

## 2019 Public Policy Agenda Executive Summary and Talking Points

The 2019 legislative session provides many opportunities to advance initiatives that will lead to greater independence for people with intellectual and other developmental disabilities (I/DD).

**Below is an overview of the legislative priorities for The Arc of Indiana.**

*\* indicates 1102 Task Force Recommendation*

### Fiscal Related:

#### **HB 1488 -- 1102 Task Force Recommendation Legislation**

Rep. Clere (R-New Albany) and Rep. Karickhoff (R-Kokomo) are spearheading this legislation and Rep. Greg Porter (D-Indianapolis) is also a co-author. This legislation will include several key issues put forth as recommendations from the 1102 Task Force. In addition, the bill will include language allowing for the Task Force to remain intact and requiring them to meet at least bi-annually to receive reports from FSSA regarding the status of implementation of the final report recommendations.

#### **The major issues outlined in the bill are:**

##### **Increase the wages paid to Direct Support Professionals (DSPs) create a sustainable system that attracts and maintains the DSP workforce. \***

Our goal is to get the DSP hourly wage to \$15/hour which would be a 15% increase in Medicaid waiver rates. Although this is a major fiscal request, we need to stay strong on our message that we need to get to that \$15/hour in order to be competitive with other job markets. See attached sheet for more information.

##### **Support efforts to create a crisis management system for people with disabilities. \***

Indiana's crisis program ended in 2010 due to state budget cuts however, people continue to be in crisis every day. We need to create a program that would be available to people with intellectual and developmental disabilities, including those with a co-existing condition of a mental health diagnosis. Currently most mental health centers will not provide assistance to someone with a diagnosis of an I/DD. A program would be beneficial to help people through difficult times and would likely create efficiencies elsewhere within the system.

##### **Support legislation that revises the priority categories for our Medicaid waivers and allows for some expansion for people with I/DD to transition out of their family home.\***

Some people with an I/DD may need access to the CIH Waiver but not meet the specific parameters currently outlined in statute. This new language will provide the Director the discretion to provide a CIH waiver to someone they feel needs it.

**Increases funding for Vocational Rehabilitation Services to ensure appropriate staffing needs to address resource and program shortfalls and assist those who need to utilize the programs. Direct DDRS to create a plan to move out of Order of Selection and serve all categories by 2021.\***

The House bill will focus on directing the Division on Disability and Rehabilitative Services (DDRS) to come up with a plan to serve all eligible for Vocational Rehabilitation Services by 2021 and move Indiana out of Order of Selection. As state leaders talk about workforce development we must make sure they are including people with intellectual and developmental disabilities.

#### **HB 1216 -- Increase funding for Indiana's early intervention program, First Steps**

This program has been under-funded for nearly a decade and has witnessed many rate cuts dating back to the early 2000's. As a program that provides critical early intervention services to babies, birth to 3 years of age, this program is the most capable of having a proactive impact for the state to save dollars. Many babies who receive early intervention services graduate no longer needing services through special education or Medicaid. Rep. Clere (R-New Albany) authored the bill to provide for an appropriation that a state instructed fiscal analysis report identified. In addition to the appropriation, the bill will create an efficiency within the system for those families who qualify for TANF, SNAP or Medicaid so they do not need to show proof of income more than once.

#### **HB 1565 – Support legislation that calls for an increase in the cigarette tax as long as revenue raised from the increased tax goes toward health related programs, including First Steps and improving Medicaid rates which will help the DSP workforce crisis.**

Rep. Cindy Kirchhofer (R-Indianapolis) will introduce legislation to increase Indiana's cigarette tax by \$2.00/pack. Though there is some resistance, Indiana has seen an extraordinary increase in the cost of health care and in certain health conditions, all contributable to smoking. Mothers who continue to smoke often give birth to premature and/or low birth weight babies, whom are eligible for First Steps services. We support this initiative and want a portion of the new revenue to go towards funding for First Steps and Medicaid.

**Support additional funding to increase rates for case management services.**

We consider the case manager the quarterback of the service team for people with disabilities. We support an increase in case management rates to ensure that appropriate time is spent on case management and quality case managers can be attracted and retained.

**Support legislation that increases the availability of reliable, affordable transportation.**

A major barrier for people with intellectual and developmental disabilities to get to work, medical appointments and to be active members of their community is the lack of access to affordable, dependable public transportation. The Arc of Indiana is working with a coalition of transportation providers to support an increase in the Public Mass Transit Fund.

**Non-Fiscal Related:**

**Support workforce legislation that could lead to increased employment opportunities for people with disabilities.**

**Seek workforce legislation that is directed at educating Indiana businesses about the positive outcomes associated with hiring people with disabilities and having an inclusive workforce. \***

Many workforce bills are being discussed. Senator Vaneta Becker (R-Evansville) drafted **SB 500** directing IEDC to review tax incentives to ensure and encourage an inclusive workforce. In addition, Rep. Holli Sullivan (R-Evansville) authored **HB 1002** which is the Governor's workforce legislation. Rep. Sullivan is aware that people with disabilities need to be a part of the workforce solution but no language regarding people with disabilities has been included yet.

At a time when our state is experiencing such a low unemployment rate, yet employers are in need of thousands of workers, we need to make sure that people with disabilities are seen as a potential solution to much of the workforce crisis. We know that a workforce inclusive of people with disabilities improves morale of the entire workforce; increases productivity and worker comp claims go down.

**Support bias crimes legislation that increases sentencing to offenders who commit crimes solely based on a person having a disability.**

**HB 1020** authored by Rep. Tony Cook (R-Westfield) is expected to be the bias crimes/hate crimes legislation that moves. There are numerous bills introduced on the issue and though bills have come close to passing for the last several years, this year seems more likely as Governor Holcomb has made it a priority for his legislative team. People with disabilities are unfortunately a target at times for certain crimes and offenses. We want to support efforts that allows a judge to take the specific targeting

of a crime victim into consideration for sentencing. Though people with disabilities are already a protected class, we are part of the Coalition to support making the statute broader.

**Seek legislation to include supported decision making as an alternative to guardianship. \***

Senator Eric Koch (R-Bedford) has filed **SB 380** that will put into statute supported decision making as an alternate to guardianship for people with disabilities as well as those who are elderly. Supported decision making allows for people to get some of the needed guidance and support they need on some important and critical issues but it allows for them to remain the primary decision maker and it does not remove their civil rights.

**Seek legislation to create a priority category for Indiana's Medicaid Waivers to serve active military families. \***

**HB 1296** authored by Rep. Dennis Zent (R-Angola) supports Indiana's major initiative to attract active military families and veterans. Families have reached out noting that access to the Family Support Waiver is important to those families who have a loved one with an I/DD. Currently the waiting list for the FSW is 18 months and though the state targets 300 individuals per month, these families many times go without needed services because they move before they get targeted. This legislation would allow military families to move to the top of the waiting list. Without this type of prioritization, many people with I/DD go without much needed services simply because their family who are serving in the military move often.

**Other Legislation that has been presented to The Arc to prioritize:**

**SB 190** authored by Senator Vaneta Becker (R-Evansville) and co authored by senator Mark Stoops (D-Bloomington). Updates the accessible symbol and removes the word "handicapped" from certain code sites.

**SB 525** authored by Senator Houchin (R-Salem) regarding the alternate diploma. The intent of the bill is to make sure the alternate diploma is available only to those students where the case conference committee determines that is the most appropriate diploma.

**SB 559** authored by Senator Houchin (R-Salem) and **HB 1350** authored by Rep. Ed Clere (R-New Albany) provides for a tax credit for deposits into an ABLÉ account to mirror 529 tax credits.

**HB 1117** authored by Rep. Mike Karickhoff (R-Kokomo) and co-authored by Ed Clere (R-New Albany) regarding managed care. The language is a continuation of HEA 1493 from 2015 which allowed for a carve out of certain elderly populations for any new managed care initiatives. The bill will include a carve out from any new managed care initiatives for the I/DD population that currently utilize Medicaid waivers and group home living. Senator Vaneta Becker (R-Evansville) is expected to have a mirror bill in the Senate.