



## **The CARES Act and Disability Priorities**

\*\*\*Please note that this is a non-exhaustive list that we will continue updating as we review the legislation.

### **What's in the bill?**

- “Recovery rebate” payments, which are direct cash payments meant to provide financial assistance to people during the crisis, are available to all people, including people on SSI and SSDI, and won't count against means tested programs like Medicaid.
  - NOTE: Most people will receive these automatically, however, people on SSI with dependent children under age 17 will need to use this [electronic portal](#) set up by the IRS to ensure they receive the full amount they are entitled to.
- Non-profit Medicaid providers can take advantage of the small business loans, unlike in earlier versions of the bill, which excluded them.
- Additional funding for:
  - Housing for people with disabilities
  - Nutrition assistance
  - Centers for Independent Living (CILs)
  - Some aging programs
- Temporary protections against evictions and foreclosures
  - These protections do not cover everyone and we will urge expansion in future legislation
- Funding to states to help with crisis response
- Education funding, including for the provision of special education services
- Does not allow states to seek waivers of the Individuals with Disabilities Education Act (IDEA)
  - NOTE: The CARES Act does authorize the Secretary to report to Congress on the potential need for waivers to IDEA and the Rehabilitation Act, so we'll be closely monitoring this issue
- Extended [Money Follows the Person](#) (MFP) funding and spousal impoverishment provisions through November 30, 2020
- Allows people receiving home and community based services (HCBS) under 1915c waivers to have their direct support professional assist them during a short-term hospital stay (this was already allowed under other HCBS authorities)
- Funding to assist states with voting as states are moving to absentee and mail-in voting

### **What's not included in the bill?**

- Specific funding for HCBS

- Bills were introduced by Sen. Casey ([S. 3544](#)) and Rep. Dingell ([H.R. 6305](#)) that would have provided HCBS grants to states that were not included in the final bill, despite advocacy from disability groups
- Permanent reauthorization of MFP
- Additional federal matching funds for Medicaid
  - The Families First Act provided a 6.2% increase in funding, which is a good start but states will need more to support their Medicaid systems through this crisis. The CARES Act did not include the additional funding called for by disability groups and others.
- Increased funding for Social Security and SSI
- Fixes to the paid leave provisions in the Family First Act to include coverage of caretakers for adults with disabilities whose programs have closed or care workers are sick
- Recognition of direct care workers as essential personnel, so they can access personal protective equipment (PPE) and other important resources necessary keep themselves and those they support safe
- 90-day refills of prescriptions and medical supplies
  - NOTE: This was included for Medicare, but not for Medicaid, CHIP, or private insurance and also does not include people with disabilities who rely on controlled substances
- Language directing the US Department of Health and Human Services' Office of Civil Rights (HHS OCR) to issue guidance about illegal disability discrimination in rationing of care