# Advancing Brain Injury Policy: The View from Washington and (BONUS!) Maine

BIAA-Maine 9<sup>th</sup> Annual Conference Defining Moments in Brain Injury October 16, 2018

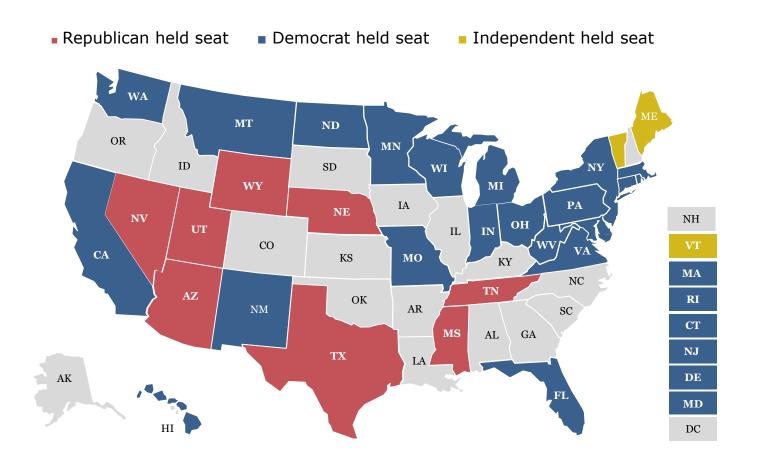




# Agenda

- Federal Elections & Impact on Brain Injury
- BIAA's Federal Policy Priorities
- Tools You Can Use
- Current Issues
- State Policy Priorities (Guest Speaker)
- Questions

# **Senate Elections – Big Picture**



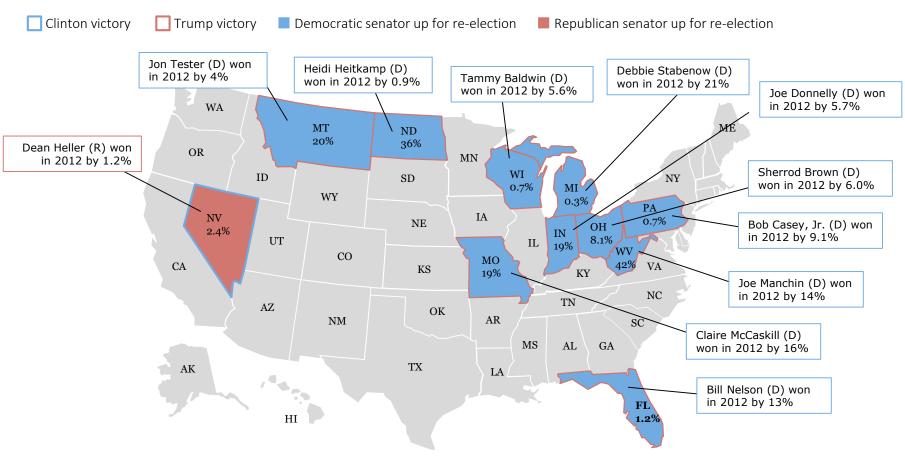
SOURCE: COOK POLITICAL REPORT



## **Trump Country Races**

## Senators up for re-election in states won by the opposing party's 2016 presidential candidate

PERCENTS INSIDE THE STATE REPRESENT BY HOW MUCH THE OTHER PARTY'S PRESIDENTIAL CANDIDATE WON IN 2016



SOURCE: NATIONAL JOURNAL



## House Republicans are Vulnerable

## COMPETITIVE 2018 HOUSE RACES

Democrat held seats
Republican held seats

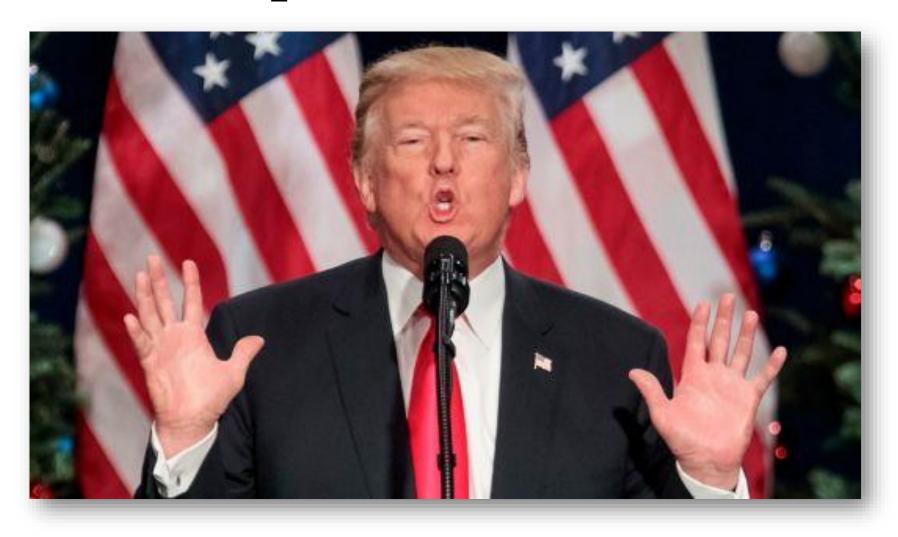
\*Incumbent not seeking re-election

#### **Likely Democrat** Lean Republican Lean Democrat Toss Up AZ-9 Sinema\* AZ-1 O'Halleran MN-1 Walz\* AR-2 Hill CA-7 Bera NH-1 Shea-Porter\* **MN-8** Nolan\* CA-45 NV-3 **CT-5** Estv\* Rosen\* CA-10 Denham FL-15 Ross\* FL-7 AZ-2 McSally\* CA-25 Knight Murphy FL-16 CA-49 Issa\* MN-7 Peterson CA-39 Rovce\* FL-18 Mast NJ-2 LoBiondo\* Rohrabacher NH-2 Kuster CA-48 GA-6 CO-6 NJ-5 Gottheimer NJ-11 Frelinghuysen\* Coffman **Davis** IL-13 NV-4 Kihuen\* PA-7 Dent\* FL-26 Curbelo IL-14 **PA-8** Cartwright PA-17 Rothfus/Lamb IA-1 Blum KS-2 Comstock WI-3 IA-3 Kind Young KS-3 Yoder FI -27 Ros-Lehtinen\* Roskam PA-5 Meehan\* IL-12 Bost KY-6 Barr **PA-6** Costello\* NC-13 Budd ME-2 **Poliquin** NE-2 **MI-8 Bishop** NJ-3 MI-11 Trott\* NM-2 Lewis MN-3 Paulsen NJ-7 Lance NY-19 Faso PA-16 Kelly NY-22 Tenney TX-23 Hurd OH-12 VACANT (Tiberi) **Fitzpatrick** UT-4 Love **TX-7** Culberson VA-2 **VA-7** Brat VA-5 **WA-8** Reichert\*

Likely Republican PA-14 OPEN (Lamb) AZ-6 Schweikert Walters CA-4 **McClintock Buchanan** CA-21 Valadao CA-50 Hunter Handel GA-7 Woodall IN-2 Walorski Hultgren MI-1 **Bergman** Jenkins\* MI-6 Upton MI-7 Walberg MT-AL Gianforte MO-2 Wagner **Pittenger** NC-2 Holdina NC-8 Hudson **Bacon** NY-1 Zeldin MacArthur NY-24 Katko Pearce\* NY-11 Donovan OH-10 Turner Chabot OH-14 Joyce OH-12 VACANT **OH-15 Stivers** PA-10 Perrv SC-1 Sanford TX-32 Sessions SC-5 Norman Smith\* TX-21 **Taylor** WA-3 **Beutler Garrett WI-6** Grothman WA-5 **McMorris Rodgers** Rvan\* **WI-7** Duffy Jenkins\*



# **Anti-Trump Sentiment**





## Year of the Woman





## **Kitchen Table Issues**





# Kavanaugh Backlash





# Democratic Majority Agenda

## **Accountability**

- Trump tax returns
- **Graft among Administration officials**



## Education

- Invest in early education and affordable child care
- Increase maximum Pell Grant
- Decrease study loan interest rates
- Fund initiatives that increase access for traditionally underrepresented

## **Energy and Environment**

- Restore environmental protections
- · Protect public lands and disallow the killing of animals on wildlife refuges
- Repeal tax breaks to multi-national oil companies
- Resume Obama-era pledge to cut carbon pollution by 30% by 2030



## **Health and Welfare**

- · Push for "Medicare for All"
- · Defend and expand Affordable Care Act
- Restore welfare programs



## **Immigration**

• Protect DACA recipients and allow a path to citizenship



## **Voting Rights**

- · Revise, renew and strengthen the Voting **Rights Act**
- Restore full protections for voters in states with history of discrimination
- **Expand access to the ballot box**
- Support efforts to reverse gerrymandering



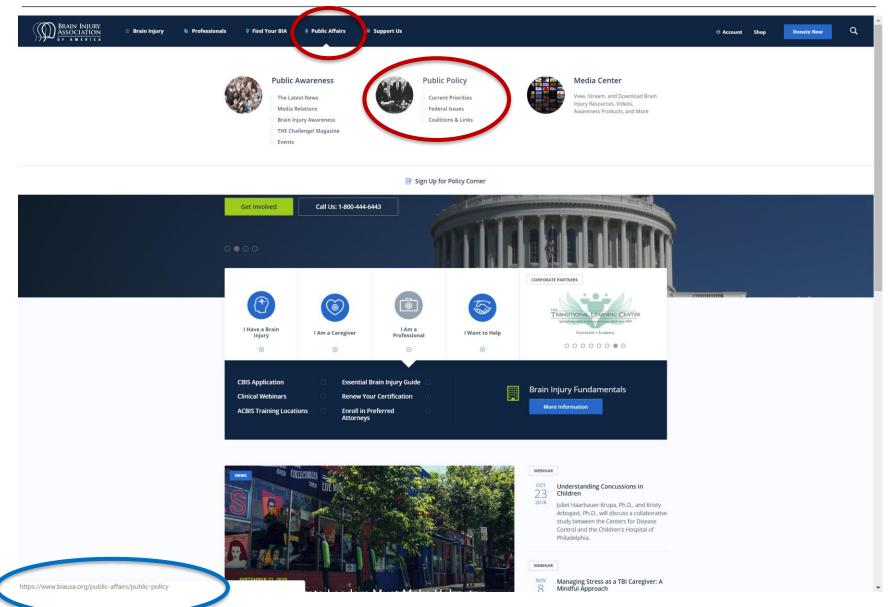
SOURCE: NATIONAL JOURNAL



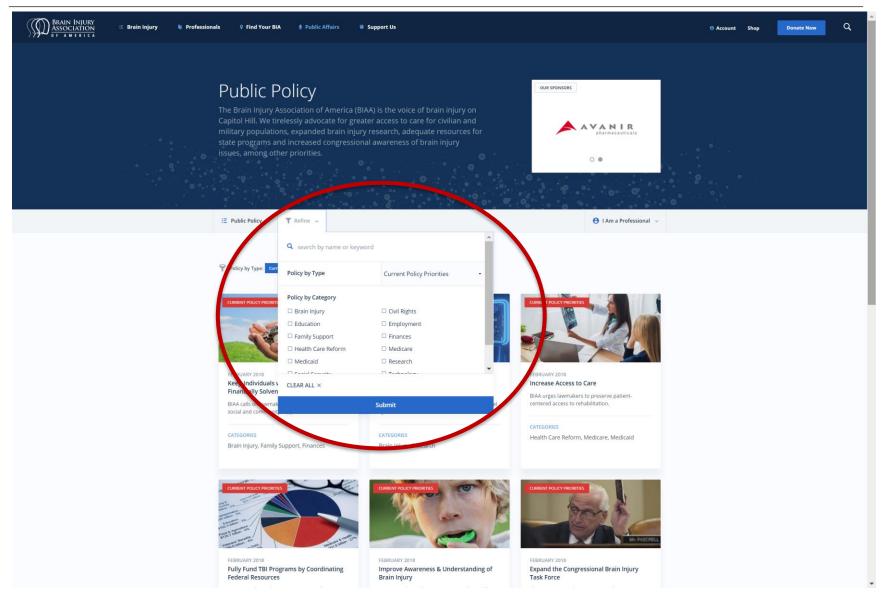
# **BIAA Policy Priorities for 2018**

- Increase Access to Care (ACA & Opioids)
- Fund TBI Act Programs
- Bolster Research
- Keep Individuals with Brain Injury Financially Solvent and Caregivers Strong
- Improve Awareness and Understanding of Brain Injury
- Grow the Congressional Brain Injury Task Force











# **Policy Briefs**







## Bolster Research for Traumatic Brain Injury

SYSTEMS OF CARE

of extractive control of the control

Provide 'line-item' status to the TBI Model Systems within the broader NIDILRR budget.

Increase funding for life-saving medical research on TBI at the National Institutes of Health (NIH) and the Department of Defense.

MINU

#### Sign up for BIAA's free e-newsletter.



For Information Contact:

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## Coordinate Federal Resources

for Disease Control and Prevention (CDC) report that 2.8 million children and adults sustain TBIs annually and at least 5.3 million live with a TBI-related disability. The cost to soictly for modical care and lost wages associated with TBI is \$76.3 billion annually.

associated with TBI is TRIs billion annually individuals with being jury may experience memory loss, concentration or attention performs, abuved just consideration of attention performs, abuved judgment, and the performance of the performanc

Policy Corner, at www.blausa.org

SUPPORT FEDERAL

TBI PROGRAMS
The Department of height and Human Services (HHS)
Administration for Ceremonity Living (ACL) bures
programs impacting infelsiohasis with brain highey and
families, including Aging and Deablity Resource Centees.
Assistes recturing Aging and Peablity England High Resource Centees.
Assistes on Disability, Independent Living, and
Resultation Feedersch (NICULES).

INCREASE TRI ACT FUNDING In October 2015 the TBI State Grant program was transferred to the ACL Administration on Disabilities transerved to the AL Administration on Desonness Independent Living Administration, and the Protection & Advocacy (P&A) Grant Program was served to the ACL Administration on Intellectual and Developmental Disabilities. Jumently only 19 states receive TBI State grants, and all the P&A grants are severely under-funded.

TBIPROGRAMS

FUND CDC TBI PROGRAM The TBI Act of 1996, as amended, authorizes funding for the CDC for data collection, prevention, public education

Appropriate \$19 million to the Federal TBI State
Grant Program to increase the number of state
grants and appropriate \$3 million to the P&A Grant
Program

Injury Association of America + www.biausa.org 703-761-0750 ext. 637 + acolberg@biausa.org



#### ABOUT BRAIN INJURY

An acquired brain injury (ABB) is any injury to the brain that is not hereditary, congenital, degenerative, or induced by birth trauma. There are two types of ABI – non-traumatic, or those injuries caused by an internal force, and traumatic. A summable brain injury (TBI is an attention in brain furction or other evidence of brain statements in the contract of the pathology caused by an external force. The Centers for Disease Control and Prevention (CDC) sepont that 2.8 million children and adults sustain TBIs annually and at least 5.3 million live with a TBI-related disability. The cost to society for medical care and lest wages associated with TBI is \$76.3 billion annually.

reducidadas vide brain injury may experience memory lose, concentration or attention problems, slowed lose, concentration or attention problems, slowed learning, and difficulty with planning, rescening, or judgment, functional and behavioral consequences and thoughts of suicidate. Projukal challenges may include fistigue, headaches, difficulty with balance or motor skills, resmoylor, san detecture. Shirm injury can lead to registatory, circulatory, disposition and resultances, including epishery, Aliminium, and the control of injury result from snotened unights of stay in boar inputition and outpatient treatment settlings. Payers point to a lack of sufficient evidence-based research as a primary reason for coverage denial of medically-necessary treatment. This occurs particularly when behavioral health services and cognitive rehabilitation.

#### Policy Corner, at www.blausa.org



### Many individuals with brain injury rely on federal finance assistance programs.

- Oppose any proposed cuts to Supplemental Security Income (SSI); and
- · Protect funding and improve the disability income

#### EXPAND COMMUNITY SUPPORTS

- Affairs (VA) Comprehensive Caregiver Program, which currently provides supports to veterans with a service-connected injury, including TBI, incurred after September 11, 2001;
- Enact the Adult Day Center Enhancement Act (H.R. 325) to support programs for individuals with neurological conditions;
- . Eruct the Disability Integration Act (S. 910, H.R. 2472)



#### Improve Awareness and **Understanding of Brain Injury**

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Individuals with brain injusy may experience memor loss, concentration or admention problems, slowed starring, and difficulty with planning, reasoning, or charles and difficulty with planning, reasoning, or include fatigous, for admending the problems of the charles fatigous, amounts, impulsivity, aggression, and thoughts of suicide. Physical rhallenges may include fatigous, including epilophy, aggression, and the fatigous designation, considering and purpose of the control of the control of the care feet for registratory, circulatory, dispession, and purpose and previously and produced and previously and Parkinson's disease. Pror outcomes after brain graphy small from beforehead largets of day is both lightly small from beforehead largets of day is both. behavioral health services and cognitive rehabilitation

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#### TAKE A STAND TO PROTECT ATHLETES FROM CONCUSSION

- cogness should: \*Support the Youth Sports Safety Concussion Act sponsored by Rep. Bill Peacer(), Ir. (D-NL) and Sen. Yom Udall (D-NM), to help ensure that safety standards for sports equipment, including Yootball helmest, are based on the latest science and ourb false advertising claims.

#### ion Contact

Injury Association of America + www.biausa.org 703-761-0750 ext. 637 + acolberg@biausa.org

## MIND

The mission of the Congressional Bain Injury Task Force is to further education and awareness of ordin Injury and support funding to twice and applied research, brain yeary estabilization, and development of a run. Makes pins the Task Force to tellomake like better for individuals with a train Injury and the families. To spin up, contact the different of an ordinary and in the families to spin up, contact the different of an ordinary and in the families. To spin up, contact the different of an ordinary and the families to spin up, contact the different or an ordinary and the families to spin up the families of the families to spin up the families of the

**Grow the Congressional** 

**Brain Injury Task Force** 

Stophen F. Lynch, MA-08

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Sign up for BIAA's free e-newsletter, Policy Corner, at www.biausa.org

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# Awareness Day – March 20, 2019





## 2019 Appropriations

- H.R. 6157 "Minibus" appropriations package for Defense and Labor-HHS plus Continuing Resolution until December 7
  - Agriculture
  - Commerce & Justice
  - Energy & Water
  - Financial Services
  - Homeland Security
  - Interior & Environment
  - Legislative Branch
  - Military Construction
  - State & Foreign Operations
  - Transportation and Housing & Urban Development
- TBI Act Programs Level Funded
- \$2 billion increase for NIH research
- \$6.6 billion for Opioids

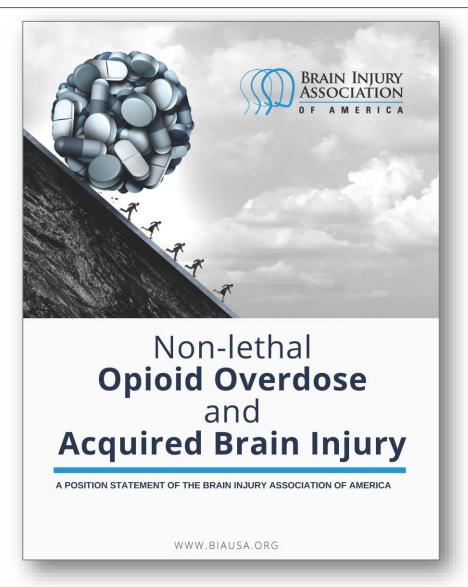


# SUPPORT For Patients and Communities Act (H.R. 6)

Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act

- 10 State Demonstration Projects
- State Response Grants
- Expanded Tele-health under Medicaid
- Addiction Treatment in Rural Health Clinics
- Regional Centers for Excellence for SUD Education
- Recovery Centers
- Program to Support Coordinate and Continuum of Care for OD Patients





https://www.biausa.org/public-affairs/public-awareness/news/non-lethal-opioid-overdose-acquired-brain-injury



## **Affordable Care Act**

October 2017 – Discontinued insurer reimbursements of waived premiums/deductibles

November 2017 – Reduced health insurance exchange operating hours

December 2017 – Enacted Tax Cuts and Jobs Act

January 2018 – "Able-bodied" Medicaid work requirements; other rules waived (premiums, time-limited benefits, drug testing)

June 2018 – Association Health Plans rule

July 2018 – Discontinued "risk adjustment" payments to insurers

August 2018 – Short-term limited-duration health insurance rule

September 2019 – Cut \$26 million from Navigator Program, helping individuals buy health insurance



## TBI Act Reauthorization

- Reps. Bill Pascrell, Jr. (D-N.J.) & Tom Rooney (R-Fla.)
- Traumatic Brain Injury Reauthorization Act of 2018 (H.R. 6615)
- Only federal legislation addressing civilian TBI
- Re-authorizes TBI Act of 1996:
  - ACL to conduct State Partnership Program
  - ACL to conduct Protection & Advocacy TBI Program
  - CDC to conduct surveillance and education
  - NIH to conduct research
- Sens. Orin Hatch (R-Utah) & Bob Casey (D-Pa.) to introduce in Senate in mid-late October
- Hatch legacy
- Maine does not currently have a SPP grant
- Co-sponsors needed 202-224-3121 or visit www.house.gov



# Achieving A Better Life Experience (ABLE) Age Adjustment Act

- ABLE Age Adjustment Act S. 817 and H.R. 1874
- Expands eligibility to age 46 for individuals with disabilities to open tax-advantaged ABLE
- Maine allows ABLE accounts
  - \$15,000 per year
  - \$400,000 maximum
- Co-sponsors needed 202-224-3121 or visit www.house.gov or www.Collins.senate.gov or www.King.senate.gov



# Sports Medicine Licensure Clarity Act (H.R. 302/S. 808)

H.R. 302/S. 808 Signed into law October 5, 2018

"Health care services provided by a covered sports medicine professional outside of his or her home state would be deemed to have occurred in the professional's primary state of licensure if the secondary state's requirements are substantially similar to the primary state."

*Translation:* Athletic trainers can travel with their teams, treat athletes, and remain covered by liability insurance.





### Congress Sends Appropriations Bill to President

This week, the House of Representatives passed the Conference Report for fiscal year 2019 appropriations for the Departments of Defense, Labor, Health and Human Services, Education, including a Continuing Resolution (CR), which has been sent to the president for his signature.

#### In This Issue

This Week In Brief

Consensus Reached on Opioid Legislation

House Considers Permanent Tax Cut Legislation

#### KEEP READING

#### This Week in Brief

Congress passes Conference Report, Senate and House reach consensus on opioid legislation, and House considers permanent tax cuts. Click here to read the full issue.

#### Senate and House Reach Consensus on Opioid Legislation

The Senate and House leadership reached consensus Wednesday on a package of 70 bills that had passed both bodies separately. The House and the Senate will need to pass this consensus legislation before it can be sent to the President for his signature. Learn more.

#### **House Considers Permanent Tax Cut Legislation**

The House Committee on Ways and Means passed a bill referred to as "Tax Reform 2.0" this week to make a permanent extension of the 2017 Tax Cuts and Jobs Act's individual provisions that are scheduled to expire after 2025. Keep reading.

BIAA gratefully acknowledges the Centre for Neuro Skills and Avanir for their support for legislative action.



## **Policy Corner**

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Our grassroots network is a driving force influencing law making on a national level.	FIRST NAME *	LAST NAME *
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## **Maine Policy Priorities**

Steve Wade, Consulting Executive Director

- · Maine is "ground zero" for the opioid overdose crisis
- Educational services for students with brain injury
- Access to Neuro-Resource Facilitation/Neuro-Navigation
- Sustainable funding for the Voice of Brain Injury in Maine – BIAA-ME



# **Questions?**

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