Transportation** funding would increase by 2.63%.
- **MA Community HealthChoices** is the long-term services and supports system which began rolling out in January, 2018 and concluded in 2020. The Governor's budget includes an increase of \$746 million, or 24.59%. It includes an initiative of \$1 million to train direct care workers who are employed by participants.
- State funding for the **LIFE** program (Living Independence for the Elderly) would be increased by \$10.9 million, or 7.45% including funds to serve 501 additional older Pennsylvanians.
- State funding for the Medical Assistance Long-Term Living line item (**nursing homes plus OBRA and Act 150**) is reduced by \$112.7 million, or -48.43%. Some of the reduction reflects transfers into Community HealthChoices.
- There is no funding for **rate increases** in this budget proposal.
- **Epilepsy Support Services, Sickle Cell, Tourette's Syndrome** and most of the

other specialized health programs would be defunded. Each year, the governor defunds these programs, and every year the general assembly reinstates their funding. **Services for Children with Special Needs and Newborn Hearing Screening** would be slightly more than level-funded.

- The **federal financial participation rate** (the federal share of Medicaid) will increase from 52.2125% to 52.56 for the full year blended rate. This means that fewer state funds are needed to be appropriated for the same amount of service.
- The governor proposes a number of **supplemental appropriations for Human Services which affect the current year's budget** (2020-21) for a net total of over \$900 million including \$84.5 million for Community Health Choices.

### Aging

- PENNCARE Lottery funds are reduced \$3.7 million, or 1%.

### Labor & Industry

- All of the line items within the Vocational Rehabilitation program, including **Transfer to Vocational Resources, Supported Employment, Centers for Independent Living** and the two **Assistive Technology** programs would receive the same amount of funding as last year.

### Education

- State funding for **special education would increase by \$200 million** as part of a broader initiative, including changes to charter school funding formulas.
- **Pre-school early intervention** (3-5) would receive an \$11 million increase, or 3.38%.
- Funding for **chartered schools** for those

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who are deaf and blind would be decreased 1.03% and **approved private school** funding would be level funded.

## **COVID-19 INFORMATION & RESOURCES**

### **Department of Health**

The Pennsylvania Department of Health continues to monitor the ongoing situation with Coronavirus (COVID-19) and rolling out the PA COVID-19 Vaccination plan in tandem with the work of the federal government and the Center for Disease Control (CDC). To get the most accurate and up-to-date information including PA vaccine distribution plan, recommendations, closures, and statistics, visit: the [Department of Health's website](#).

Pennsylvania Departments of Health and Human Services would like to share resources surrounding COVID-19 vaccine information for individuals that have limited or no internet access. The following services are available to learn more about the COVID-19 vaccine, including locating a healthcare provider, by phone:

- If an individual does not have a direct support professional (DSP) that can provide them with the appropriate COVID-19 vaccine and healthcare provider information, they can call the PA Health Hotline at 1-877-724-3258.
- Persevere PA is a COVID-19 crisis hotline designed to link callers with counselors to assist with the mental health impacts of COVID-19. They can also assist a caller in finding a healthcare provider to administer the vaccine when their corresponding phase arrives. Call Persevere PA at 1-855-284-2494.
- When arranging for an individual who is deaf or hard of hearing to receive information via telephone, PA Relay Services are available by dialing 711.

### **Jefferson Study – Individuals with ID at Great Risk from COVID-19**

On March 5th, Jefferson Health released an analysis from a national study confirming that those with intellectual disabilities (ID) are at greatest risk of death from COVID-19 after those of older age/elderly. The authors of the study examined over 64 million medical records across the nation to better understand how COVID-19 impacts the intellectual disability community. Read the Jefferson Health Study, [The Devastating Impact of COVID-19 on Individuals with Intellectual Disabilities in the United States](#).

### **President Biden Signs Third COVID-19 Emergency Relief**

On Thursday, March 11th President Biden signed the third COVID-19 Emergency Relief legislation, the American Rescue Plan. This legislation includes key priorities of the disability community:

- \$12.7 billion of dedicated funding for one year to strengthen and expand Medicaid Home and Community Based Services (HCBS).
- 7.35% FMAP increase for one year
- Economic Impact Payments of \$1,400 per person, including for adult dependents
- Extension and expansion of tax credits to cover COVID leave, so that families can support loved ones while care is interrupted.

### **Resources**

- [Vaccinations: Unpaid Caregivers Attestation Information](#) - a letter to verify eligibility for the vaccination.
- Article: [Examining How Crisis Standards of Care May Lead to Intersectional Medical Discrimination Against COVID-19 Patients](#)
- [Disability Rights Pennsylvania – COVID-19 Vaccination FAQ](#)

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- Article: [New COVID-19 Response Legislation Finally Recognizes Urgent Needs of People with Disabilities](#)
- Article: [ADA Concerns Raised Over COVID-19 Vaccine Rollout - Disability Scoop](#)
- [PA COVID-19 Resources](#)
- [Multilingual Resources from PA Departments.](#)
- [Mental Health Information and Support.](#)
- [Plain Language Guides/Videos on the COVID-19 Pandemic](#)

## DEPARTMENT OF HUMAN SERVICES RELEASES RACIAL EQUITY REPORT

Department of Human Services (DHS) releases DHS' first Racial Equity Report. The report addresses inequity and anti-racism across programs and services. It details ongoing efforts to promote diversity, equity, and inclusion, and to correct systemic racism and inequities. The full Racial Equity Report and an abbreviated summary are available here: [DHS Racial Equity Report](#).

## ALISON BEAM TO SERVE AS ACTING SECRETARY OF HEALTH

The Governor has nominated Alison Beam to serve as Secretary of Health and COVID-19 Response Director following Dr. Rachel Levine's departure from the Department of Health. Beam has been involved with the administration's COVID-19 pandemic response.

## SECRETARY BOOCKVAR RESIGNS, DEGRAFFENREID TO SERVE AS ACTING SECRETARY OF STATE

Secretary of State Kathy Boockvar left her post as the Commonwealth's top elections official. The

governor appointed Veronica Degraffenreid to serve as acting Secretary of the Commonwealth.

## DHS ANNOUNCES UPDATES, ADDITIONAL FEATURES FOR THE MYCOMPASS PA MOBILE APP

The Department of Human Services (DHS) recently announced the launch of myCOMPASS PA 5.0, the latest update to the myCOMPASS PA mobile app. The app offers key features that allow users to complete several case management actions like checking their application and benefit status, uploading requested documents, completing semi-annual renewals, and creating a COMPASS account. App users need to download the new version to continue to use the app via the Google Play or the Apple App Stores. The update also allows users to:

- Report a lost or stolen card;
- Review previous EBT transactions;
- Request a replacement EBT card; and,
- Change their PIN.

More information on the [myCOMPASS PA Mobile App](#).

## EMPLOYMENT FIRST OVERSIGHT COMMISSION REPORT

The 2021 Employment First Annual Report highlights the specific policies and strategies that Pennsylvania's state agencies will use to implement the Employment First Act. The goal is to make sure that individuals with disabilities have the opportunity to achieve economic independence through competitive integrated employment. You can read here: [2021 Employment First Oversight Commission Report](#).

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## BILLS OF INTEREST

Below we summarize some bills of interest to the disability community from the 2021-2022 Session. For more information about these bills or any other state legislative activity, go to <https://www.legis.state.pa.us/>.

**HB 25.** Introduced by Representative Michael J. Puskaric (R-Allegheny). This bill would repeal the mail-in voting provisions contained in Act 77 of 2019. Abolishing the No Excuse **Mail in Vote**. Referred to State Government, Jan. 11, 2021.

Impact: Would remove the ability for individuals with disabilities to enroll in mail-in voting. This would not remove the ability to apply for an absentee ballot.

**HB 44.** Introduced by Representative Seth M. Grove (R-York). This bill would further provide for establishment, of value-based models relating to the **Managed Care Organization Outcomes Program** and for managed care organization Medicaid contracts. Referred to Health, Jan. 11, 2021.

Impact: Would provide incentives for hospitals and MCO's to improve healthcare outcomes under Medicaid and establishes cost reduction targets for the Department of Human Services.

**HB 45.** Introduced by Representative Francis X. Ryan (R-Lebanon). This bill would **merge eight existing state agencies into four new state agencies**. These new agencies would be the Commonwealth Office of Management and Budget (OMB), the Department of Business, Tourism and Workforce Development (DBTWD), the Department of Local Government and Community Affairs (DLGCA) and the Department of Health and Human Services (DHHS). Each merger in the legislation will require the adoption of a strategic plan detailing how the agencies described in the legislation are to be combined. To provide adequate time to prepare for the mergers, the legislation gives seven months following the effective

date to develop the strategic plan. Referred to State Government, Jan. 11, 2021.

Impact: Would merge the Department of Labor & Industry with functions from the Department of Community & Economic Development and the Department of State. It ensures economic development programs are under one department.

**HB 47.** Introduced by Representative Matthew D. Dowling (R-Fayette). This bill would **merge eight existing state agencies into four new state agencies**. These new agencies would be the Commonwealth Office of Management and Budget (OMB), the Department of Business, Tourism and Workforce Development (DBTWD), the Department of Local Government and Community Affairs (DLGCA) and the Department of Health and Human Services (DHHS). Each merger in the legislation will require the adoption of a strategic plan detailing how the agencies described in the legislation are to be combined. To provide adequate time to prepare for the mergers, the legislation gives seven months following the effective date to develop the strategic plan. Referred to State Government, Jan. 11, 2021. Reported as amended, Jan. 27, 2021. First consideration, Jan. 27, 2021. Laid on the table, Jan. 27, 2021.

Impact: Creates the Department of Local Government and Community Affairs (DLGCA) to address local community needs and concerns.

**HB 49.** Introduced by Representative Paul Schemel (R-Franklin). This bill would **merge eight existing state agencies into four new state agencies**. These new agencies would be the Commonwealth Office of Management and Budget (OMB), the Department of Business, Tourism and Workforce Development (DBTWD), the Department of Local Government and Community Affairs (DLGCA) and the Department of Health and Human Services (DHHS). Each merger in the legislation will require the adoption of a strategic plan detailing how the agencies described in the legislation are to be combined. To provide adequate time to prepare for the mergers, the legislation

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gives seven months following the effective date to develop the strategic plan. Referred to State Government, Jan. 11, 2021.

Impact: Would merge the Department of Health and the Department of Human Services into one agency.

**HB 50.** Introduced by Representative Seth M. Grove (R-York). This bill would introduce a proposed constitutional amendment to require any **supplemental spending** to be approved in a standalone bill by the General Assembly. Referred to Appropriations, Jan. 11, 2021.

Impact: Would set forth a constitutional amendment process to require any supplemental spending to be approved in a standalone bill by the General Assembly.

**HB 51.** Introduced by Representative Timothy J. O'Neal (R-Washington). This bill is part of a **Financial Reform Package**. Referred to State Government, Jan. 11, 2021.

Impact: Would require any surplus funds to be deposited into the state's Rainy-Day Fund. Deposits into the Rainy-Day Fund would continue until the state has saved an equivalent to 20% of the commonwealth's total revenue collections.

**HB 52.** Introduced by Representative Andrew Lewis (R-Dauphin). This bill is part of a **Financial Reform Package**. Referred to State Government, Jan. 11, 2021.

Impact: Would establish a State Council on Finances which would consist of 12 members. These members would be the following individuals: Secretary of Revenue; Budget Secretary; The Auditor General; State Treasurer; Director of the Independent Fiscal office; The Minority Chairperson of the Senate Appropriation Committee; The Majority Chairperson of the Senate Appropriation Committee; The Minority Chairperson of the House Appropriation Committee; The Majority Chairperson of the Senate Appropria-

tion Committee; An individual with a background in private or public finance appointed by the governor; An individual with a background in private or public finance appointed by the President Pro-Tempore of the Senate; An individual with a background in private or public finance appointed by the Speaker of the House.

**HB 53.** Introduced by Representative Dawn W. Keefer (R-York). This bill is part of a **Financial Reform Package**. Referred to Appropriations, Jan. 11, 2021.

Impact: Would amend the Commonwealth's Constitution to prevent the creation or use of special funds except for the following reasons: Motor License Fund; Unemployment Compensation Fund; Workers Compensation Fund; State Pension system; ABLE Accounts; TAP Accounts; Any fund paid into by a specific industry for a specific industry.

**HB 71.** Introduced by Representative Ryan Warner (R-Fayette). This bill would establish **spending limits** that the Commonwealth must abide by each fiscal year. The proposed constitutional amendment would limit the amount the Commonwealth's spending may increase, based on a three-year average of the Commonwealth's inflation and population growth. Referred to State Government, Jan. 11, 2021. Laid on the table, Jan. 13, 2021.

Impact: Would amend the Pennsylvania Constitution to establish spending limits that the Commonwealth must abide by each fiscal year.

**HB 85.** Introduced by Representative Dan L. Miller (D-Allegheny). This bill would provide for **students with disabilities** at institutions of higher education. Referred to Education, Jan. 11, 2021.

**HB 87.** Introduced by Representative Dan L. Miller (D-Allegheny). This bill would provide for legislative findings and declarations, for definitions, for **Statewide Independent Living Council (SILC)**, for powers and duties, for State plan, for grants and funding and for compliance with standards;

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repealing provisions relating to assurances of centers for independent living; further providing for allocation of funds by designated State agencies; and making an appropriation. Referred to Human Services, Jan. 11, 2021.

Impact: Would institute updates and changes to Act 139 of 1994 that will modernize its language to be in lockstep with the Federal Workforce Investment Opportunity Act (WIOA). These changes include updated guidance on Pennsylvania Statewide Independent Living Council (PA SILC) board composition, the role of the DSE with PA SILC and CILs, addition of the 5th core services for CILs of transition (youth, institutional settings), federally funded CILs already are required to do this service per WIOA) and a new base level for funding of (\$350,000).

**HB 89.** Introduced by Representative Dan L. Miller (D-Allegheny). This bill would require pharmacies to make **accessible prescription drug container labels** available to individuals who are deafblind and visually-impaired when requested. These labels will be available, at no cost to the consumer, in audio, braille, and large font formats. This measure is modeled off of the best practices released by the United States Access Board in 2013, and will enable individuals with visual impairments to manage their medications securely, independently, and privately. Referred to Health, Jan. 11, 2021.

Impact: Would require pharmacies to make accessible prescription drug container labels available to individuals who are deafblind and visually-impaired when requested. These labels will be available, at no cost to the consumer, in audio, braille, and large font formats.

**HB 92.** Introduced by Representative Dan L. Miller (D-Allegheny). This bill would provide for **intellectual disability and autism** fee schedule rates. Referred to Human Services, Jan. 11, 2021.

Impact: Would amend the Human Services Code requiring that rates for Direct Support Professionals annually be set based on a national market consumer index.

**HB 94.** Introduced by Representative Dan L. Miller (D-Allegheny). This bill would provide for definitions and for **medical excuses from attending school**. Referred to Education, Jan. 11, 2021.

Impact: Would allow for valid medical excuses submitted in a timely manner to not be considered an unexcused absence and lead to medical truancy.

**HB 102.** Introduced by Representative Dan L. Miller (D-Allegheny). This bill would provide access to trained, professional **support services** in every school district across the Commonwealth. Referred to Education, Jan. 11, 2021.

Impact: Would require school districts to evaluate their needs based on school population and requires a necessary complement of school counselors, psychologists, social workers, and nurses to ensure that access to help is not a problem and that case load management is not an issue.

**HB 108.** Introduced by Representative Valerie S. Gaydos (R-Allegheny). This bill would reform state government operations including **Medicaid**. This package will codify the grand jury recommendations along with enacting statutes which mirror federal law to allow the commonwealth to combat fraud in Medicaid and the rest of state government while recouping state tax dollars. Referred to State Government, Jan. 11, 2021.

Third consideration and final passage, Jan. 27, 2021. Referred to State Government, Jan. 28, 2021 [Senate].

Impact: Would require agencies to review their programs and expenditures and assess whether they are highly, moderately or unlikely to be susceptible to an improper payment.

**HB 109.** Introduced by Representative Clint Owlett (R-Tioga). This bill would reform state government operations including **Medicaid**. This package will codify the grand jury recommendations along with enacting statutes which mirror federal law to allow the commonwealth to combat fraud in Medicaid

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and the rest of state government while recouping state tax dollars. Referred to Human Services, Jan. 11, 2021.

Impact: Would increase the penalties for making a false claim against the commonwealth's Medicaid Program under Section 1407 of the Human Services Code. Under this bill the penalty for knowing or causing a fraudulent claim to be submitted would commit a felony of the second degree if the fraudulent claim is \$100,000 or more. If the claim is between \$2,000 and \$100,000 the penalty for the fraudulent claim would be a third-degree felony. If the claim is \$2,000 or less the penalty would be a third-degree misdemeanor.

**HB 114.** Introduced by Representative Dan L. Miller (D-Allegheny). This bill would adopt a **streamlined hiring and promotion process** for qualified individuals with significant disabilities whose physical or mental impairments impact their ability to participate in the competitive hiring and promotion process. Referred to Labor and Industry, Jan. 11, 2021.

Impact: Would amend Part III of Title 71 of the Pennsylvania Code (Civil Service Reform), an appointing authority may noncompetitively appoint an individual with a significant disability to a temporary position when it is necessary to observe an applicant on the job to establish that the applicant is able or ready to perform the duties of the position (trial work period).

**HB 217.** Introduced by Representative Stanley Saylor (R-York). This bill would provide for **additional appropriations** from the General Fund for the expenses of the Executive Department for the fiscal year July 1, 2021, to June 30, 2022. Referred to Appropriations, Jan. 22, 2021. Re-committed to Appropriations, Jan. 27, 2021.

Impact: Would appropriate General Funds for the fiscal year July 1, 2021 – June 30, 2022.

**HB 218.** Introduced by Representative Stanley

Saylor (R-York). This bill would provide for **additional appropriations** from the General Fund for the expenses of the Executive Department for the fiscal year July 1, 2020, to June 30, 2021. Referred to Appropriations, Jan. 22, 2021.

Impact: Would appropriate General Funds for the fiscal year July 1, 2021 – June 30, 2022.

**HB 250.** Introduced by Representative Dan L. Miller (D-Allegheny). This bill would amend the **Public School Code** to add curriculum requirements for Health classes across Pennsylvania to educate students in an age-appropriate manner about mental health, physical disabilities, and developmental disabilities. Referred to Education, Jan. 25, 2021.

Impact: Would require the Department of Education to create curriculum for Health classes that will educate students in an age-appropriate manner about mental health, physical disabilities, and developmental disabilities.

**HB 404.** Introduced by Representative John T. Galloway (D-Bucks). This bill would provide for Statewide **children's mental health ombudsman**. Referred to Human Services, Feb. 4, 2021.

Impact: This legislation would designate an official be tasked with the following responsibilities: will have the authority to advocate on behalf of children with mental disorders; identify barriers to effective mental health treatment; monitor compliance with laws pertaining to children's behavioral health services; and investigate and attempt to resolve complaints regarding violations by an entity regulated by the State which have an adverse effect upon children.

**HB 407.** Introduced by Representative John T. Galloway (D-Bucks). This bill would establish the **School Student Mental Health Assistance Augmentation Account** and provide grants to support school-linked mental health services. Referred to Education, Feb. 4, 2021.

Impact: This legislation would provide for grants to be established to support school-aligned mental health services. These grants can be used by school entities to identify and diagnose mental health conditions among students, fund transportation for children receiving school-linked mental health services when school is out of session, and cover costs associated with delivering telemedicine to school children.

**HB 409.** Introduced by Representative John T. Galloway (D-Bucks). This bill would establish a **mental health care services clearinghouse**. This clearinghouse will serve as a publicly accessible registry of mental health care resources available across the Commonwealth and will accordingly assist school personnel in connecting families to community mental health resources. Referred to Human Services, Feb. 4, 2021.

Impact: Streamlines and makes a publicly accessible site for information on mental health care services that are available in Pennsylvania. This clearinghouse would increase coordination efforts among schools, communities, and mental health providers.

**HB 411.** Introduced by Representative Dan L. Miller (D-Allegheny). This bill would require state-owned buildings and certain places of public accommodation, including auditoriums, convention centers, sports arenas, and amusement parks with a maximum occupancy of 2,000 or more people, to install and maintain at least one **adult changing station**. Referred to Labor and Industry Committee, Feb. 4, 2021.

Impact: Would require state-owned buildings and certain places of public accommodation, including auditoriums, convention centers, sports arenas and amusement parks with a maximum occupancy of 2,000 or more people, to install and maintain at least one adult changing station.

**HB 433.** Introduced by Representative Matthew D. Bradford (D-Montgomery). This bill would provide for **appropriations** for the fiscal year July 1, 2021,

to June 30, 2022. Referred to Appropriations, March 1, 2021.

Impact: Would appropriate General Funds for the fiscal year July 1, 2021 – June 30, 2022.

**HB 464.** Introduced by Representative Karen Boback (R-Columbia). This bill would provide for a primary **caregiver support** program and caregivers of individuals with disabilities. Referred to Human Services, January 14, 2020. Re-referred to Aging and Older Adult Services, Feb. 9, 2021.

Impact: Expands the Family Caregiver Support Program to include caregivers for individuals with disabilities to be eligible for respite and caregiving related service supplies.

**HB 493.** Introduced by Representative Liz Hanbidge (D-Montgomery). This bill would require health insurance policies to provide coverage for **hearing aids** and a resolution that would urge Congress to expand Medicare coverage to include hearing aids. Referred to Insurance, Feb. 10, 2021.

Impact: Would require health insurance policies to provide coverage for hearing aids and a resolution that would urge Congress to expand Medicare coverage to include hearing aids.

**HB 540.** Introduced by Representative Karen Boback (R-Columbia). This bill would provide for youth suicide awareness and prevention and providing for violence prevention and social inclusion. Referred to Education, Feb. 16, 2021.

Impact: Would require schools to implement at least one hour or a standard class period per year of suicide prevention & training, violence prevention training and **social inclusion** training to students in grades six through twelve.

**HB 543.** Introduced by Representative Karen Boback (R-Columbia). This bill would amend the Unemployment Compensation (UC) Law to allow for **reasonable accommodations** to be made for individuals with a disability who are required

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to take the reemployment class. Referred to Labor and Industry, Feb. 16, 2021.

Impact: Would amend the Unemployment Compensation (UC) Law to allow for reasonable accommodations to be made for individuals with a disability who are required to take the reemployment class.

**HB 547.** Introduced by Representative Dan L. Miller (D-Allegheny). This bill would create the Department of Accessibility & Inclusion. Referred to State Government, March 2, 2021.

Impact: Would consolidate several existing programs under a new Department of Accessibility and Inclusion and create a secretary position to serve on the governor's cabinet.

**HB 611.** Introduced by Representative Austin A. Davis (D-Allegheny). This bill would establish the **Direct Care Worker Wage Advisory Board** and providing for its powers and duties; providing for minimum wage for direct care workers and for a direct care worker registry; and imposing penalties. Referred to Labor and Industry, Feb. 24, 2021.

Impact: Would direct the state's Secretary of Human Services to create a Direct Care Worker Wage Board. This board would meet to set a minimum wage for direct care workers, examine ways to grow this field, hear complaints from workers, and create a registry of direct care workers in the state.

**HB 621.** 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, Feb. 24, 2021.

Impact: Would require the Department of State to provide special absentee ballots printed in braille to qualified voters who submit a written request for a special ballot.

**HB 640.** Introduced by Representative Daniel Miller (D-Allegheny) and Representative Patty Kim

(D-Dauphin). This bill would allow students who were enrolled in school with an active IEP when the COVID-19 state of emergency was declared by Governor to continue to be eligible services under Section 1301 of the School Code until twelve months after the expiration of the emergency declaration. Referred to Education Committee, March 11, 2021.

Impact: Would allow parents to decide if their child who is aging out of special education services participates in an additional year to address the loss of supports and transition services during COVID-19.

**HB 649.** Introduced by Representative Kathy L. Rapp (R-Warren). This bill would provide for access to long-term care facilities for **essential caregivers**, for additional safety requirements for residents of long-term care facilities, for suspension of access for essential caregivers and for personal protective equipment for essential caregivers. Referred to Aging and Older Adult Services, Feb. 24, 2021.

Impact: Would allow a designated essential caregiver to be named for each resident of a long-term care facility.

**HB 694.** Introduced by Representative Carol Hill-Evans (R-York). This bill would address the overall needs, including **mental health**, of students to prevent school dropouts. Referred to Education, Feb. 26, 2021.

Impact: Would assist public schools in procuring the services of non-profit organizations that provide evidence-based student support services to help students remove barriers to learning. Specifically, it will create a program that would allocate grants to schools to be used solely for services addressing the overall needs, including mental health, of students to prevent school dropouts.

**HB 909.** Introduced by Representative Melissa Shusterman (D-Chester) and Representative

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Jessica Benham (D-Allegheny). This bill would allow parents of students with IEPs to repeat a school year or students who are aging out of services to opt-in for an additional year due to loss of learning during COVID-19. Referred to Education Committee, March 15, 2021.

Impact: Would allow parents to decide if their child with an IEP repeats the school year to address the loss of educational supports and services during COVID-19.

**SB 40.** Introduced by Senator Kristin Phillips-Hill (R-York). This bill would integrate **behavioral health and physical health services** in Pennsylvania's Medicaid program, **HealthChoices**. Referred to Health and Human Services, Jan. 20, 2021.

Impact: Would coordinate mental health, substance abuse and primary care services in an effort to produce the best outcomes and best care for people with complex health needs.

**SB 65.** Introduced by Senator Patrick Browne (R-Lehigh). This bill would provide for additional **appropriations** from the General Fund for the expenses of the Executive Department for the fiscal year July 1, 2020, to June 30, 2021. Referred to Appropriations, Jan. 20, 2021.

Impact: Would appropriate General Funds for the fiscal year July 1, 2021 – June 30, 2022.

**SB 68.** Introduced by Senator Patrick Browne (R-Lehigh). This bill would provide for additional **appropriations** from the General Fund for the expenses of the Executive Department for the fiscal year July 1, 2020, to June 30, 2021. Referred to Appropriations, Jan. 20, 2021.

Impact: Would appropriate General Funds for the fiscal year July 1, 2021 – June 30, 2022.

**SB 94.** Introduced by Senator Mario M. Scavello (R-Monroe). This bill would provide for a

**loan forgiveness** program for qualified college graduates entering the mental health, intellectual disability and drug and alcohol treatment professions. Referred to Education, Jan. 22, 2021.

Impact: Would provide for a loan forgiveness program for qualified college graduates entering the mental health, intellectual disability and drug and alcohol treatment professions.

**SB 108.** Introduced by Senator Camera Bartolotta (R-Beaver). This bill would intend to preserve access to **ventilator care** in Pennsylvania by dedicating additional Medicaid funding to those facilities already demonstrating a significant commitment to caring for these Pennsylvanians. Referred to Health and Human Services, Jan. 22, 2021.

Impact: Provides increased Medicaid funding to facilities that offer ventilator care in the Commonwealth to address an access to care crisis and incentives for facilities to expand geographic access. This will expand the ability for these care facilities to assist more individuals throughout the state.

**SB 156.** Introduced by Senator Bob Mensch (R-Berks). This bill would allow individuals with disabilities to increase earnings under a new category of **MAWD**, called Workers with Job Success (WJS). Referred to Health and Human Services, Referred to Health and Human Services, Feb. 2, 2021.

Impact: Would create a new category under MAWD that would allow for a higher earning level for an individual with disabilities who has participated in the MAWD program for the previous 12 consecutive months. Under this new category, individuals would contribute a larger percentage towards their medical assistance benefits and still be able to retain access to their benefits.

**SB 171.** Introduced by Senator Vincent J. Hughes (D-Montgomery). This bill would provide appropriations for the fiscal year July 1, 2021,

to June 30, 2022. Referred to Appropriations, March 2, 2021.

Impact: Would appropriate General Funds for the fiscal year July 1, 2021 – June 30, 2022.

**SB 195.** Introduced by Senator Judy Ward (R-Blair). This bill would revise the **Caregiver Support Program** (CSP) to enhance the services provided to families and caregivers. Referred to Aging and Youth, Feb. 10, 2021.

Impact: Would update the PA Family Caregiver Support Act in the following ways: removes the statutory Caregiver Support Program (CSP) monthly care plan cost cap, allowing it to be set by the department; removes the \$300 monthly aggregate average reimbursement limit for all CSP cases; removes the CSP home modification lifetime limit, allowing it to be set by the department; and updates terminology and definitions to include caregivers of individuals with disabilities.

### Resolutions

**HR 47.** Introduced by Representative Melissa L. Shusterman (D-Chester). This resolution would increase the fee paid to **guardians** from \$100 to \$300. Referred to Judiciary, Feb. 9, 2021.

**HR 49.** Introduced by Representative Francis X. Ryan (R-Lebanon). This resolution urges Congress of the United States to fund the costs associated with **special education**. Referred to Education, Feb. 10, 2021.

**HR 50.** Introduced by Representative Liz Hanbidge (D-Montgomery). This resolution urges Congress to expand Medicare coverage to include **hearing aids**. Referred to Insurance, Feb. 10, 2021.

**HR 54.** Introduced by Representative Brian Sims (D-Philadelphia). This resolution recognizes **discrimination** against women, people of color, LGBTQ+ people, people with disabilities and other marginalized groups as a public health issue threatening the safety of Pennsylvanians. Referred to Health, Feb. 17, 2021.

**SR 39.** Introduced by Senator Scott Martin (R-Lancaster). This resolution designates March 21, 2021 as “World Down Syndrome Day” in Pennsylvania. Referred to Rules & Executive Nominations Committee, March 11, 2021.

## NATIONAL NEWS

### FEDERAL BUDGET 2022

President Biden has not yet released his proposed budget for the federal fiscal year 2021-2022 that begins on October 1, 2021. The budget blueprint typically is presented in February, however, for a new administration, it is often delayed. The President’s budget, when available, will be posted [here](#).

### PRESIDENT BIDEN SIGNS INTO LAW THIRD COVID-19 EMERGENCY RELIEF

On Thursday, March 11th President Biden signed the third COVID-19 Emergency Relief legislation, the American Rescue Plan. This legislation includes key priorities of the disability community:

- \$12.7 billion of dedicated funding for one year to strengthen and expand Medicaid Home and Community Based Services (HCBS).
- 7.35% FMAP increase for one year
- Economic Impact Payments of \$1,400 per person, including for adult dependents
- Extension and expansion of tax credits to cover COVID leave, so that families can support loved ones while care is interrupted.

Read more about the American Rescue Plan’s impact to the disability community at: [New COVID-19 Response Legislation Finally Recognizes Urgent Needs of People with Disabilities](#)

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## **CONGRESS PASSES THREE YEARS FUNDING FOR MONEY FOLLOWS THE PERSON**

Congress has extended funding for the [Money Follows the Person](#) program for three years. This critical funding helps people with disabilities and seniors move back home after time in an institution, nursing home, or other large congregate setting.

## **DR. RACHEL LEVINE CHOSEN AS ASSISTANT HEALTH SECRETARY**

President Joe Biden has picked [Pennsylvania Health Secretary Rachel Levine](#) to be his assistant secretary of health. Read more at: [Biden Picks PA's Dr. Levine](#).

## **CMS ANNOUNCES SPECIAL ENROLLMENT PERIOD FOR HEALTH COVERAGE**

The Centers for Medicare and Medicaid Services (CMS) opened a special enrollment period (SEP) for federal marketplace health coverage. As a result of the COVID-19 pandemic, CMS opened a SEP from February 15 to May 15 for individuals in states that use the federally facilitated marketplace (healthcare.gov). Additionally, several states with states-based marketplaces have also [announced](#) special enrollment periods. Pennsylvania's enrollment period was opened on February 15th and will close on May 15, 2021. Go to: [PA State Based Marketplace - PENNIE](#).

## **AMTRAK ACCEPTING CLAIMS IN DOJ SETTLEMENT**

The Department of Justice recently announced the opening of the Compensation Fund in their 2020 settlement with Amtrak. More information on how to submit a claim can be found here: [\\$2.25 Million Fund Available in Justice Department Settlement with Amtrak](#).

# **RESOURCES**

## **PATF NEW PILOT PROGRAM**

Pennsylvania Assistive Technology Foundation announces a new one-year pilot program starting mid-January, 2021. Mini-Loans will be available for amounts between \$100 and \$7,000 with no interest and no fees. These Mini-Loans can purchase such devices as hearing aids, stair glides, and smart home technology, all while building credit with every on-time repayment. Applicants must demonstrate the willingness and ability to repay the loan. Learn more at [PATF's website](#).

## **AUTISM COLLABORATIVE CENTERS OF EXCELLENCE**

Geisinger ADMI, with support from the Rite Aid Foundation, has developed some Emergency Preparedness Resources that families can use to help children with autism be prepared in the event of an emergency. To access these resources and others related to safety go to the COVID-19 Resources tab at the [Autism Collaborative Centers for Excellence website](#).

## **UNIVERSITY OF NORTH CAROLINA RELEASES REPORT OF PA'S PRE-K COUNTS PROGRAM**

The University of North Carolina, with support from the William Penn Foundation, has released a report studying Pennsylvania's publicly funded Pre-K Counts program. This is the first statewide analysis since the program began in 2007. The report focuses on two parts of the study: program implementation and pre-k impact for kindergarten students – Report of PA's Pre-K Counts Program. You can also read the [Pre-K for PA campaign's reaction](#) to the report.

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## **NEW INFOGRAPHIC: HOW RACISM CAN AFFECT CHILD DEVELOPMENT**

What could society look like if racial disparities in health and learning outcomes didn't exist? According to extensive studies, the U.S. would save billions in health care costs alone. This infographic from the Center on the Developing Child, Harvard University explains in basic terms how racism in particular gets under the skin, and affects learning, behavior, and lifelong health. You can view the infographic here: [Infographic on Impact of Racism](#).

## **EVERYDAY LIVES 2020: RECOMMENDATIONS, STRATEGIES, & PERFORMANCE MEASURES**

Members of the Information Sharing and Advisory Committee (ISAC) developed recommendations to achieve the vision in Everyday Lives. Access the publication at: [Everyday Lives: Values in Action](#).

## **OFFICE OF DEVELOPMENTAL PROGRAMS (ODP) RELEASES 2019-2020 ANNUAL DATA REPORT**

The ODP Annual data report provides statistical information to educate stakeholders about the individuals ODP serves and the services they receive. This data provides an important overview of the service system ODP oversees that supports individuals with disabilities. Read the report here: [ODP 2019-2020 Annual Data Report](#).

## **TIP SHEETS FROM PATTAN**

- [Families to the MAX Tip Sheet: Presuming Competence](#) – This tip sheet lists ways to reflect “presuming competence” in the Individualized Education Program.
- [Middle School Success: The Path to Graduation \(P2G\)](#) – P2G is a process designed to build local educational agencies' (LEAs') capacity to support middle school students with emotional behavioral disorders

(EBD) in achieving high school graduation and decreasing the likelihood of dropping out before graduating.

- [Supporting Families Through the Transition Process From Infant/Toddler EI to Preschool EI](#) – This guide will help you plan and learn about procedures during times of transition. It has timelines for when your child turns three and leaves the Infant/Toddler Early Intervention (EI) program and transitions to the Preschool EI program.
- [Pennsylvania's Approach to the National Agenda \(PANA\)](#) – PANA contains a set of goals and actions that are designed to ensure positive educational outcomes for youth with visual loss, and these goals support the State Performance Plan Indicators that correspond with the areas of the National Agenda.

## **STUDENTS EXPERIENCING HOMELESSNESS IN PA: NEW EVIDENCE OF UNDER-IDENTIFICATION AND INEQUITY**

Research For Action recently released their newest policy brief in the [PACER](#) series, [Students Experiencing Homelessness in PA: New Evidence of Under-Identification and Inequity](#). Lack of access to permanent, adequate, and affordable housing affects students and their families across Pennsylvania. Struggles with income, housing, and homelessness are only worsening during the COVID-19 pandemic – a pattern that will likely lead to even more Pennsylvania students living in temporary and homeless settings. Read it here: [Students Experiencing Homelessness in Pennsylvania: New Evidence of Under-Identification and Inequity](#).

## **POSITIVE APPROACHES JOURNAL**

Sexuality and Social Connectedness Part I. Factors like high rates of abuse, neglect, sexual assault, domestic violence, coupled with the need to develop healthy relationships impresses the importance

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to educate and support individuals in the areas of healthy relationships and sexuality. The articles in this issue aim to support and inspire new ways to address the needs individuals with Intellectual and Developmental Disabilities and Autism have with sexuality and social connectedness. The reader will find strategies to combat the effects on relationships in the face of necessary community restriction measures put in place because of the COVID-19 pandemic. By enhancing our understanding of these areas, we hope we can help to build a community with meaningful and healthy connections, foster healthy sexuality, and continue to move towards best practice for the individuals we support and serve. This issue of Positive Approaches Journal is in digital form, available for viewing online or for downloading at: [Positive Approaches Journal: Sexuality and Social Connectedness Part 1](#).

## NAVIGATING ENCOUNTERS WITH FIRST RESPONDERS SURVEY

People with disabilities are often unprepared to navigate encounters with first responders, especially when they are in a crisis situation. To learn about what is happening now and how people are being prepared to interact, West Chester University

and other universities have designed a brief survey. You can complete the survey if you are (a) a professional working in special education and/or related services, and/or (b) a family member of a person with exceptionalities. Participate in the Navigating Encounters with First Responders Survey.

## INFORMATION AND RESOURCES ON TRUANCY

- [Truancy: Understanding Your Rights](#)
- [Education Law Center's Truancy & School Attendance in PA - FAQs](#)

## THE PA 2021 EARLY INTERVENTION AND FAMILY SUPPORT PROGRAM CONFERENCE: LEARNING AND SHARING TO SUPPORT CHILDREN AND FAMILIES

This conference will bring together families and professionals involved in PA's Early Intervention and Family Support programs at a virtual conference on April 27 & 28, 2021. As more information becomes available, it will be posted on the EITA Portal at Early Intervention Technical Assistance Portal.

# CONTACT PIE

Contact the PIE Team with any questions, comments, suggestions, or information to share at PIE, c/o The Arc of Pennsylvania, 1007 Mumma Road, Suite 100, Lemoyne, PA 17043, by email at [pie@thearcpcpa.org](mailto:pie@thearcpcpa.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@thearcpcpa.org](mailto:pie@thearcpcpa.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](http://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.

Go to our digital version of Slice at <https://www.paddc.org/publications/slice-of-pie/> to access the links.

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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@thearcpa.org](mailto:pie@thearcpa.org). Thank you.

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THE ARC OF PENNSYLVANIA

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