



Disability Rights Iowa

LEGAL PROTECTION AND ADVOCACY

Disability Legal Update from Executive Director Jane Hudson

A lot is happening with respect to state and federal legislation concerning individuals with disabilities and mental illness. Below are some resources for you to keep on top of the developments.

STATE BILLS:

- [NAMI Iowa](#) does a great update on the status of state legislation regarding mental health issues. I will regularly send these on to you to keep you informed. DRI is in favor of the children's mental health continuum of care that is in the children's mental health bill, but is concerned about the lack of funding since the only sources are Medicaid and county property taxes. The state should be funding these service so that all of Iowa's children with mental illness are treated fairly, regardless of the economic status of their county. If you would like regular mental health updates, there is a [subscribe button](#) on the NAMI homepage.
- [Infonet newsletter published by ID Action](#), which is sponsored by the Developmental Disabilities Council, also provides updates on other state disability bills before the legislature. If you want to get regular updates directly, you can register with ID Action [here](#).

FEDERAL BILLS:

DRI will be providing you with regular updates on the progress of federal legislation concerning Americans with disabilities or mental illness. National Disability Rights Network, DRI's national membership association, is educating lawmakers about these bills.

DRI Iowa is met with the staff of new **Congresswoman Cindy Axne** on April 2nd to inform them about the clients DRI is serving in the Third Congressional District and to educate them about some of the following bills. We are also planning on meeting with **other Congress people** in different areas of the state. I will reach out to you to see if you can join us to educate the representative in your congressional district about these bills:

- **ABLE Age Adjustment Act (S. 651) and H.R. 1814**(introduced- bipartisan sponsorship)

- ABLE programs already give people with disabilities the opportunity to save without jeopardizing benefits
 - ABLE programs are in jeopardy due to a low rate of opening accounts
 - Raising the maximum age of onset from before 26 to before 46 will increase the likelihood of attaining solvency
 - Raising the maximum age of eligibility will also make the program fairer to people who become disabled at different ages.
- **The EMPOWER Care Act – (S. 548 and H.R 1342) (introduced -bipartisan sponsorship)**
 - The Money Follows the Person Program helped individuals with disabilities and seniors who want to move out of intermediate care facilities and nursing homes and back into their communities.
 - The MFP program in Iowa has been temporarily extended to December 2019 and is taking new applicants.
 - The Empower Act improves and extends MFP through 2023 by reducing how long someone must be in a nursing home before becoming eligible to transition -- from 90 days to 60. (The longer someone remains in a nursing home, the harder it can be for them to transition out.)
 - The bill also enhances the reporting and accountability of MFP funding and requires the federal government to identify and share the most effective state strategies for transitioning beneficiaries from institutional to qualified community settings.
 - **Marriage Access for People with Special Abilities Act (H.R. 1529) (introduced- bipartisan sponsorship)**
 - Currently, when two people who rely on Supplemental Security Income (SSI) marry, their benefits could be at risk because they must jointly report their incomes.
 - The Act ensures SSI benefits aren't affected by marital status. To calculate SSI benefits for an individual with developmental or intellectual disabilities, only their income and other financial information will be reviewed. Their spouse's earnings won't be a factor.