Dateline: October 5, 2012

DRN Files Lawsuit to Stop Human Services Block Grant, General Assistance Cuts

On October 1 the Disability Rights Network of Pennsylvania (DRN), together with Community Legal Services and private co-counsel, filed a lawsuit in Pennsylvania Commonwealth Court to challenge the constitutionality of Act 80 of 2012 (formerly House Bill 1261). The Petitioners have also filed an Application for a Preliminary Injunction to stop DPW from implementing Act 80 which eliminated General Assistance cash benefits effective August 1, 2012 and created the pilot block grant program authorizing the PA Department of Public Welfare (DPW) to select 20 counties that will be permitted to divert at least part of various county human services allocations to fund other types of social services. The lawsuit contends that the PA General Assembly disregarded procedural protections in the Pennsylvania Constitution when it enacted Act 80 in June of 2012, in the closing hours of the last fiscal year, without opportunity for required debate and consideration. The lawsuit says that Act 80 violates the state constitution because its final purpose changed from its original purpose and because it contains more than one subject, and, in fact, contains at least seven discrete subjects, ranging from the elimination of General Assistance cash benefits to the establishment of the block grant program for county human services to extensions of foster care subsidies for youth aged 18 to 21 to changes in welfare to work requirements to extensions of an assessment on nursing facilities. The lawsuit also notes that neither chamber of the legislature considered the bill on three separate days. The lawsuit says that the pilot block grant program also violates the state constitution because it authorizes DPW and the counties to spend funds on services and programs other than those for which the General Assembly appropriated the funds and because it constitutes an unlawful delegation of legislative authority to the Executive. Finally, the lawsuit alleges that, regardless of its constitutionality, DPW violated the Commonwealth Documents Act in its implementation of the Pilot Block Grant Program by failing to promulgate written standards or criteria concerning its implementation, including the criteria used to select participating counties. To read the lawsuit, see http://drnpa.org/drn-files-lawsuit-to-challenge-constitutionality-of-act-80-of-2012/

HB 2699 to Increase Number of Counties in Human Services Block Grant

Legislation was recently introduced in the PA House of Representatives to expand the current Human Services Development Block Grant pilot program. House Bill 2699 would increase the number of participating counties from 20 to 30. Under Act 80 of 2012, a block grant pilot program was established. It currently only allows for 20 counties to participate. House Bill 2699 would allow the 10 counties that recently applied but were not selected as pilot counties to reapply for the expanded slots for fiscal year 2012-13. In the event that one of the 10 counties that were not selected does not seek to reapply, additional counties will have the opportunity to apply for that spot. The block grant concept was included as part of the Welfare Code of the 2012-13 state budget. For additional information on this bill, contact State Representative Jerry Knowles office 124th District, Pennsylvania House of Representatives, by calling (570) 668-1240. FMI: Phone 717.705.2032 FMI: See www.legis.state.pa.us.
PARF NEWS
Dateline: October 5, 2012

DPW BHSL Releases Licensing Reference Guide

On October 5 the PA Department of Public Welfare (DPW) Bureau of Human Services Licensing (BHSL) released to state provider associations its Licensing Reference Guide. The handbook is a quick reference tool for communicating with BHSL. The document is different than the Regulatory Compliance Guides which are to be developed for every regulation. (See article below: DPW Seeks Comment on Regulatory Compliance Guides for Licensing and Inspection. BHSL says that the regulatory compliance guides are months away from development.) If you have any questions or comments about the reference guide, contact BHSL. The handbook is for facilities and agencies subject to: 55 Pa.Code Chapter 2380; 55 Pa.Code Chapter 2390; 55 Pa.Code Chapter 3800; 55 Pa.Code Chapter 6400; and 55 Pa.Code Chapter 6500. FMI: Contact BHSL at RA-pwarlheadquarters@state.pa.us or by mail to: Bureau of Human Services Licensing, 625 Forster Street - Room 631, Harrisburg, PA 17120.

DPW Seeks Comment on Regulatory Compliance Guides for Licensing and Inspection

The PA DPW Bureau of Human Services Licensing (BHSL) is revising the current licensing inspection instruments to provide clearer explanations of the regulatory requirements. BHSL is seeking preliminary comment and asking for recommendations to be sent to the DPW on the conduct of inspections. BHSL is especially seeking comment in advance of their completing the Regulatory Compliance Guides, draft revised instruments which will provide a detailed explanation of each regulatory requirement, including expectations for compliance, guidelines for measuring compliance, and the primary benefit of the requirement. BHSL will create draft versions of the guides for public comment, and ultimately release final version of the guide after comments have been received and incorporated as appropriate. BLHS is seeking any information– including suggested changes, additional information, or constructive criticism. Comment can be sent (a) By email: RA-pwarlheadquarters@state.pa.us - Subject line: RCG Input; (b) By Fax: (717) 783-5662 - ATTN: RCG Development Unit; By Phone: 1 (866) 503-3926; and by Post: Bureau of Human Services Licensing, 625 Forster Street, Room 631, Harrisburg, Pennsylvania 17120, ATTN: RCG Development Unit.

PA Insurance Department Declines to Select Essential Health Benefits Package

On September 26 PA Insurance Department notified the U.S. Department of Health and Human Services (HHS) that the Commonwealth could not make decisions by September 30 about the development of health insurance exchanges and other issues related to the implementation of the Affordable Care Act (ACA), including the designation of essential health benefits (EHB). HHS officials asked states to express their EHB preferences. EHB preference announcements were due on September 30. HHS has said that it will choose a benchmark plan for states that fail to recommend their own benchmark preferences. The Insurance Department maintains that the federal guidance is incomplete and in some cases ambiguous regarding the specific requirements for essential health benefits. The Department did include in its letter to HHS its Essential Health Benefits Study Summary, a report by Deloitte Consulting LLP (dated August 29, 2012) that explored various issues that are to be addressed in establishing essential health benefits. FMI: See http://www.portal.state.pa.us/portal/server.pt/community/health_insurance/9189/federal_health_insurance_reform/713453.
PA Legislation to Stop Creation of a State-Based Health Insurance Exchange

On October 1 Rep. Scott Perry (R-York/Cumberland) introduced House Bill 2655 which, if enacted, would prevent Pennsylvania from creating or participating in a state-based health insurance exchange, which is required by the federal Affordable Care Act (ACA). Perry says that his opposition stems from a provision in the ACA that states “an exchange may not establish rules that conflict with, or prevent the application of regulations promulgated by the federal Secretary of Health and Human Services.” He added the ACA continuously cites that the federal government will have the final say in all insurance plans offered by the exchange. Perry said he supports the concept of using a state block grant to improve Medicaid in Pennsylvania. House Bill 2655 has been referred to the House Health Committee. FMI: See State Representative Scott Perry (92nd District, Pennsylvania House of Representatives). FMI: Contact Raymond Smith at rsmith@pahousegop.com. Phone 717.705.1834.

HR 879 Requires Study of DPW Co-Payments for Services to Children

On October 1 PA Representative Gene DiGirolamo (R-Bucks), chairman of the PA House Human Services Committee, secured committee approval for a resolution directing a comprehensive study of the new copayment structure affecting up to 50,000 Pennsylvania families caring for children with developmental and physical disabilities, According to DiGirolamo, some families are being forced to make the copayments, beginning on October 1 others on November 1. House Resolution 879, which gained broad bipartisan support from the committee and from more than 70 members, directs the Legislative Budget and Finance Committee (LBFC) to conduct a study of DPW’s proposal to begin collecting copayments. DiGirolamo contends that not enough structure is in place to start the process and some children may be harmed if their services are disrupted. The resolution was drafted to help ensure that the policy is structured equitably and uniformly. The resolution now goes to the full House for consideration. If passed by the House, the resolution also strongly urges DPW to delay the new copayments until the study is completed. FMI: See http://www.pahousegop.com/NewsItem.aspx?NewsID=15374

PA Rally for Medicaid on October 17

The My Medicaid Matters press conference and rally will be held on October 17 at the State Capitol in Harrisburg. The rally is being held to demonstrate the importance of Medicaid in supporting Pennsylvanians and to oppose initiatives and proposals of the Corbett administration to reduce and limit Medicaid services. Organizers warn that community services could be doomed when state government begins to act on Medicaid reform. Rally sponsors are seeking support from other organizations and pledge to continue their efforts. Rally participants will meet at 12 Noon at the Fountain Plaza at the Capitol. The rally will begin at 1:00 pm. Participants will meet with their legislators at 2:00 pm. Organizations are being encouraged to send their talking points about the needs of the people they support and the role of Medicaid in providing services and supports to Cassie James at cassiejames@libertyresources.org or Linda Anthony at lanthony@drnpa.org. Any donations should be sent to ADAPT by emailing Nancy Salandra at nancysalandra@libertyresources.org.
PA Commonwealth Court Decides Voter ID Not Required in PA Election in 2012

On October 2 PA Commonwealth Court Judge Robert Simpson issued a preliminary injunction, enjoining enforcement of those provisions of Act 18 which amend the provisional ballot procedures of the Election Code and would cause voter disenfranchisement based on failure to present photo ID for in-person voting. Commonwealth Court Judge Simpson decided to extend the “trial run” period of the law, initially intended for the 2012 primary election, all the way through the general election in November. Other elements of the law, including public education efforts about the rule as well as instruction that poll workers request voter ID, will continue. However, voters without an ID will not need to cast a provisional ballot. Judge Simpson said that he decided the changes occurred too close to the election to avoid the risk of disenfranchising voters. Judge Simpson said that he accepted the argument that in the remaining five weeks before the general election, the gap between the photo IDs issued and the estimated need will not be closed. It is expected that the injunction is likely to remain in force through November 6. See http://www.pacourts.us/T/Commonwealth/ and scroll down to Cases of Special Interest - Voter/Photo ID Law (Act 18) - Docket and selected postings - 330 M.D. 2012

PA Governor Corbett & Secretary Aichele: Voter ID Requested in PA, Not Required

In response to PA Commonwealth Court Judge Robert Simpson’s decision on the Voter ID law, PA Governor Tom Corbett and PA Secretary of State Carol Aichele said on October 2 that they were pleased with the decision to uphold the constitutionality of the voter ID law and that they would continue efforts to make sure every registered voter has the proper identification for the next election and all future elections. Secretary Aichele said that the same procedure used in the spring primary will be in effect for the upcoming election: Voters will be requested to show ID, but ID will not be required to vote. She said that the Commonwealth will continue its education and outreach efforts to let Pennsylvanians know the voter ID law is still on track to be fully implemented for future elections. FMI: For more information, visit www.pa.gov. See http://www.politicspa.com/voter-id-takes-over-corbett-romney-presser/42014/.

Deadline to Register to Vote in November Election is October 9

Tuesday, October 9, is the final day to register to vote in the November 6 general election. Applications from Pennsylvanians registering for the first time, changing their address or changing their party affiliation must be postmarked or delivered to the applicant’s county board of elections by the close of business on Tuesday, October 9. Individuals applying to register to vote for the November 6 election must be: a citizen of the United States for at least one month before the election; a resident of Pennsylvania and the election district in which the individual desires to register and vote for at least 30 days before the election; and at least 18 years of age on or before November 6. The PA Department of State has said that residents may apply in person at a county voter registration office; the PA departments of Public Welfare or Health; PennDOT photo and driver license centers; Armed Forces recruitment centers; county clerk of orphan’s courts or marriage license centers; area agencies on aging; county mental health and mental retardation offices; student disability services offices of the State System of Higher Education; offices of special education in high schools; and Americans with Disabilities Act-mandated complimentary para-transit providers. Information on voter registration is available at www.votesPA.com or by calling 1-877-VOTESPA (1-877-868-3772).
DPW Delays Co-payment Initiative

On October 5 the PA Department of Public Welfare (DPW) Secretary Gary Alexander released a statement about the DPW co-payment initiative for families of eligible children with mental and physical disabilities. Under the DPW initiative some families with children with disabilities would be required to pay up to 5 percent of gross household income as copayments for medically necessary services (See the initial announcement August 11 edition of the Pennsylvania Bulletin at http://www.pabulletin.com/secure/data/vol42/42-32/1551.html. See also September 29 edition of the Pennsylvania Bulletin http://www.pabulletin.com/secure/data/vol42/42-39/1915.html). The rule on copayment would affect families making 200 percent or more of the federal poverty level guidelines. For a family of four with an income of $50,000, the family would be expected to pay around $2,500 in copayments, or about 5 percent of their total household income. In his October 5 statement, Secretary Alexander said: “The department has always preferred the option of applying a premium to this program and will be working with stakeholders who have come to us in support of a premium as opposed to the co-payment. Therefore, we have decided to delay the co-payment initiative, and families will not owe a co-payment for any services until further notice. Stakeholders have clearly indicated to the department an understanding of the need for families to contribute to this program. With the delay, there is an opportunity to work with stakeholders to continue to pursue the premium from the federal Centers for Medicare and Medicaid Services. We look forward to working with them in achieving this shared goal. Once a decision is reached, we will immediately inform any affected families.” FMI: See www.state.pa.us for the October 5 DPW announcement.

Call for Repeal of Policy on DPW Copayment

In response to the announcement by the PA Department of Public Welfare (DPW) that the copayment initiative was being delayed (see story above), PA House Democratic Policy Chairman Mike Sturla (D-Lancaster) applauded the decision. Sturla said that it would have caused extreme financial hardship for thousands of families in PA. In September families and advocates joined the legislator at a Capitol rally and called on DPW to abandon the plan. Sturla said he and many legislators sent a letter to Governor Tom Corbett this past week asking him to reconsider the plan. He noted due to a change in state law in 2011, DPW was granted the authority to bypass any formal review of the copayment policy. Sturla said that he would seek a complete repeal of the plan. FMI: See http://www.pahouse.com/PR/096100512.asp.

PA Senate Passes Legislation Amending the State's Power of Attorney Law

On October 1 the Pennsylvania Senate approved SB 1092, making changes to the State's powers of attorney law to protect against abuse by those who hold power of attorney. The bill would give courts more power to act if financial abuse is suspected. It would require the signature of those granting power of attorney to be acknowledged in the presence of a notary public. In addition, the bill provides for a notification of the consequences of powers of attorney be issued to those granting someone power of attorney. The bill addresses the State Supreme Court decision in Vine v. Commonwealth in which it was decided that third parties, such as retirement systems or financial institutions, can no longer rely on the validity of a power of attorney without an investigation to confirm its legitimacy. FMI: See http://www.pasenategop.com/news/2012/1012/greenleaf-100112.htm.
PA Reports FY 2012-2013 YTD Revenue Collections Higher than Budget

On October 1 the PA Department of Revenue announced that Pennsylvania general fund revenue collections were ahead of budget to date for FY 2012-2013. In September the Commonwealth collected $2.4 billion in General Fund revenue ($43.9 million, or 1.8 percent, more than anticipated). As a result fiscal year-to-date General Fund collections totaled $6.1 billion – that is, $10.7 million (or 0.2 percent) above estimate. Personal income tax revenue and corporation tax revenue were categories higher than estimated for September and for the year to date. Personal income tax (PIT) revenue in September was $947.9 million ($10.8 million above estimate). Year-to-date PIT collections are $2.4 billion ($24.5 million, or 1 percent, above estimate). September corporation tax revenue of $536.2 million was $77.1 million above estimate, and year-to-date corporation tax collections were $705.2 million ($86.4 million, or 14 percent, above estimate).

The amounts that are below budget projections for the month of September and year to date are revenues from sales tax receipts, inheritance tax revenue, and realty transfer tax revenue. Year-to-date sales tax collections total $2.2 billion, which is $70.2 million, or 3 percent, less than anticipated. Inheritance tax revenue year-to-date totals $189.8 million, which is $18 million, or 8.7 percent, below estimate. Realty transfer tax revenue fiscal-year-to-date totals $88.6 million – which is $2.1 million, or 2.4 percent, less than anticipated. Other General Fund tax revenue, including cigarette, malt beverage, and liquor and table games taxes year-to-date total $363 million, which is $13.8 million, or 3.8 percent, below estimate. Non-tax revenue year-to-date is $82 million, which is $4.1 million, or 5.2 percent, above estimate. In addition to the General Fund collections, the Motor License Fund year-to-date is $610.3 million ($3.3 million, or 0.5 percent, above estimate). FMI: See www.revenue.state.pa.us and www.state.pa.us.

Governor Corbett Announces Departure of Health Secretary Eli Avila

On October 4 PA Governor Tom Corbett announced that Secretary of Health Dr. Eli N. Avila has resigned his cabinet post. Dr. Avila, 51, a practicing physician and attorney, served as a chief deputy commissioner of health for Suffolk County, New York, before joining the Corbett administration. In submitting his resignation Avila said that he planned to pursue other interests. Michael Wolf, the department’s current executive deputy secretary, will serve as acting secretary until Corbett names Dr. Avila’s successor. PARF wishes Dr. Avila well in future endeavors. FMI: See www.state.pa.us.

Deputy Secretary Kevin Friel to Leave DPW ODP for Passavant Memorial Homes

On October 1 DPW Deputy Secretary Kevin Friel announced that he will leave the PA Department of Public Welfare (DPW) and the Office of Developmental Programs (ODP) by November 1. In a memo to his staff announcing his departure, Friel said that he accepted a position with Passavant Memorial Homes (PMH) in Pittsburgh as the chief financial officer at Passavant. Secretary Friel said that he would soon offer to ODP staff information on the appointment of an Acting Deputy Secretary for Developmental Programs. Since assuming the leadership of ODP, Deputy Secretary Friel has participated in PARF meetings and events and worked to implement the Commonwealth’s new payment system for services for people with intellectual disabilities. PARF wishes him success in his future work. FMI: Contact PARF at parfmail@parf.org.
**PARF NEWS**

**Dateline: October 5, 2012**

**New OVR Provider Agreement Policy and Procedures**

On October 2 the PA Office of Vocational Rehabilitation released for public comment a draft of the new OVR Provider Agreement Policy and Procedures. OVR asked for comment on the policy. The policy is to be used for any business entity or individual who is going to be providing any type of fee for service to an OVR customer. This policy will distinguish providers as the employer of record and establish a clear and consistent procedure for the provider approval process. It will establish guidelines and parameters for verification of provider’s professional qualifications and “license” to do business. The purpose of the memorandum is to establish a clear definition of provider whereby the provider releases OVR from any legal and financial responsibility as “employer.” The policy does not apply to participants as providers. Comments must be sent to OVR by October 16th. Send comments to Pamela Brauchli, M.Ed., Vocational Rehabilitation Specialist, PA Department of Labor & Industry, Office of Vocational Rehabilitation, 1521 N. 6th Street, Harrisburg, PA 17102. Phone 717.783.9964 | Fax 717.783.5221. Email pbrauchli@pa.gov. FMI: See [www.dli.state.pa.us](http://www.dli.state.pa.us).

**ODP Year 5 Cost Report Website is Available**

On October 1 the PA DPW Office of Developmental Programs issued *ODP Announcement 089-12* reporting that the ODP Year 5 Cost Report website is now available. ODP said that the announcement is to inform Waiver Direct Service Provider staff who have a role in completing cost reports for Year 5 (historical reporting period of Fiscal Year 2011/2012), Administrative Entity (AE) staff who will have a role in desk reviews of cost reports, and Office of Developmental Programs (ODP) Regional staff that will have a role in overseeing the desk review process that, the ODP cost report website is now accepting cost report submissions for Year 5. ODP says that providers are able to access this website to submit Year 5 cost reports based on fiscal year 2011/2012 historical data and other supplemental data files. AEs and ODP Regional Office staff can access the website for purposes of facilitating desk reviews of the provider data submissions. FMI: See [www.odpconsulting.net](http://www.odpconsulting.net).

**Applications for 2013 Awards for Continuing Excellence in Delaware Valley**

PARF members in the Philadelphia area should note that applications for the *Inglis 2013 Awards for Continuing Excellence* are now being accepted. The Inglis Awards for Continuing Excellence (ACE) honor the outstanding performance of not-for-profit organizations in the Greater Delaware Valley that provide direct services, products, and/or advocacy for people with physical disabilities. ACE Awards support the Inglis mission and are intended to identify and expand opportunities for people with physical disabilities. Initially established in 2005 as a three-year pilot program, the Inglis Board of Directors has extended the program through June, 2013. Past awards have ranged from $6,700 to $20,000. The Awards are unrestricted grants which reflect and reward past performance. Thus, award funds may be used at the discretion of the recipient organizations. Within one year following the receipt of the Award, winners are to provide a one page report on how they utilized the funds. You may download the full application and guidelines in PDF format at [http://www.inglis.org/pdf/ace_application_2013.pdf](http://www.inglis.org/pdf/ace_application_2013.pdf). FMI: For more information see [http://www.inglis.org/awards.jsp](http://www.inglis.org/awards.jsp).
PARF NEWS
Dateline: October 5, 2012

PARF/UDSMR Training Session on IRF Pre-Admission Process on October 25

PARF/UDSMR 2012 will host a training session on Inpatient Rehabilitation Facility (IRF) Pre-Admission Process at Dixon University, Harrisburg, PA on Thursday, October 25, 2012 from 9:00 am to 3:00 pm. The October 25th PARF training session on the IRF Pre-Admission Process will be presented by Erica Bumpurs, St. Joseph Rehabilitation Hospital, Bryan, TX. Erica Bumpurs is the inpatient rehabilitation facility (IRF) manager at St. Joseph Rehabilitation Hospital in Bryan, Texas. She has practiced as a full-time therapist, transitioned to admissions liaison and served as PPS and outcomes coordinator for the inpatient rehabilitation program. She manages all processes related to the IRF-PAI, FIM® rating and documentation, outcomes reporting and process improvement projects for the inpatient rehabilitation unit and is responsible for managing Medicare compliance for the IRF. The Training session will review the comprehensive preadmission screening process as the key factor in initially identifying appropriate candidates for IRF care. The workshop provides a comprehensive review of the process as outlined in the Medicare Benefit Policy Manual. The session emphasizes: (1) Importance of the pre-admission team; (2) process for selecting the right person for the prescreening position; and (3) responsibilities of the rehabilitation physician in this process. Also included is a review of Medicare’s pre-screen requirements. Registration Fee for PARF members is $249.00 per person and for non-members $289.00 per person. The registration fee includes morning refreshments, lunch and meeting materials. Please forward completed registration forms to parfeducation@parf.org. FMI: See www.parf.org. Contact PARF at parfeduaction@parf.org.

PARF Head Injury Committee to Meet on October 17

The PARF Head Injury Committee will be meeting on Wednesday, October 17, 2012 from 10:00 am to 12:30 pm at the Dixon University Center - 2986 North Second Street, Harrisburg, PA. Virginia Brown, Director, Bureau of Individual Supports, Department of Public Welfare (DPW) Office of Long Term Living (OLTL), will provide an update on Medicaid waiver programs serving people with disabilities, including people with disabilities related to traumatic brain injury. A report on the Pennsylvania Head Injury Program and state planning efforts will also be provided. Planning guidelines for a state budget for FY2013-2014, initiatives on high cost cases, expanded Medicaid funding, legislative advocacy for increasing access to TBI programs are to be addressed. The PA Brain Injury Coalition legislative proposals and PARF state/federal legislative agenda for 2012-13 will also be discussed. FMI: Contact PARF at parfmail@parf.org.

PARF Human Resources Committee Meeting on October 25

The PARF Human Resources Committee will meet on Thursday, October 25 from 10:00 a.m. to 12:30 p.m. at the Dixon University Center at 2986 North Second Street, Harrisburg, PA 17110. At the October 25 PARF Human Resources Committee meeting members will review and discuss various topics, including state and federal budgets, the impact of funding decisions on human resources, and challenges to human resources in the human services field in 2013. Members will also develop an agenda for 2013 that reflects the concerns and needs of human resources managers in PARF and the Pennsylvania Community Providers Association (PCPA). An update on the joint planning and collaboration between PARF and PCPA will be provided. Human resources directors and managers of PCPA-member organizations have been invited to attend. FMI: Contact PARF at parfmail@parf.org.
President Obama Signs Six-Month Continuing Resolution

On September 28 President Barack Obama signed a six-month stopgap spending bill (HJR 117), which provides fiscal 2013 appropriations for continuing federal projects and activities for the new fiscal year beginning today, October 1, through March 27, 2013. The measure had bipartisan support in both the House and Senate. It remains unknown when and how lawmakers will finish regular fiscal 2013 appropriations. Congress is now in recess and is not expected to return to session until after the November elections. The House and Senate are both scheduled to resume work in Washington on November 13. Discretionary spending levels in the CR are set at an annualized level of $1.047 trillion, in line with the cap set by last year’s Budget Control Act (BCA, PL 112-25). Most programs and agencies are funded at fiscal 2012 levels plus an increase of 0.612 percent. The bill (HJR 117) also extends several mandatory programs for the duration of the CR, including Temporary Assistance for Needy Families (TANF) and the Supplemental Nutrition Assistance Program (SNAP). On Friday, September 28, the White House Office of Management and Budget (OMB) released OMB Bulletin No. 12-02 to federal agency heads on the apportionment of the continuing resolution for fiscal 2013. The bulletin instructs agencies to “continue normal spending and operations” under both this CR and any future extensions of this CR unless the bulletin is subsequently amended. In brief, OMB has advised federal agencies to disregard the potential January 2 sequestration at this time, noting that the bulletin will be amended if necessary in the event that sequestration takes place. FMI: See http://www.whitehouse.gov/omb/bulletins_default. See also www.whitehouse.gov.

AARP & UHF Report on Family Caregivers Providing Complex Chronic Care

The AARP Public Policy Institute and the United Hospital Fund have issued the results of the first nationally representative population-based online survey of 1,677 family caregivers to determine what medical/nursing tasks they perform. Among the findings of the report are: (1) Almost half (46%) of family caregivers performed medical/nursing tasks for care recipients with multiple chronic physical and cognitive conditions; (2) Three out of four (78%) family caregivers who provided medical/nursing tasks were managing medications, including administering intravenous fluids and injections; (3) Caregivers found wound care very challenging, more than a third (38%) wanted more training; and (4) Most family caregivers who provided help with medical/nursing tasks believed they were helping their family member avoid institutionalization. The report reveals the complexity and difficulty of specific tasks, the lack of support and training family caregivers receive, and the effect on their quality of life. The findings highlight an urgent need for both individual and collective action. The report makes ten recommendations, including: (a) A consensus-building body should revisit measures used to define what caregivers do; (b) Accrediting and standard-setting organizations should strengthen their oversight of how well institutions meet family caregiver needs and require corrective steps to address deficiencies; and (c) Academic and government researchers should conduct further studies to understand medical/nursing tasks performed by different types of family caregivers and their needs for training and support. See www.aarp.org. See http://www.aarp.org/research/ppi/
National Disability Employment Awareness Month in October

National Disability Employment Awareness Month (NDEAM) is held annually in October. NDEAM is a time to celebrate the many and varied contributions of America's workers with disabilities. The theme for this year's observance is "A Strong Workforce is an Inclusive Workforce: What Can YOU Do?" Organizations across the country are participating in a variety of ways. FMI: See NDEAM 2012 Presidential Proclamation at http://www.whitehouse.gov/the-press-office/2012/10/01/presidential-proclamation-national-disability-employment-awareness-month. See Assistant Secretary Martinez's NDEAM blog post — "The Value of Work" at http://social.dol.gov/blog/ndeam-2012-the-value-of-work/. See Assistant Secretary Martinez's video address http://www.dol.gov/dol/media/webcast/20120918-martinez. To obtain NDEAM resources and to learn how your organization can participate in NDEAM see http://www.dol.gov/odep/topics/ndeam/resources.htm

Presidential Proclamation on National Disability Employment Awareness Month 2012

On October 1 President Barack Obama issued the 2012 Presidential Proclamation on National Disability Employment Awareness Month urging all Americans to embrace the talents and skills that individuals with disabilities bring to the nation’s workplaces and communities and to promote the right to equal employment opportunity for all people. The proclamation begins: "In the 22 years since the signing of the Americans with Disabilities Act, we have made significant progress in giving all Americans the freedom to make of our lives what we will. Yet, in times of prosperity as well as challenge, people with disabilities have had fewer opportunities in our workplaces than those without. As we work to revitalize our economy, it is essential that each of us can bring our talents, expertise, and passion to bear in the marketplace. But a stronger economy is not enough; we must ensure not only full participation, but also full opportunity. During National Disability Employment Awareness Month, we recognize the indispensable contributions people with disabilities make in our economy and recommit to building a country where each of us can realize the full extent of our dreams." Read the full text of the proclamation at the following link: http://www.whitehouse.gov/the-press-office/2012/10/01/presidential-proclamation-national-disability-employment-awareness-month.

BLS Reports on Improved Employment Rate for People with Disabilities

The U.S. Department of Labor's Bureau of Labor Statistics has reported that the national unemployment rate dropped to 7.8% last month. The total nonfarm payroll employment rose by 114,000. Employment increased in health care and in transportation and warehousing but changed little in most other major industries. BLS also reported disability employment statistics for September, showing an unemployment rate of 13.5 percent among people with disabilities, down from 13.9 percent in August. The percentage of people with disabilities in the labor force was 21.1 percent, and the percentage of people with no disability in the labor force was 69.3 percent. See http://www.bls.gov/news.release/empsit.t06.htm.
HHS OIG Releases FY 2013 Work Plan

On October 2 the U.S. Department of Health and Human Services (HHS) Office of Inspector General (OIG) released its Fiscal Year 2013 Work Plan, summarizing new and ongoing reviews and activities that OIG plans to pursue with respect to HHS programs and operations during the next fiscal year (FY) and beyond. The OIG Work Plan outlines the HHS OIG current focus areas and states the primary objectives of each project. Among the reviews and activities that have been scheduled in the work plan are: Inpatient Rehabilitation Facilities—Transmission of Patient Assessment Instruments; Inpatient Rehabilitation Facilities—Appropriateness of Admissions and Level of Therapy; Independent Therapists—High Utilization of Outpatient Physical Therapy Services; Partial Hospitalization Programs—Services in Hospital Outpatient Departments and Community Mental Health Centers; Medicaid Waivers—Quality of Care Provided Through Waiver Programs; Medicaid Waivers—Supported Employment Services (New); Medicaid Waivers—Adult Day Health Care Services (New); Medicaid Waivers—Unallowable Room and Board Costs (New); Community Residence Rehabilitation Services; Continuing Day Treatment Mental Health Services; and Personal Care Services—Compliance With Payment Requirements. FMI: To access the work plan see https://oig.hhs.gov/reports-and-publications/workplan/index.asp#current. See also https://oig.hhs.gov.

U.S. Department of Education Observes the 39th Anniversary of the Rehabilitation Act

On October 1 U.S. Department of Education hosted an observance of the 39th anniversary of the Rehabilitation Act. As part of the event, Secretary of Education Arne Duncan addressed leaders from the disability community: “The strength of the American dream lies in its accessibility to all,” Secretary Duncan said. “The best way to celebrate this important anniversary is to renew our common commitment to ensuring equal opportunity for people with disabilities in school, in the workplace, and throughout our public life.” In addition, the Department of Education's Office for Civil Rights (OCR) released Disability Rights: Enforcement Highlights, published to commemorate the 39th anniversary of Section 504, and reviewing OCR's work over the last three years to enforce this important civil rights statute. See the press release about the anniversary event at http://www.ed.gov/news/press-releases/secretary-duncan-white-house-officials-join-disability-stakeholders-commemoratin. Read the full text of Disability Rights: Enforcement Highlights at the following link: http://www2.ed.gov/documents/news/section-504.pdf

FEMA Announces 2012 Community Resilience Innovation Challenge

On September 27 the U.S. Federal Emergency Management Agency (FEMA) announced that the application period is open for a new funding opportunity to build local resilience, through a Whole Community approach, in communities across America: the Community Resilience Innovation Challenge. Funding levels will range, with a maximum award of $35,000, and applications are open to most local, state, and tribal agencies and governments; business entities; associations; organizations and groups. Submissions will be accepted through October 26. Key assessment areas for the awards will be the applicants’ demonstration that their approach to community resilience is innovative, collaborative with community stakeholders, sustainable, repeatable in that the approach enables other communities to replicate their successful outcomes. FMI: See http://www.fema.gov/news-release/fema-announces-2012-community-resilience-innovation-challenge.