



# Capitol Insider



*Week of March 7th, 2016*

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The Arc's  
Public Policy

Disability  
Related Bills

## Major Events Last Week

### **Autism – Bipartisan Bill Introduced to Address Wandering By Children with Autism Spectrum Disorder (ASD) and Other Developmental Disabilities**

Kevin and Avonte's Law ([S. 2614](#)) was introduced by Senators Chuck Grassley (R-IA) and Chuck Schumer (D-NY), the Chairman and Ranking Member, respectively, of the Senate Judiciary Committee on March 1. This legislation reauthorizes [an existing program](#) designed to assist in locating persons with dementia who wander from safe environments and it adds new support for children with developmental disabilities, including ASD. It allows Justice Department grants to be used to develop training and emergency protocols, supply first responders with additional information and resources, and make local tracking technology programs available for individuals who may wander because of their condition. The Arc supports this legislation as it seeks to prevent and reduce the harm from wandering (or "elopement") by the [27% of children](#) with developmental disabilities who are reported to wander from safe settings each year. Read Senator Grassley's statement for the Congressional Record [here](#).

### **Autism – Federal Health Program to Require Applied Behavior Analysis (ABA) Coverage**

The U.S. Office of Personnel Management (OPM) [announced](#) that all health plans within the Federal Employees Health Benefits Program – which covers federal employees, retirees and their dependents – must include ABA therapy starting next year. "OPM has now determined that appropriate coverage of ABA treatment by all plans/options is necessary," according to a letter sent to insurance carriers. "Therefore, for the 2017 plan year, carriers may no longer exclude ABA for the treatment of autism spectrum disorder (ASD). We expect all carriers to offer clinically appropriate and medically necessary treatment for children diagnosed with ASD," the letter states. This directive is a victory for advocates who have fought for years for ABA to be recognized as an evidence-based treatment by insurers. To date, legislation has been passed in 43 states requiring at least some insurance plans to cover ABA.

### **Education – Education Department Seeks Comments to Address Disproportionality in Special Education**

The U.S. Department of Education posted a notice of proposed rule making on disproportionality in special education on March 2. The agency is seeking ways for states to help ensure that minority students aren't overrepresented in the identification, placement, and discipline of students with

disabilities. This effort comes in response to [documented disparities](#) across the country, with minority students in many districts far more likely to be identified as having disabilities and more frequently facing suspensions and other discipline. The [proposed rule](#) would require states to use a standardized approach to assess representation in special education across racial and ethnic groups. In cases where school districts have a “significant disproportionality,” the rule would allow more flexibility in how they use funding allocated under IDEA. The proposed rule is available for public comment until May 16.

## **Income Support—House Holds Hearing on Getting Incentives Right: Connecting Low-Income Individuals with Jobs**

Last week, the House Committee on Ways and Means Subcommittee on Human Resources held a hearing on “Getting Incentives Right: Connecting Low-Income Individuals with Jobs.” Witnesses were Mark Wilson, President and CEO of the Florida Chamber of Commerce; Kenyatta Brame, Executive Vice President of Cascade Engineering; Christopher King, Senior Research Scientist and Lecturer at the Ray Marshall Center for the Study of Human Resources, University of Texas at Austin; Barbara Doucet, Corporate Director of Human Resources at Omni Hotels & Resorts; and Laurie Bouillion Larrea, President of Workforce Solutions Greater Dallas. Visit the Committee [web site](#) for more information and to review testimony and watch the [archived video](#).

## **Announcements**

### **ABLE—The Arc’s Center for Future Planning™ to host two webinars on ABLE Act**

Since the passage of the Achieving a Better Life Experience (ABLE) Act, states have been enacting enabling legislation, Congress has amended the law, and federal agencies have been promulgating regulations and issuing guidance.

With these latest developments in mind, The Center for Future Planning™ is hosting two webinars during March to review the basics of the ABLE Act, discuss these developments, and explore what will come next. To register, click on "Registration" next to **Not Started** on the session status line.

- [Tuesday, March 15 at 2:00 pm EDT](#): Marty Ford, Senior Executive Officer for Public Policy at The Arc, will review the basics of the ABLE Act; the recent IRS and SSA decisions and their implications for chapter staff of The Arc and other disability professionals; state program launch information; and major differences between ABLE accounts and special needs trusts (SNTs).
- [Thursday, March 17 at 2:00 pm EDT](#): Marty Ford will be joined by Samantha Crane, Legal Director and Director of Public Policy, Autistic Self Advocacy Network (ASAN). These two experts on the ABLE Act will explore the basics of the ABLE Act; IRS/SSA’s recent decisions and their implications for people with I/DD and their families; state program launch information; as well as the major differences between ABLE accounts and special needs trusts (SNTs).

### **Disability Policy Seminar—Early Registration Closes March 11, 2016**

Please join us at the 2016 [Disability Policy Seminar](#) April 11-13, 2016. The program features sessions on the home and community based settings rule, Medicaid, education policy, and voting rights. Early bird registration ends March 11. Don't miss this opportunity to hear the latest on the issues and meet with your elected officials.