



NRCPS Alert

August 7, 2009

This Public Policy Alert is produced by the [National Resource Center for Participant-Directed Services](#) (NRCPS) for NRCPS members. The purpose of this Alert is to provide members with public policy information pertinent to participant direction and the work of the NRCPS. This Alert is being disseminated to existing NRCPS members as well as Cash & Counseling states currently contemplating membership. Future Alerts will be a membership benefit. To sign up for your introductory year of membership, please contact Kristin Simone at simonek@bc.edu or 617-552-0620.

If you have topics for future Public Policy Alerts, please contact our lead for Public Policy, Erin McGaffigan at ebmcgaffigan@verizon.net or 781-944-1853.

1. The NRCPS is seeking feedback for the CMS Advanced Notice of Proposed Rulemaking for 1915(c) regulations. A teleconference is scheduled for solicitation of input. The Centers for Medicare and Medicaid Services (CMS) is seeking input to inform proposed changes to Medicaid 1915 (c) regulations pertaining to combining populations and defining "home and community." The NRCPS will host a teleconference for members and potential future members on August 18, 2009 from 4-5 pm EST. A component of this call will be used to solicit comments to be incorporated into one document produced by the NRCPS for CMS.

[Get More Info, including call in information](#)

2. The Department of Health and Human Services (HHS) is seeking comment on adjustments to the third quarter of Fiscal Year 2009 Federal Medical Assistance Percentage (FMAP) rates. The purpose is to seek comment on the methodology for calculating the higher federal matching rate that is made available under Section 5001 of the American Recovery and Reinvestment Act of 2009 (ARRA).

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3. Housing Choice Vouchers available for "Non-Elderly Disabled." On June 22, 2009, HUD released a Proposed Notice of Funding Availability (NOFA) which - once issued in final

- will make 4,000 new Housing Choice Vouchers available for non-elderly individuals who are transitioning from institutional settings or are "at risk" of institutionalization.

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4. The NRCPDS is seeking your input on our upcoming Financial Management Services Workshop. NRCPDS is pleased to host the third biennial National Financial Management Services (FMS) Workshop in Baltimore, MD. The Workshop is slated for November 2009 and we are excited that IRS staff specializing in participant direction tax issues will present sessions at the workshop and be available to answer questions. Information on the exact date and location of the workshop is coming soon.

We would love your feedback about this workshop. We will discuss the workshop during the phone call on August 18. We would also love your feedback via [our online survey](#).

5. Three new reports and tools compare leading health care reform proposals and outline key characteristics that could expand support for home and community-based services. Reports are available on hcbs.org, links provided below.

[Long-Term Care in Health Care Reform: Policy Options to Improve Both](#)

[Side-by-Side Comparison of Major Health Care Reform Proposals](#)

[The Future of Long-Term Care: What Is Its Place in the Health Reform Debate?](#)

6. The NRCPDS hosted the first ever in-person National Participant Network (NPN) Retreat, July 29th and July 30th in Washington, D.C. This event, bringing together existing NPN members, NRCPDS staff, and additional stakeholders was a great success. Participants of self direction from seven states were present. A state partner perspective was provided thanks to Debbie Anderson (Kentucky) and Dianne Kayala (Rhode Island and now the NRCPDS).

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7. The NRCPDS welcomes Althea McLuckie as our new National Participant Network (NPN) Coordinator. Ms. McLuckie, who will support the coordination and growth of the NPN, is a great addition to the NRCPDS family given her NPN member experience and involvement in extensive stakeholder engagement efforts.

[Get More Information](#)

Full Text: The NRCPDS is seeking feedback for the CMS Advanced Notice of Proposed Rulemaking for 1915(c) regulations. A teleconference is scheduled for solicitation of input. The Centers for Medicare and Medicaid Services (CMS) is seeking input to inform proposed changes to Medicaid 1915 (c) regulations. More specifically, CMS is soliciting advance public comment on:

1. the merits of providing States the option to combine or eliminate the existing three permitted waiver targeting groups, and
2. the most effective means to define "home and community."

The NRCPPDS has created a summary of this Advanced Notice for Proposed Rulemaking for NRCPPDS members ([see summary](#)). The NRCPPDS will host a teleconference for members and potential future members on August 18th, and a component of this call will be used to solicit comments for CMS. This teleconference will take place:

Date: August 18, 2009
Time: 4-5 pm EST
Call in line: 866.587.0333
Participant Code: *8662849*

Sign up for this teleconference is strongly encouraged to assess interest. Please email ebmcgaffigan@verizon.net by August 14th to RSVP.

If you are unable to attend this teleconference and would still like to provide feedback on the CMS Advanced Notice for Proposed Rulemaking, please email your comments to Erin McGaffigan **by August 18, 2009** at ebmcgaffigan@verizon.net. Feedback is due to CMS on August 21st.

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Full Text: The Department of Health and Human Services (HHS) is seeking comment on adjustments to the third quarter of Fiscal Year 2009 Federal Medical Assistance Percentage (FMAP) rates under the Implementation of Section 5001 of the American Recovery and Reinvestment Act of 2009 (ARRA). A brief summary of some of the major points is provided below. Please review the entire announcement for a comprehensive understanding.. The full announcement is available at [here](#). Feedback is due to HHS by August 19, 2009. Feedback must be provided through regular mail.

Purpose of Announcement:

- For HHS to seek comment on the methodology for calculating the higher federal matching funding that is made available under Section 5001 of the American Recovery and Reinvestment Act of 2009 (ARRA). Temporary increase in Federal Medical Assistance Percentage (FMAP) rates is/will take place during a recession adjustment period defined as October 1, 2008 through December 31, 2010.
- Percentages listed are for the third quarter of Fiscal Year 2009 (April 1, 2009 through June 30, 2009). HHS is seeking comments from the public on the proposed calculation methodology.

Background:

- Federal Medical Assistance Percentage (FMAP) is used to determine the amount of Federal matching for specified State expenditures under the Social Security Act. Health

and Human Services is required to publish FMAP rates each year.

- The Secretary calculates FMAP while taking into consideration formulas in 1905(b) and 1101 (a) (8) (B) as well as Department of Commerce statistics (average income per person in each State and for the Nation as a whole).
- Percentages for D.C., P.R., Virgin Islands, Guam, American Samoa, and Northern Mariana Islands are specified in statute (not based on formula).

Proposed Change to FMAP:

- FMAP rates are temporarily increased to allow for the following:
 1. Maintenance of FMAP rates for FY 2009, FY 2010, and first quarter of FY 2011
 - FMAP rate will not decrease from the prior year
 - May use FMAP rate from current year, the highest rate from 2008-2010, or the rate calculated for the current fiscal year
 2. In addition to maintenance increase, application of a FMAP increase of 6.2 percentage points
 3. An additional percentage point increase based on the State's increase in unemployment during the recession adjustment period (October 1, 2008 through December 31, 2010)
 - Resulting increased FMAP cannot exceed 100 percent.
 - Each State's FMAP is recalculated each fiscal quarter beginning October 2008.
 - States with an unemployment rate that has increased at a rate above a statutory threshold percentage has access to additional relief above the 6.2 percentage points.
 - A table of proposed rates is provided at the end of the notice.

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Full Text: 4,000 Housing Choice Vouchers available for "Non-Elderly Disabled."

(Pulled directly from provided text) On June 22, 2009, HUD released a Proposed Notice of Funding Availability (NOFA) which - once issued in final - will make 4,000 new Housing Choice Vouchers available for non-elderly individuals transitioning from institutional settings or are "at risk" of institutionalization. A [PowerPoint document and letter](#) were developed under a CMS technical assistance grant by Advocates for Human Potential. The PowerPoint provides an overview of the NOFA as well as guidance to State Medicaid and HCBS waiver programs regarding engaging your local PHAs and facilitating an application to HUD for the available vouchers. Although you will find these materials helpful, please note that the comment period for NOFA is now closed.

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Full Text: The NRCPS hosted the first ever in-person National Participant Network

(NPN) Retreat, July 29th and July 30th in Washington, D.C. This event, bringing together existing NPN members, NRCPDS staff, and additional stakeholders was a great success. Participants of self direction from seven states were present. A state partner perspective was provided thanks to Debbie Anderson (Kentucky) and Dianne Kayala (Rhode Island and now the NRCPDS). Meeting participants discussed NPN successes as well as potential challenges to be considered as the NPN grows to include participants from a wide range of participant direction opportunities across the country.

The NPN was created over two years ago to encourage the growth of the participant/representative voice in Cash & Counseling and to enhance and sustain Cash & Counseling opportunities across the nation. With the launch of the NRCPDS, it seems appropriate to broaden the membership and mission of the NPN beyond Cash & Counseling. Discussions on just how to do this successfully while building on previous lessons learned are occurring.

To assist with these discussions and the identification of concrete next steps, some of the NPN Retreat agenda topics included:

- How big should the NPN grow and how fast?
- What should NPN member outreach look like?
- What should NPN members keep in mind as they decide to connect with existing participant groups in their states and/or build their own local network?
- What should training for NPN members look like?

We are pleased that Debbie Anderson (Kentucky) and Dianne Kayala (Rhode Island) attended the NPN Retreat to provide insight on the NPN's future collaboration with state partners. Funders as well as potential new partners (e.g., individuals from the veterans' community) were invited and participated in the brainstorming process.

The NRCPDS sees the NPN as a priceless resource for ensuring our work at the NRCPDS is participant-driven. We hope NRCPDS members find the NPN to be an invaluable resource in the future as well. New outreach materials for the NPN have been drafted and will soon be ready for broad dissemination. We will share these materials with you once they are complete; we encourage you to share the materials with existing participant and advocacy groups to seek NPN members from your state.

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interested in learning more, please do not hesitate to contact Althea at (575) 770-2278 or mcluckie@unm.edu.

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To ensure you are included in future alerts, please sign up for **NRCPDS Membership!**
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