



June 4, 2020

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 organizations are reaching out about the very critical and specific needs of the disability community, service providers, and the workforce. Our organizations collectively represent the vast provider network that supports individuals with disabilities in their homes and communities.

We write in response to the continuing outbreak of COVID-19 across the United States and the urgent needs of people with disabilities in the face of this pandemic that thus far have not been recognized in the COVID-19 relief packages. The disability community includes millions of individuals with underlying or pre-existing conditions, their families, direct care workers, and disability service providers who support them. People with disabilities are, and will be, particularly at risk as COVID-19 continues to spread across the country, facing high risk of

complications and death if exposed to the outbreak. Current policies and system limitations make it extremely difficult to self-isolate and reduce risk of exposure.

As the Senate begins to negotiate the next stimulus package, we want to highlight some specific provisions in the HEROES Act that MUST remain in any legislation that passes the Senate. The HEROES Act that passed the House of Representatives on May 15, 2020 had several components that the disability provider community has been advocating for since before the first COVID-19 legislation was passed. The dedicated funding for Medicaid Home and Community-based (HCBS) services is of utmost importance for Medicaid service providers. Those funds are necessary to support the workforce that supports people with disabilities, the providers that employ that workforce, and the people with disabilities who rely on those services to live safely in their homes and communities.

We were pleased to see that the HEROES Act included a global FMAP increase for Medicaid. Millions of people with disabilities, aging adults, and their families rely on the Medicaid system to support them in their homes and communities and for their other healthcare needs. When states face budget crises and other stressors, states have often responded by cutting Medicaid benefits, eligibility or payments to providers. During a pandemic it is imperative that funding flows to states to support the stability of the Medicaid program. We urge you to support a global FMAP increase and dedicated HCBS funding. Both are incredibly important to stabilize the Medicaid program for people with disabilities. The dedicated 10% FMAP included in the HEROES Act is desperately needed, as service providers have seen state budgets that seek to cut rates and services introduced in their state. None of the funding that has flowed from the prior relief packages have supported these systems.

The package negotiated in the Senate must include additional dedicated funds for Medicaid home and community-based services (HCBS), in addition to the targeted 10 percent FMAP increase for HCBS. includes a targeted 10 percent FMAP increase for HCBS. These targeted funds are desperately needed. The global FMAP bumps, while important, do not go directly to supporting the vitally important HCBS programs. The dedicated funding is necessary to keep people with disabilities and aging adults safely in their homes and communities. Disability service providers are the foundation of the disability service system and if they fail, the system will falter. That will lead to far greater costs to the federal government. None of the stimulus bills that have passed have included direct funding for the disability service system and many providers are now at a breaking point. It is vitally important that disability service providers receive dedicated funds.

The HEROES Act neglected one important element that also is weighing heavily on disability service providers and that is our standing request for Section 2103 of the CARES Act to be amended to cover 100% of the self-insured obligations of 501(c)(3) nonprofit organizations

through December 2020 for COVID-related unemployment costs. No self-insured nonprofit anticipated a months-long shutdown when evaluating the pros and cons of self-insuring their unemployment obligations. Even at 50%, many nonprofits will go under as a result of mounting unemployment costs. This will result in greater unemployment as well as lost services for people with disabilities. These are primarily small businesses that make a big difference in their communities. We hope you will correct the House's oversight in the HEROES Act and amend the CARES Act to cover the full amount unemployment expense for 501(c)(3) nonprofits.

We know that we must act now to prevent much of the worst impact of this outbreak, and we are grateful for the prompt action so far taken. But we urge the Senate to address the unfinished business discussed in this letter. If you have any questions, feel free to contact any of us below.

Sincerely,

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