



ACCSES 2019 Public Policy Priorities

ACCSES is a national disability policy organization that represents community-based disability service providers and the individuals with disabilities and their families whom we serve. Guided by federal policy, including the Americans with Disabilities Act, the Olmstead Decision, the Workforce Innovation and Opportunity Act, the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, and other federal and state laws, ACCSES operates to ensure that public policy provides a full array of service options and opportunities that enable individuals and their loved ones to choose the services that best meet their needs and goals in order to live and work within their diverse communities across the nation.

ACCSES stands with over three million people with disabilities and over 1,200 disability service providers for a full array of options and opportunities for ALL people with disabilities. ACCSES fights to support, rescind, amend, or introduce laws, regulations, and guidance to protect the civil rights and freedom to choose that belongs to all people with disabilities. To learn more, visit www.accses.org. ACCSES aggressively advocates for the following policy outcomes:

Civil Rights

- Educate lawmakers, disability advocates, people with disabilities, and service providers on the rights each person holds. Having access to a full array of options is a civil right.
- Ensure the Department of Justice recognizes the need to maintain a range of choices and opportunities that reflect the needs and desires of the individual.
- Monitor and prepare to provide amicus support for court cases, where applicable.

Medicaid/Long-Term Services and Supports/Residential

- Block federal and state proposals that would seek to reduce the federal commitment to Medicaid services for people with disabilities including decoupling the federal entitlement, capping the federal share of Medicaid costs, forging block-grant programs, repealing the Medicaid expansion, and other mechanisms that would be to the detriment of people with disabilities.
- Change the settings rules and presumptions made by the Centers for Medicare and Medicaid Services (CMS) as well as the sub-regulatory guidelines for the Medicaid HCBS program to ensure authorization of and choice of the full array of support options consistent with informed choice and person-centered planning.
- Roll back heightened scrutiny for residential, day habilitation, and employment choices.
- Preserve funding for an appropriate array of long-term services, supports, and settings to meet the needs and choices of individuals, including those who require intensive levels of care.
- Fight for funding for and recognition of intentional communities for people with disabilities as an appropriate setting based on individual choice.
- Protect Medicaid by fighting attempts to reduce services, such as habilitation services, through purely cost control methods like Medicaid Managed Care.
- Help HHS understand that a national network of community providers already exists that can support the HHS mission to provide services to people with disabilities in the community.

- Monitor the rollout at the state level of the Electronic Visit Verification rules and its impact on ACCSES members and individuals receiving services. Communicate any member concerns to CMS.
- Monitor and advise on how disability service providers may support a growing population of people with intellectual disabilities who are aging and those with early-onset dementia.

Employment

- Rescind, amend, or obtain corrective guidance to implementing regulations to the Workforce Investment and Opportunity Act (WIOA).
- Draft, see introduced, and lobby for legislation to modify the definition of or understanding of Competitive Integrated Employment as defined in the WIOA regulations to provide greater employment choice and halt the tide of State VR offices limiting referrals based on faulty presumptions; minimally, return to an understanding that jobs falling under AbilityOne, State Use, and other ratio-based programs are to be determined on a case-by-case basis; maximally, recognize a clear presumption that jobs through community service providers, AbilityOne, State Use, and other ratio-based programs are within the definition of Competitive Integrated Employment, unless it is determined otherwise on a case-by-case basis.
- Expand the role of community service providers, State-Use nonprofit agencies, and AbilityOne Nonprofit Agencies, as that term is defined, as legitimate employers.
- Obtain guidance recognizing the portability of counseling documentation to allow workers to change jobs (and employers to hire workers) without obtaining new counseling, including guidance that will permit a person under the age of 25 working under a special minimum wage certificate to change jobs.
- Preserve worker protections by educating lawmakers on the impact of phasing out of Section 14(c) at the federal level and fighting to protect the interests of community service providers and jobs of workers, and assist members within states with strategies, connections, and ideas to beat back state laws that will limit choice.
- Fight the TIME Act, if reintroduced, and other bills intended to eliminate Fair Labor Standards Act Section 14(c) special minimum wage certificates.
- Monitor and report on the Department of Labor Overtime Rule.
- Monitor the potential implications of Medicaid Expansion work requirements.
- Expand on discussions of the important role played by disability service providers and how we shape our future.

Education and School-to-Career Transition

- Make changes to Section 511 of the Rehabilitation Act of 1973, as amended through WIOA, to eliminate the gap between the end of high school and the age of 25 through an opt-out provision or guidance directing State VR offices to make every effort to direct young adults who want to work to appropriate jobs.
- Obtain recognition for the fact that Section 511 infantilizes people with disabilities by not recognizing them as adults capable of making their own employment decisions until age 25.
- Advocate for amending language to Section 511 and its implementing regulations to permit schools to contract with providers more broadly than currently allowed (and to eliminate references suggesting that community rehabilitation providers are unable to be engaged in certain activities because of a financial interest).
- Expand federal funding for school-to-career transition programs.
- Advocate for a review of what has happened to school systems and individuals transitioning from school to work since the Section 511 went into effect.

- Advocate independently and with coalition members against limitations on the IDEA and the Every Child Succeeds Act that would be contrary to the goal of ensuring the needs of children with disabilities are met.
- Increase funding of early intervention and early childhood education services, retain the family-centered approach, and expand the role of disability service providers.
- Monitor and respond to Department of Education proposals for changes to IDEA, ESSA, charter schools, or other programs that would affect students with disabilities.
- Advocate the use of inclusive education where ALL students attend and are welcomed by their neighborhood schools in age-appropriate, regular classes and are supported to learn, contribute and participate in all aspects of the life of the school.
- Monitor, brief, and share legal decisions that could have a wide-ranging impact on people with disabilities.

AbilityOne/State Use

- Protect AbilityOne jobs and comparable State Use jobs by working to change laws and rules limiting choice.
- Oppose efforts to curtail protections and priorities for procurement contracts awarded through the AbilityOne program and oppose any related efforts to curtail state preferred source programs.
- Monitor and report on the 898 Panel recommendations.
- Coordinate with and support the A-1 Commission, SourceAmerica, and the QWE Steering Committee efforts to streamline the QWE process and leverage the 898 Panel Recommendations and applicable CARF standards.

We Are The Community / Mobilize Our Forces / Together We Soar

- Hold monthly ACCSES Advocates calls with members to discuss the focus for the month, with an appropriate call to action shared and posted in ACCSES Voter Voice, and prepared talking points sent to members.
- Advocate always with community in mind and recognition that people and organizations providing services to people with disabilities and their families, and the people they serve, are “in the community.”
- Expose the artificial construct of being outside the “community” that supports many of the laws, regulations, and guidance having such a deleterious effect on people with disabilities, their families, and the people and organizations providing them services.
- Host meetings during Congressional recesses in states and districts to encourage ACCSES members to build relationships with their Congressional members in each state.
- Encourage ACCSES members to work with ACCSES and together to share meetings, information, and data.