



## **Senate HEALS Act and Disability Priorities**

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

You can find a comparison between the HEALS Act and the HEROES Act passed by the House in May [here](#), and bill text and summaries for both the HEALS Act and the HEROES Act can be found [here](#).

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

- Additional “recovery rebate” payments (like those passed in the Families First Act), which are direct cash payments meant to provide financial assistance to people during the crisis
  - Would ensure adults with disabilities who are claimed as dependents are eligible for the \$500 dependent credit
- Supplemental unemployment insurance in the amount of \$200 per week until October, which will then change to a supplement meant to replace 70% of the person’s prior wages
  - Until July 31, 2020, the federal government is providing \$600 per week, so the \$200 per week proposed in the HEALS is a huge cut.
- \$75 million in funding for the Administration for Community Living
  - This includes \$10 million dedicated to Developmental Disabilities Act programs, \$3 million for a demonstration program meant to help recruit and retain direct care workers, and \$20 million for support services for family caregivers
- Funding for housing programs, including rental assistance
- \$105 billion in additional education funding
- Funding for substance use prevention and treatment, suicide prevention, and community mental health services, as well as emergency response grants to address COVID-19 related behavioral health needs.

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

- Immunity from liability for harm related to COVID-19 for any business, non-profit, school, medical provider, or medical professions in the vast majority of circumstances
  - This is incredibly dangerous. It threatens the safety of people with disabilities and older adults in congregate settings, makes it easier for employers to escape liability for discrimination and safety violations in the workplace, and allows for businesses to refuse to accommodate disabled people.

- Beginning in October, supplemental unemployment compensation counts as income when calculating eligibility for need-based programs like Medicaid
- Two-thirds of the additional educational funding is available only once there is a plan in place for reopening schools

### **What's not in the bill that should be?**

- Dedicated federal funding dedicated specifically to home and community based services (HCBS) and additional funding for states' Medicaid programs
  - We are advocating for the funding in the HEROES Act passed by the House: a 14% point increase in federal funding to Medicaid and an additional 10% point increase in federal funding for HCBS
  - We are working to ensure that the definition of HCBS is clarified to include community-based mental health services and that the funding has strong maintenance of effort provisions (MOE), to prevent states from taking Medicaid coverage away from anyone or implementing changes that would make it harder to get Medicaid coverage during the pandemic
- Permanent reauthorization of the [Money Follows the Person](#) (MFP) program
  - Under the CARES Act, the program is extended until November 30, 2020
- A two-month special enrollment period to allow people to get health insurance on the ACA marketplace
- Expansion of the emergency paid sick and family and medical leave provided under the Families First Act and extension of the supplemental unemployment compensation provided under the Families First Act
- Increased funding for Social Security and SSI
- Hazard pay for direct care workers
- Requirements for and funding to assist states with expanded absentee and mail-in voting and same day voter registration
- 90-day refills of prescriptions and medical supplies
  - NOTE: The CARES Act did include this for Medicare, but not for Medicaid, CHIP, or private insurance or people with disabilities who rely on controlled substances and the HEALS Act does not expand on that coverage
- Disaster relief that is responsive to the needs of the disability community, which will be disproportionately impacting by additional disaster events that occur during the COVID-19 pandemic, as in the [Real Emergency Access for Aging and Disability Inclusion \(READI\) for Disasters Act](#) (S. 1755) and the [Disaster Relief Medicaid Act \(DRMA\)](#) (HR. 3215/S. 1754)
- Expanded eviction and foreclosure protection
- Additional nutrition assistance
- Funding to state and local governments to help with crisis response