

# NICOA Conference—Washington Update

Bob Blancato – September 13, 2018

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## Introduction

- Honor to be invited back to NICOA. Happy 42<sup>nd</sup> anniversary
- Salute the work and advocacy of Randella Bluehouse—she is respected and effective. Becky and Cheryl thank you too.
- My friend James De La Cruz—a fighter who never stops
- Had the distinct pleasure of joining James at a very emotional event in D.C. for the 40<sup>th</sup> anniversary of the Title VI program last month.
- Milestone—time to measure what was done but also what is left to do and answer is—a lot

## Numbers of Importance

- Currently about 246,000 AI/AN elders in the US: 566 recognized tribes
- Life expectancy for men and women lower than national average
- Numbers of concern: 25 percent poverty rate, 33 percent with no health insurance, 16.8 percent disability rate among elders
- Future growth points to an 82 percent increase in AI/AN by 2030
- 24 percent on Medicaid—increase helped by ACA
- Title VI nutrition/SS grants awarded to 254 tribal orgs (representing over 400 tribes) and 2 Native Hawaiian orgs
  - Congregate and home-delivered meals combined: 4.8 million meals per year
  - In-home services: 1.2 million units of service per year

## Washington Update

- My job is to provide an update on what is going on in D.C.
- Well we are now in day 600 of the Trump Presidency
- Never been a dull moment since noon on January 20, 2017
- And not likely to change
- Voters will take center stage in fewer than 2 months when the mid-term elections take place
  - All of the House and 1/3 of Senate
  - Scenarios abound about who is the majority and what it will mean
- But I want to talk about the status of some issues that are active and could also be impacted

## Our Advice...

- Over time, the counsel we provide is you don't panic and you never get complacent—but you do educate and inform!
- And you must vote—since 100 million did not in 2016



## Spending: Today and Tomorrow

- We are currently in the final month of FY18 with FY 2019 starting on October 1
- Wild year with a good ending
- Initial budget proposal sent shock waves with its call to eliminate funding for Senior Corps, LIHEAP, CDBG, and Legal Services (to name a few)
- But panic was not warranted at the start:
  - Obama and Bush II sent 16 combined budgets to Congress
  - None ever approved as submitted
  - Same fate for President Trump's first budget

## Wooly to Wonderful!

- Wooly replaced wild later in year
  - 5 short term funding bills and then 2 short government shutdowns
- Then the wonderful
  - 2 year bipartisan budget agreement signed by the President with genuine increases for both defense and non defense program
  - First year of agreement the FY we are now in (2018)
  - All of the proposed program eliminations were rejected by Congress, ending up with

Program	FY17 Final	FY18 Final
OAA VI Native Americans Nutrition/SS	\$31.2 million	\$33.2 million
OAA VI Native Americans Caregiver Support	\$7.55 million	\$9.55 million
Indian Health Service	\$5.039 billion	\$5.537 billion
OAA Title IIIC Nutrition	\$837.7 million	\$896.7 million
OAA Title IIIB HCBS	\$350.2 million	\$385 million
OAA Title V SCSEP	\$400 million	\$400 million
Family Caregiver Support Program	\$150 million	\$180 million
Comm. Services Block Grant (CSBG)	\$715 million	\$715 million
Comm. Develop. Block Grant (CDBG)	\$3.06 billion	\$3.3 billion
Social Services Block Grant	\$1.7 billion	\$1.7 billion
LIHEAP (Home Energy Assistance)	\$3.39 billion	\$3.64 billion
Elder Justice Initiative	\$10 million	\$12 million
SHIP (Medicare Assistors)	\$47.1 million	\$49.1 million
Senior Corps	\$202.1 million	\$202.1 million



## FY 2019

- Now we move to FY 2019: best spin—looks like we maintain the good fortune from this year into next
- Almost all the programs that got the increases this year will likely maintain the higher funding level through Sept 30, 2019
- Key is that the increase is to the base funding level vs. being a one time bump.
- FY 2019 to date:

## FY 2019 Proposals (Fiscal Year Begins October 1, 2018)

Program	FY18 Final	FY19 House	FY19 Senate	FY19 Trump
OAA VI Native Americans Nutrition/SS	\$33.2 million	\$35.2 million	\$33.2 million	\$31.2 million
OAA VI Native Americans Caregiver Support	\$9.55 million	\$9.55 million	\$10.55 million	\$7.55 million
Indian Health Service	\$5.537 billion	\$5.772 billion	\$5.907 billion	\$5.424 billion
OAA Title IIIC Nutrition	\$896.7 million	\$896.7 million	\$896.7 million	\$837.7 million
OAA Title IIB HCBS	\$385 million	\$385 million	\$385 million	\$350 million
OAA Title V SCSEP	\$400 million	\$400 million	\$400 million	0
Family Caregiver Support Program	\$180 million	\$180 million	\$180.3 million	\$150 million
Comm. Services Block Grant (CSBG)	\$715 million	\$750 million	\$725 million	0
Comm. Develop. Block Grant (CDBG)	\$3.3 billion	\$3.3 billion	\$3.3 billion	0
Social Services Block Grant	\$1.7 billion	\$1.7 billion	\$1.7 billion	0
LIHEAP (Home Energy Assistance)	\$3.64 billion	\$3.64 billion	\$3.69 billion	0
Elder Justice Initiative	\$12 million	\$12 million	\$12 million	\$8 million
SHIP (Medicare Assistors)	\$49.1 million	\$49.1 million	\$49.1 million	0
Senior Corps	\$202.1 million	\$202.1 million	\$202.1 million	0

## Status of the ACA

- ACA—American Conversation Act
- All three branches of government involved, especially judicial
- Remains the law of land (except individual mandate)
- Congress cannot repeal and replace
- Administration will try using executive actions
- Texas court case will be important
- Protection of persons with pre-existing conditions a powerful political issue going into November

## Medicare and ACA

- Great reforms to Medicare in ACA never challenged, even in 2018
- Helped by President Trump promise not to touch Medicare
  - In a good place for now
- ACA reforms:
  - Paying for outcomes not volume
  - Lowering hospital readmissions
  - Expansion of preventive benefits
  - Closing of donut hole under Part D now by 2019
- All helping beneficiaries, all under traditional Medicare
- Added ten years of solvency to Medicare

## Medicare Advantage

- New activity in Medicare Advantage; administration policies helping to promote MA
  - Offering those who enroll more choices
  - As a result, has seen a lot of growth (now 1/3 of Medicare enrollees on MA)
- We all watch the work of CMS in expanding the definition of “supplemental benefits”
  - CMS has finalized the idea, with benefits being available next year
  - Supplemental benefits to help beneficiaries with daily activities; services to be reimbursed for first time under MA
  - Will this include nutrition?
- Going forward, the question is—how much farther do we go?
- And what will the major rule on Medicare Part D due in Sept look like?
- NOT in future: Medicare going to voucher program

## Medicaid

- Lot of action to start the year—lot more to come
- Medicaid now bigger than Medicare. Important to AI and AN; 24 percent in program
- Maintaining Medicaid expansion provisions from ACA allowed new states like VA to expand, bringing total to 33 states (and DC)
- Administration making important changes using their powers to approve state waivers and make policy
  - Most noteworthy—new work requirements
  - But limits also—Admin says will not support requests to impose lifetime limits for coverage
  - And courts are weighing in such as knocking out Kentucky work requirements

## Still to Come...

- Block grant?
- Per capita spending limit?
- Both would require Congressional action
- One thing to celebrate—Medicaid now spends more on HCBS than institutional care for the first time in history!
- Good trend; needs to continue

## Lightning Round

- Farm Bill
  - Future of SNAP
  - Casey/Collins bill on Commodity Supplemental Food Program
- Social Security—all quiet—a good thing, but for how long?
- RAISE Family Caregivers Act signed into law by the President
  - AARP led this fight
  - First time national strategy for helping family caregivers
  - Key development: naming of Commission (AI/AN should be represented)



## Lightning Round (cont.)

- CHRONIC Care Act
  - Passed as part of the FY18 omnibus bill signed into law by the President
  - Codifies the MA supplemental benefits, among other improvements to MA
- Casey/Collins: Supporting Grandparents Raising Grandchildren Act
  - Signed into law this month by the President
  - Will create a federal task force to set up a one-stop shop of resources for grandparents raising grandchildren
  - Currently at least 2.5 million grandparents raising grandchildren in the US
  - Will consider needs of AI/AN (specifically in the law)
- Other bills introduced impacting AI/AN: funding for veterans' nursing homes in Indian Country, tribal broadband access, reauthorization of special diabetes prevention program

## Elder Justice

- Menace of elder abuse in America continues
  - Of the general population of older adults, one in 10 will be victims
  - To date, a large-scale, population-based prevalence study of Native elder abuse or neglect has not been carried out
  - At least \$2.9 billion stolen each year
  - FBI report showed that 50,000 people over 60 lost \$342.5 million in 2017 to internet fraud and scams
- As Natl. Coordinator of the EJC, we are working in a bipartisan fashion for solutions
- Led effort to pass Elder Justice Act in 2010 and have secured \$34 million in appropriated funding
  - Includes funding for National Indigenous Elder Justice Initiative out of UND; part of the Elder Justice Innovation Grants; working on projects with individual tribes and for the community as a whole

## Elder Justice and the Trump Administration

- We commend the work to date of this Administration
- Have made elder abuse a law and order issue
  - Elder Fraud Sweep: rounded up 250 defendants who had stolen half a billion dollars in total from older adults
  - Another smaller ring busted in NY which had a mass mailing fraud scheme that netted them \$30 million just for 3 people
- Calling for funding related to opioid abuse and elder abuse: asking that specific resources go to the aging network, APS, ombudsman, law enforcement and others to develop plans for coordination, collaboration, data collection and training
  - A serious issue for Indian Country: example: AI/AN suffer the highest per capita rate of opioid overdoses

## Elder Justice (cont.)

- Led effort to secure passage of Grassley-Blumenthal bill, Elder Abuse Prevention and Prosecution Act
- Key provision you will feel at home: elder justice coordinators in all 94 federal judicial districts
- Also led effort to prevent elimination of the SSBG, the main funding source for Adult Protective Services

## Older Americans Act: Today and Tomorrow

- Program in a quiet period
- President chose a great head of ACL/AOA in Lance Robertson
- Focus has been on funding
  - Overall increase of \$138 million for Act; largest since 2009
- Up for renewal in 2019
  - Critical time in its history
  - Needs to build on what it does well but see changing landscape, including rise of managed care

## Future of the Act

- Three Fs
- Funding
  - Playing catch-up—federal funding increases when value proposition of Act and what it saves Medicaid is told locally then data and evidence prove it
  - Title VI programs in particular need money for infrastructure
  - Title VI programs also can form closer partnerships with Medicaid and private partners to help fill in funding gaps for now
- Flexibility:
  - Program operates best at level closest to older adult—local level—need to bolster local decision-making

## Future of the Act (cont.)

- Foresight:
  - Anyone drive a 53 year old car?
  - OAA must look hard at its future and its ability to draw those at 60 as it does those who are 80
    - Make senior centers wellness and activity centers
    - Aim to improve food choices
    - Make family caregiver program reach more people
    - Make cultural competency a must in how and where programs are located and services delivered

## Closing

- Mission of NICOA relevant today as in 1976—To advocate for improved comprehensive health, social services and economic well being of American Indians and Alaskan natives.
- You as NICOA members and supporters support and advance the mission
- It's one thing to say you are making a difference
- It's another when you actually are
- That is each and every one of you
- Thank you for what you do!
- Let me close with an invitation to an event not far from here.





# All Aboard!

for the 2019  
NANASP Annual  
Conference  
May 15-17, 2019

Get ready to embark on a conference  
experience like no other on the historic  
Queen Mary in Long Beach, CA

Stay tuned for more details; visit [www.nanasp.org](http://www.nanasp.org) for more information coming soon



## Resources

- NANASP Conference: <https://nanasp.org/NANASP2019Conference>
- n4a report on Title VI: [https://www.n4a.org/Files/Title%20VI%20Survey/Title%20VI%20Program%20Survey\\_508.pdf](https://www.n4a.org/Files/Title%20VI%20Survey/Title%20VI%20Program%20Survey_508.pdf)
- Elder Justice Coalition: [www.elderjusticecoalition.com](http://www.elderjusticecoalition.com)
- Town Hall Project: <https://townhallproject.com/>
- Capitol Switchboard: 202-224-3121
- [rblancato@matzblancato.com](mailto:rblancato@matzblancato.com)