



Leadership Council of Aging Organizations

James Firman, Chair

MINUTES

April 4, 2018

AFSCME – 1625 L Street NW

1. Guest Speaker: **Ellen Nissenbaum** – Senior Vice President for Government Affairs, Center on Budget and Policy Priorities
 - Appropriations
 - Administration threat of sending up rescission message; has to be sent within 45 days of omnibus enactment.
 - Only needs simple majority vote, so can't count on 60 votes to block it.
 - Omnibus didn't include fundamental goal of parity, but locked down investments in priority NDD areas. Rescissions would be focused on NDD, further undoing parity.
 - FY19 allocations being worked on now. May move low-hanging fruit bills early. Expect CR to go to Thanksgiving or later.
 - SNAP
 - Implications of Farm Bill debate on seniors and low-wage older working Americans. Research shows improved health outcomes for children and seniors on SNAP.
 - Some expectation of House Ag Chairman Conaway's proposals for SNAP in 2018 Farm Bill include: eliminating SNAP and LIHEAP linkage; taking away categorical eligibility (cat el) and asset limit options from states; and implementing stricter work requirements and apply them to older workers up to age 59 or 60 (now only applies up to age 49).
 - New work requirements will affect at least 1 million, if not 2 million.
 - SNAP's current work requirement limits benefits to 3 months every 3 years if not working or in a training program.
 - House bill will claim to put SNAP 'savings' into SNAP employment & training, and will require states to have a mandatory slot for every unemployed beneficiary. But no funding will be available for supplemental needs like transportation.
 - Conaway proposing to throw in sweeteners like raising the minimum benefit, but it won't compensate for more than \$20 billion in cuts to SNAP.
 - Working on messaging from recent focus groups. Majority of comments were about the struggles of older workers. Struggling to keep steady jobs, health issues not being recognized for exemptions.
 - Strong probability that workers won't be able to meet reporting requirements to keep their benefits.
 - Best framing: focus on taking assistance away from those not meeting expanded requirements. Need to counter Conaway claim that no one will lose benefits (because they will get access to training) and that there are no cuts (because money being put into training and minimum benefit increase).
 - Focus on moderate House Democrats, moderate Republicans, and Senate Democrats (will share list).
 - Balanced Budget Amendment
 - One of the Goodlatte proposals will be brought to the House floor. H.J.Res. 1 is a bad bill, and H.J.Res. 2 is very bad.

- Blue Dog Democrats led by Rep. Stephanie Murphy have their own BBA. It has a lot of limits, but is still a very bad proposal.
- Isn't expected to pass the House, and states are now the battleground. Got dangerously close to 30 of the 34 states needed to force a convention, but was able to get some states to pull back and are now at 28 or 29.
- Q&A
 - Q: Who should we work with on issues? On SNAP: Not worrying about Ag Committee, but CBPP will share larger House targets, Senate Democratic targets, talking points, blogs. On Rescission: NDD will share info depending on decisions made in message. (LCAO member also requested social media language.)
- 2. Guest Speakers: Elizabeth Lower-Basch, Center for Law and Social Policy (CLASP) and Sonya Schwartz, Sonya & Partners
 - Public charge part of immigration law for 100 years. Affects those seeking to enter US or those in US applying for green card. Doesn't apply to those with a green card applying for citizenship and doesn't come up related to deportation very frequently.
 - Affects those using public assistance. Officials can only look at cash benefits or long-term care paid for with government funding, but many aren't enrolled in cash benefits or long-term care.
 - There have been multiple drafts. An NPRM went to OMB last week.
 - Public charge would be newly defined as someone likely to use one or more public benefits or if there is a dependent likelihood. Same total circumstances factors apply. The income threshold might be moved higher, but that would violate the statute.
 - Biggest issue: Broad definition of public benefits goes beyond cash benefits to affect wide range of means-tested benefits, and specifically states some by name.
 - Also troubling: Broad definition of dependent.
 - Earned benefits would not be counted (SSI but not SSDI). Medicare not counted unless premiums partially/fully paid for by, so counts Medicare Savings Program, Part D LIS. .
 - SNAP and LIHEAP would count. Early draft excluded community-based services, but that language isn't in the latest draft, so could apply to meals on wheels.
 - Even if seniors aren't immigrants, this could affect their caregivers. There have been articles about DPS crackdown and effect on caregivers. For example: these jobs don't pay a living wage, and they can survive because their kids can get SNAP.
 - Draft says there would be 60 days for comments, but could be fewer (e.g., 30).
 - Protecting Immigrant Families campaign organized by NILC and CLASP has 80 members and over 1,000 on listservs.
 - Campaign goal for NPRM: Generate over 100,000 comments (individual comments, not sign-ons). Will have templates, will work with sector leads on messaging (Justice in Aging is sector lead on seniors). Trying to keep messaging high-level, focusing on values. Comments should be tailored with impact on clients, communities, local government.
 - All the comments have to be reviewed and responded to or they'd be open to litigation, so large volume could draw out the clock and push the issue to a new Congress or Administration.
 - Sign up for listserv on campaign website (also passing around a sign-up sheet). Can also join working groups (communications, field work, policy details).
 - Also working on sample op-eds, social media campaign.
 - Q&A
 - Q: Are there meetings with OMB to correct stats and also draw out the clock? A: Two have been planned,
 - Q: Does this apply to refugees? A: Refugees are statutorily exempt, but affects TPS applying for green card.

- Q: Do comments have to be in English? A: Draft says English required, but could be illegal. There is some precedence from Obama Administration.
- Q: Could there be an effect on status or deportation? Could it affect eligibility for benefits? A: Draft makes it unclear if there could be basis for deportation. For eligibility, doesn't affect, but already seeing chilling effect. Also affects state and local benefits, not just federal.
- Q: Some groups working with older adults have encountered pushback on immigration issue from seniors. A: Working on messaging with more moderate spin, with information on realities of people struggling to make ends meet.
- Suggestion to appeal to business case for needing home care workers. This will result in access to care issues.
- Q: Would it affect companies bringing people to US to fill certain jobs? A: Would have to look at income levels – would hope would be high enough.

3. Approval of the Minutes

- Approved by voice vote

4. Committee Reports

- Community Services
 - OAA reauthorization: Discussed our respective plans with HELP majority and minority staff and Aging minority staff. Stressed desire to remain bipartisan. Staff agreed with LCAO CS plans to educate staff now but not push priorities until the fall or early next year. Sen. Casey looking at nutrition, grandparents raising grandchildren issues.
 - Appropriations: Focusing on preserving FY18 wins, and continuing trajectory for OAA and other increases. Evaluating data to create new OAA request levels for programs that exceeded authorization level in FY18, will have proposals for full LCAO to review in May. Working on FY18 thank you efforts: Chair's letter to Hill and grassroots efforts (n4a to release tips today). Appropriations staff say this will be appreciated, and helpful for protecting increases and securing future increases. Dear Colleagues include: House OAA Title III (102 bipartisan signatures), House Senior Corps (61 signatures), House SCSEP & SHIP (41 signatures), Senate SHIP, Senate SCSEP, Senate Senior Corps.
 - OAA reauthorization process: Document shared with proposed 2018 timeline for developing LCAO consensus and priorities by early 2019. Will start by re-evaluating consensus proposals from last process. Share comments by Apr. 6. Start participating in LCAO CS meetings to engage.
 - OAA issue brief and fact sheet updates: Approved by voice vote
- Health
 - Omnibus: Discussed appropriations increases, omission of BENES Act, MFP extension. MFP efforts ongoing with continued Hill visits, adding cosponsors to House and Senate bills. BENES – still evaluating next steps.
 - Medicaid HCBS legislative provisions: Looking at expiration of spousal impoverishment requirements, introducing Balancing Incentives Program 2.0 bill.
 - Opioids: Discussed of what might advocate for.
 - 116th Congress: Discussed bills to push for introduction this year to prepare for next Congress, including Sen. Wyden's Medicare Affordability and Enrollment Act and House Medigap Consumer Protection Act.
 - Proposed rules and requests for comments: Religious refusals rule (closed), reopening ACA 1557 nondiscrimination rule, MMCO Request for Stakeholder Input on BBA D-SNP provisions, short-term limited duration insurance plans rule, and Medicaid managed care provider network threshold.
 - Medicare Plan Finder: NCOA report to be issued later this month.

- Income Security
 - Omnibus: SSA administration increase, housing increase. See minutes. SNAP question covered by Ellen.
 - FY19: SSA Dear Colleague had over 100 signers.
 - Social Security legislation. BASIC Act on dependent benefits introduced by Rep. DeFazio. See minutes for other bills.
 - Pension commission: Presentation from Sen. Brown staff on Joint Select Committee on Pensions
 - BBA: Discussion points covered in Ellen's presentation today.
- 5. Continued discussion
 - SNAP
 - Markup now April 18.
 - Looking at non-LCAO letter on Conaway bill and seniors, talking points with CBPP.
 - Community Services Co-Chairs agreed to add this to their efforts, encouraged others to join Committee meetings.
 - BBA
 - Craft Chair's letter based on past LCAO messaging (Linda Bennett of AFSCME will take lead).
 - Public charge
 - Sign up on website for campaign if didn't sign up on list circulated today. At least 4 LCAO members already part of campaign.
 - Justice in Aging is sector lead and is working on some one-pagers. Others welcome to help with language. Also working on templates for rule.
 - Health Committee to take lead on these efforts.
 - Census 2020: Addition of citizenship question
 - Messaging: Loss of funds like for programs like Medicaid, immigration issues like those affecting caregivers.
 - Possible actions: Some state attorneys are suing, two sign-on letters circulating requesting oversight hearings.
 - Contact Marsha Greenfield if interested in the issue, will draft LCAO sign-on letter.
 - Rescission
 - Discussion of how to fit in with planned FY18 thank you letter.
 - Will generate LCAO letter once specific Administration proposal released.
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- 6. Announcements
 - n4a Aging Policy Briefing: Agenda online.