

The Disability and Aging Collaborative &



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

December 15, 2019

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
Washington, DC 20515

The Honorable Charles Schumer
Minority Leader
U.S. Senate
Washington, DC 20515

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, DC 20515

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
Washington, DC 20515

Dear Leaders McConnell and Schumer and Speaker Pelosi and Leader McCarthy,

The undersigned member organizations of the Consortium for Citizens with Disabilities (CCD), Disability and Aging Collaborative (DAC), and other state and national organizations write to urge you to pass the permanent extension of the Money Follows the Person Program (MFP) and Spousal Impoverishment Protections included in the bi-partisan Prescription Drug Pricing Reduction and Health and Human Services Improvement Act. While we have appreciated the short-term extensions passed this Congress, and the 4 ½ year extension that the House passed in June 2019, permanent reauthorization is necessary to ensure that states continue to participate in the MFP program. Several states have already stopped transitions under MFP or even dropped out of the program entirely while awaiting the assurance of long-term funding.

The MFP program provides enhanced funding to states to help transition individuals who want to move out of institutional care and back to the community. The enhanced funding states receive assists with the costs of transitioning people back to the community, including identifying and coordinating affordable and accessible housing and providing additional services and supports to make successful transitions. The program has helped over 91,000 people with disabilities and older adults transition back to their communities.

MFP has consistently led to positive outcomes for people with disabilities and older adults and shown cost-savings to states since it began in 2005. The Centers for Medicare & Medicaid Services (CMS) found an average cost savings of \$22,080 in the first year per older adult participant, \$21,396 for people with physical disabilities, and \$48,156 for people with intellectual disabilities.¹

The program works, and without it, people with disabilities and older adults would be stuck in institutions and other segregated settings. "The most recent empirical analyses suggest that after five years of operating an MFP demonstration, approximately 25 percent of older adult MFP participants and 50 percent of MFP participants with intellectual disabilities in 17 grantee states would not have transitioned if MFP had not been implemented." ² We need a permanent reauthorization so that states know the funding is sustainable.

Medicaid's "spousal impoverishment protections" make it possible for an individual who needs a nursing home level of care to qualify for Medicaid while allowing their spouse to retain a modest amount of income and resources. Since 1988, federal Medicaid law has required states to apply these protections to spouses of individuals receiving institutional LTSS. This has helped ensure that the spouse who is not receiving LTSS can continue to pay for rent, food, and medication while the other spouse receives their needed care in a facility. Congress extended this protection to eligibility for HCBS in all states beginning in 2014, so that married couples have the same financial protections whether care is provided in a facility or in the community.

This common-sense policy ensures that couples can continue to live together in their homes and communities as they age and families can stay together when caring for loved ones with disabilities and conditions such as dementia, multiple sclerosis, or traumatic brain injury. But it is set to expire at the end of this year.

On behalf of people with disabilities and older adults, we request that Congress pass the permanent re-authorization of both Money Follows the Person and HCBS Spousal

¹ <https://www.medicaid.gov/medicaid/ltss/downloads/money-follows-the-person/mfp-rtc.pdf> (Page 11)

² <https://www.medicaid.gov/medicaid/ltss/downloads/money-follows-the-person/mfp-rtc.pdf> (Page 11)

Impoverishment Protections. For additional information or questions, feel free to contact CCD LTSS and DAC co-chair Nicole Jorwic: jorwic@thearc.org.

Sincerely,

Access Living

Aging Life Care Association

American Association on Health and Disability

American Association on Intellectual and Developmental Disabilities

American Civil Liberties Union

American Network of Community Options and Resources (ANCOR)

American Therapeutic Recreation Association

APSE

Association of University Centers on Disabilities (AUCD)

The Arc of the United States

The Arc of Colorado

The Arc of Delaware

The Arc of Indiana

The Arc of Kentucky

The Arc of Massachusetts

The Arc of Minnesota

The Arc of New Jersey

The Arc of New Mexico

The Arc of North Dakota

The Arc of Oregon

The Arc of South Carolina

The Arc of Tennessee

The Arc of West Virginia

Autism Society of America

Autistic Self Advocacy Network

Arkansas Long-Term Care Ombudsman Program

Association of Programs for Rural Independent Living

Autism Speaks

Bay Path Elder Services

Bet Tzedek Legal Services

Buffalo Trace Long Term Care Ombudsman Program

California Advocates for Nursing Home Reform

California Association of Public Authorities for IHSS

California Down Syndrome Advocacy Coalition (CDAC)

California Foundation for Independent Living Centers

Caring Across Generations

Center for Elder Law and Justice

Center for Public Representation

Choice in Aging

Christopher & Dana Reeve Foundation

Coalition of Disability Health Equity

Colorado Cross-Disability Coalition

Community Catalyst

Community Residential Services Association

Delta Center for Independent Living

Disability Law Center

Disability Law Center of Alaska

Disability Law Center of Virginia

Disability Law Colorado

Disability Rights Education and Defense Fund

Disability Rights Arkansas

Disability Rights California
Disability Rights Florida
Disability Rights Iowa
Disability Rights Center-New Hampshire
Disability Rights New Jersey
Disability Rights New York
Disability Rights North Carolina
Disability Rights Ohio
Disability Rights South Dakota
Disability Tennessee
Disability Rights Texas
Disability Rights Vermont
Disability Rights Washington
Disability Rights West Virginia
Down Syndrome Alliance of the Midlands
Down Syndrome Association of Delaware
Down Syndrome Indiana, Inc.
Easter Seals
Epilepsy Foundation
Family Voices
Hawaii Disability Rights Center
Healthcare Rights Coalition
Independence Inc.
Independent Connection Inc.
Indiana Disability Rights
Individual Family Social Work Counseling
Iowa Developmental Disabilities Council
Lakeshore Foundation

Long Term Care Community Coalition

The Jewish Federations of North America

Justice in Aging

Lutheran Services in America-Disability Network

Life Path Inc.

Maine Long-Term Care Ombudsman Program

Meals on Wheels of America

Medicare Rights Center

Michigan Protection & Advocacy Service, Inc. (MPAS)

Missouri Hospice and Palliative Care Association

National Academy of Elder Law Attorneys

National Alliance for Caregiving

National Association for Home Care and Hospice

National Association of Area Agencies on Aging (n4a)

National Association of Councils on Developmental Disabilities

National Association of State Directors of Developmental Disabilities Services

National Association of State Head Injury Administrators

National Association of State Long-Term Care Ombudsman Programs (NASOP)

National Council on Aging

National Council on Independent Living

National ADAPT

ADAPT Montana

ADAPT of Texas

National Association of Social Workers (NASW)

National Consumer Voice for Quality Long-Term Care

National Disability Rights Network

National Down Syndrome Congress

National Health Law Program

Nevada Disability Advocacy & Law Center

National Respite Coalition

Nursing Home Victims Coalition Inc.

Oklahoma Disability Law Center, Inc.

Office of the State Long-Term Care Ombudsman

Ohio Region 5 Long-Term Care Ombudsman Program

On Lok PACE

Our Mother's Voice

Paralyzed Veterans of America

Partners in Care Foundation

Personal Assistance Services Council

Personal Attendant Coalition of Texas

The Program to Improve Eldercare, Altarum

Protection and Advocacy Project North Dakota

Protection and Advocacy for People with Disabilities South Carolina

Service Employees International Union (SEIU)

Starkloff Disability Institute

SKIL Resource Center

SourceAmerica

TASH

Three Rivers Inc.

Topeka Independent Living Resource Center

United Spinal Association

United Spinal Association, Iowa Chapter

United Spinal Association, Louisiana Chapter

United Spinal Association, New Mexico Chapter

United Spinal, Oregon Spinal Cord Injury Connection

United Spinal, South Carolina Spinal Cord Association