

DC Update

June 1, 2009

Congress returns this week after a week long Memorial Day recess. Upon their return, FY 2010 appropriations, including health reform, will be a priority on the agenda. Also, last week's announcement of Supreme Court nominee, Sonia Sotomayor, from President Obama will require time in the Senate's schedule for confirmation hearings. Many disability groups have reviewed her previous rulings and are encouraged by her understanding of disability issues. NACBHDD will keep members updated as the confirmation process moves forward.

Medicare

Representatives Lucille Royal-Allard (D-CA) and Pete Sessions (R-TX) introduced the Guidance, Understanding, and Information for Dual-Eligibles Act of 2009 (GUIDE), H.R. 2390. The bill would create a three year Medicare prescription drug outreach demonstration program. This program would assist individuals with behavioral health and cognitive and mental disabilities who are eligible for both Medicare and Medicaid (dual eligibles) navigate the Medicare Part D prescription drug program.

Housing

Prior to recess, Congress has passed the Helping Families Save Their Home Act, S. 896. Included was an amendment for the Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH Act)—a bill to reauthorize the Department of Housing and Urban Development's (HUD) McKinney-Vento Homeless Assistance programs. President Obama signed the legislation on May 20, 2009. The legislation reauthorizes, improves, and increases funding for the McKinney-Vento Homeless Assistance Programs, the primary federal funding source of rental subsidies for permanent supportive housing for people with disabilities. It also continues and strengthens the programs' emphasis on funding for permanent supportive housing for people with disabilities.

The legislation authorizes \$2.2 billion in funds. The funds can be used for rental subsidies, support services, or capital funding for permanent supportive housing.

Hearing Held on Restraint and Seclusion

House Education and Labor Committee chairman George Miller (D-CA) recently held a hearing on the use of seclusion and restraint used in schools. Federal law regulates these activities in hospitals, residential treatment centers and other facilities receiving federal

funds, however no protections exist for children in public and private schools. The General Accountability Office (GAO) recently released a report, *Seclusions and Restraints: Selected Cases of Death and Abuse at Public and Private Schools and Treatment Centers* (<http://www.gao.gov/new.items/d09719t.pdf>). The report included hundreds of allegations since 1990, a number of which include children with disabilities.

Congressional Briefing on Law Enforcement and People with Serious Mental Illness

This week a Congressional briefing on law enforcement interactions with individuals with mental illness will be held. The briefing will highlight a recent report completed by the Council of State Governments Justice Center titled: *The Law Enforcement Response to People with Mental Illnesses: A Guide to Research-Informed Policy and Practice*. Check the following link to view the report: <http://consensusproject.org/downloads/le-research.pdf>

Presenters include:

- Fred Osher, M.D. Director, Health Systems and Services Policy, Council of State Governments Justice Center, study co-author;
- Judge Steven Leifman, Special Advisor on Criminal Justice and Mental Health, Supreme Court of Florida;
- Art Wallenstein. Director, Montgomery County Department of Correction and Rehabilitation, MD; and
- Fred Frese, Ph.D., a psychologist who is a leading expert and spokesperson on serious mental illnesses, diagnosed with schizophrenia at age 25.

As Congress convenes this week, check for email alerts and future DC Updates for more information. Should you have any questions, please contact Maeghan Gilmore, mgilmore@nacbhd.org or Melissa Stein, mstein@nacbhd.org.