



February 3, 2021

The Honorable Chuck Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

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 Schumer and McConnell 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. Despite our many efforts, Congress still has not recognized the extremely urgent needs of people with disabilities during this pandemic.

We write in response to the increasing outbreak of COVID-19 across the United States and the lack of recognition of the unique needs of people with disabilities in the COVID-19 relief packages that have passed since last year. 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 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.

We wrote to you several times during the last Congress to highlight the top ask of our community, the dedicated funding for Medicaid Home and Community-based (HCBS) services that is of utmost importance for Medicaid-reimbursed disability 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. So far, no bill that has even received a vote in both houses have included these funds that are beyond necessary at this point; these funds mean the difference between agencies staying open into 2022, and most importantly they mean the difference of health and safety for people with disabilities and the workforce that supports them.

As we have met with Congressional offices to highlight this issue, we have become concerned around some misunderstandings about how large of a positive impact elements like the Paycheck Protection Program (PPP) loans and Provider Relief Fund disbursements have been for disability service providers. We are grateful that Medicaid HCBS providers were able to apply for PPP loans. For those that did, that funding provided *temporary* relief at the beginning of the pandemic. These funds, while helpful, were not available to all providers, and was not sustaining funding. Many disability service providers that applied early used their funds to keep employees on the payroll who would otherwise have been furloughed given the shutdowns of the organization. That money was spent in accordance with the rules in place at the time and the intent of Congress, and now as disability service providers are beginning to reopen, they are facing massive increases in costs against vastly reduced revenues. These organizations are vital to the disability service infrastructure and are at risk.

The Provider Relief Funds, and the Department of Health and Human Services' (HHS) June announcement that Medicaid providers would be included in the Provider Relief Fund disbursement was welcome news to providers. The rollout of the Medicaid and CHIP Provider Relief fund was far from ideal, however, with inconsistent and inadequate communication from HHS, leaving many providers uncertain of their eligibility. Both the access to PPP loans and the Provider Relief Fund disbursements have been raised as potential reasons to not include dedicated HCBS funding in the next COVID-19 relief package. As outlined above, that is not accurate. The vast majority of disability service providers have not received substantial relief from either the PPP loans or the Provider Relief funds. Moreover, the dedicated HCBS funding is not only to assist providers, the funds also would support the state HCBS systems that service providers work within, and flexibilities and funding for the workforce that service providers

employ. Throughout this pandemic, providers in many states have faced rate cuts for the services they offer under Medicaid programs because of the depletion of state coffers. Absent an increase in FMAP funding, this is only going to get worse.

We urge lawmakers and leadership to continue their efforts to include The COVID HCBS Relief Act in any COVID relief package. This language was passed by the House in the last Congress as part of the HEROES Act and would make a significant difference in the ability to provide services. We also ask that Congress provide additional COVID funding under the Medicaid and CHIPs Provider Relief Fund with a clear statement that disability services providers are eligible for this relief. Congress must act to address the serious, destabilizing deficits facing our Nation's only publicly funded long term care system by including the targeted enhanced FMAP for HCBS and other relief. If you have any questions, feel free to contact any of us below.

Sincerely,

Julie Christensen
julie@apse.org

Kate McSweeney
KMcSweeney@accses.org

Connie Garner
cgarner@easterseals.com

Sarah Meek
smeek@ancor.org

Nicole Jorwic
jorwic@thearc.org

Armando Contreras
acontreras@ucp.org