

# The Disability and Aging Collaborative &



April 20, 2023

The Honorable Chuck Schumer  
Majority Leader  
U.S. Senate  
Washington, DC 20515

The Honorable Mitch McConnell  
Minority Leader  
U.S. Senate  
Washington, DC 20515

The Honorable Kevin McCarthy  
Speaker  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Hakeem Jeffries  
Minority Leader  
U.S. House of Representatives  
Washington, DC 20515

Dear Leaders Schumer and McConnell, Speaker McCarthy and Leader Jeffries,

The undersigned member organizations of the Consortium for Constituents with Disabilities (CCD), and the Disability and Aging Collaborative (DAC), and other state and national organizations write to urge you to exclude Medicaid cuts or changes that limit funding or eligibility from any debt ceiling and budget negotiations and legislation. People with disabilities, older adults, family caregivers and their children, direct care workers, and other low-income individuals and families need more, not less investment in this essential health care program.

CCD is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society free from racism, ableism, sexism, and xenophobia, as well as LGBTQ+ based discrimination and religious intolerance. The Disability and Aging Collaborative (DAC) is a coalition of approximately 40

national organizations that work together to advance long-term services and support policy at the federal level. Formed in 2009, the DAC was one of the first coordinated efforts to bring together disability, aging, and labor organizations. Together we have been pushing to protect and strengthen Medicaid, which is why we are deeply concerned with proposals that include Medicaid per capita caps and work requirements.

Any funding cuts, caps, or changes that limit eligibility for the Medicaid program threaten the longstanding Medicaid guarantee for people with disabilities, older adults and their families. Medicaid is already lean and efficient, with provider payment rates significantly lower than Medicare or private insurance. The pandemic only stretched those resources thinner. Any change in federal funding will force states to cut services and eligibility. People will lose care and supports that keep them healthy and independent. Cutting Medicaid would amount to negotiating against the health and wellbeing of people with disabilities, older adults, and other low-income people and families. For many people with disabilities and older adults, accessing timely needed care is a life or death matter.

### **Federal Funding Caps Harm People with Disabilities and Older Adults**

For example, imposing per capita caps on Medicaid spending would have devastating consequences for low-income older adults and people with disabilities:

- Care for nursing facility residents - two-thirds of whom rely on Medicaid - would be jeopardized;
- Since coverage for home and community-based services is optional under Medicaid, care for the over 7 million recipients would be at particular risk;
- Future Medicaid cuts would be far easier to make, by simply dialing down or freezing federal spending growth rates from year to year;
- Perverse incentives would be created for states to cut services for people with the highest cost needs - primarily older adults and people with disabilities who need long-term services and supports;

Additionally, the cuts that would inevitably result from these arbitrary spending limits would result in significant job losses, reduced wages and lower economic growth. Federal cuts in Medicaid would strongly affect the financial viability of rural hospitals, while states with higher than average growth rates or lower spending per person would be unfairly penalized.

### **Work Requirements Don't Work**

The letter that Speaker McCarthy sent to President Biden laid out another troubling proposal, Medicaid work requirements. Work requirements are ineffective and unfairly punitive. Work requirements take away coverage from people who are eligible for Medicaid and often have no other insurance options, including people with disabilities, older adults, and their caregivers. Such requirements do not accommodate the needs of individual Medicaid beneficiaries, with and without disabilities, and misplace resources that could be used to provide additional services, create new job opportunities, improve access to affordable child care, or increase

funding for job training, employer accommodations, or other employment supports. It would add undue bureaucratic burdens to all beneficiaries.

We oppose any work requirements because they will result in hundreds of thousands of low income Americans, including people with disabilities and family caregivers, losing access to Medicaid services. Work requirements create barriers to Medicaid coverage and are justified by using false stereotypes about people who live in poverty lacking incentive to work. In fact, nearly four in five adults enrolled in Medicaid who are not receiving disability benefits already live in families with at least one worker.

Those adults not doing paid work are mostly either caregivers, students, or persons with chronic conditions or disabilities (who might either be temporarily unable to work or require supportive services to find and keep a job). In all, fewer than one in ten of this population of adult Medicaid beneficiaries cited some other reason for not working. This data suggests that the impact of the policy will not be to boost employment, but rather to slim the Medicaid rolls by adding more paperwork. It certainly shows that adding administrative burdens for all adult Medicaid enrollees and for states is costly and misguided.<sup>1</sup>

It may seem simple to assert that “people with disabilities and caregivers will be exempt,” but converting such a statement into an effective policy process is complicated, expensive, and fundamentally flawed.<sup>2</sup> Identifying exactly what qualifies as a disability, ensuring that people know how to request an exemption, and creating an accessible pathway to receive such an exemption has proven both misguided and unworkable.

Access to health care coverage is a matter of life, death, and independence for millions of Americans with disabilities, older adults, and their families and friends.

CCD and DAC strongly oppose per capita caps, work requirements, and other cuts to the Medicaid program. We will oppose them in every form. It is never acceptable to cut services for low income individuals with disabilities, adults, older Americans, and children, including in debt ceiling or budget negotiations. If you have any questions, contact DAC and CCD LTSS co-chair Nicole Jorwic, [nicole@caringacross.org](mailto:nicole@caringacross.org).

Sincerely,

ACA Consumer Advocacy  
Agency on Aging / Area 4

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<sup>1</sup> JENNIFER WAGNER & JUDITH SOLOMON, *States' Complex Medicaid Waivers Will Create Costly Bureaucracy and Harm Eligible Beneficiaries*, (2018), <https://www.cbpp.org/research/health/states-complex-medicaid-waivers-will-create-costly-bureaucracy-and-harm-eligible>.

<sup>2</sup> Kali Grant et al., *Unworkable & Unwise: Conditioning Access to Programs that Ensure a Basic Foundation for Families on Work Requirements*, 43 (2019), <https://www.georgetownpoverty.org/wp-content/uploads/2019/02/Unworkable-Unwise-20190201.pdf>.

Allies for Independence  
AltaMed Health Services  
American Association of People with Disabilities  
American Association on Health and Disability  
American Muslim Health Professionals  
American Network of Community Options and Resources (ANCOR)  
American Speech-Language-Hearing Association  
Andrew County Ministries, Inc RSVP  
APIAHF  
Area Agency on Aging District 7 (Ohio)  
Assistive Technology Law Center  
Association of Asian Pacific Community Health Organizations (AAPCHO)  
Association of Maternal & Child Health Programs  
Association of People Supporting Employment First (APSE)  
Autism Society of America  
Autistic People of Color Fund  
Autistic Self Advocacy Network  
Autistic Women & Nonbinary Network  
Bazelon Center for Mental Health Law  
Bread for the City  
Bubble Land Child Care  
California Advocates for Nursing Home Reform  
California Foundation for Independent Living Centers (CFILC)  
Caring Across Generations  
Care in Action  
Care Weavers - Patient Care Advocates  
Center for Medicare Advocacy  
CenterLink: The Community of LGBTQ Centers  
Central Arizona Shelter Services  
Charlotte Center for Legal Advocacy  
Choice in Aging  
Christopher & Dana Reeve Foundation  
City of Wauwatosa  
Colorado Center on Law and Policy  
Colorado Consumer Health Initiative  
CommunicationFIRST  
Communities Actively Living Independent & Free  
Community Access and Disability Center  
Community Catalyst  
Consumer Directed Action of New York  
Crohn's & Colitis Foundation  
Detroit Disability Power  
Disability Law Center  
Disability Law Center (MA)

Disability Law Center of Utah  
Disability Law Colorado  
Disability Policy Consortium  
Disability Rights & Resources  
Disability Rights Education and Defense Fund (DREDF)  
Disability Rights Florida  
Disability Rights Michigan  
Disability Rights North Carolina  
Disability Rights South Carolina  
Disability Rights Texas  
Disability Rights Wisconsin  
Disciples Center for Public Witness (Disciples of Christ)  
Diverse Elders Coalition  
Economic Opportunity Institute  
Empowered Aging of Contra Costa County  
Encuentro  
Epilepsy Foundation  
Equal Rights Advocates  
EverThrive Illinois  
Families USA  
Family Voices  
Georgia Equality  
GO2 for Lung Cancer  
Golden State Opportunity  
Hand in Hand: The Domestic Employers Network  
Hoosier Action  
Indiana Disability Rights  
Indivisible Marin  
Iowa Citizens for Community Improvement  
IRRC  
Jewish Family Services, Inc.  
Jewish Federations of North America  
Justice in Aging  
JusticePoint, Inc.  
Lakeland Park Service Coordinator  
Lakeshore Foundation  
Legal Action Center  
Leslie Fenninger  
LifeLong Medical Care, Inc.  
LifeTime Resources, Inc.  
Little Lobbyists  
Lutheran Services in America  
Maine Equal Justice  
Medicare Rights Center

Mental Health Hookup  
Mercer County Senior Citizen Center  
MKE MENTAL HEALTH TASK FORCE  
MomsRising  
Muscular Dystrophy Association  
National Academy of Elder Law Attorneys  
National Alliance on Mental Illness  
National Association of Councils on Developmental Disabilities  
National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE)  
National Consumer Voice for Quality Long-Term Care  
National Council on Aging  
National Council on Independent Living  
National Disability Rights Network(NDRN)  
National Domestic Workers Alliance  
National Employment Law Project  
National Health Law Program  
NATIONAL INDIAN COUNCIL ON AGING  
National PACE Association  
National Partnership for Women & Families  
National Respite Coalition  
National Viral Hepatitis Roundtable (NVHR)  
National Women's Law Center  
Network Lobby for Catholic Social Justice  
New Disabled South  
New Disabled South Rising  
New York Legal Assistance Group (NYLAG)  
New York State Association of Resident Service Coordinators  
North Dakota Protection & Advocacy Project  
North Seattle Progressives  
Northwest Harvest  
Nourish California  
NYAPRS.org  
Our Mother's Voice  
Pathfinders Milwaukee, Inc.  
People's Action  
PRC  
Progressive Democrats of America (PDA)  
Project Guardianship  
Protect Our Care  
Public Citizen  
Public Justice Center  
Senior Advocacy Network  
Senior Advocates of the Desert

Senior Citizens' Law Office  
Senior Staff Attorney, Greater Boston Legal Services  
Service Employees International Union (SEIU)  
SHIP  
Sirona Recovery, Inc.  
Sojourners  
South Carolina Appleseed Legal Justice Center  
Special Needs Alliance  
Sunny Cal ADHC  
TASH  
Tasha Yorey Enterprises  
Tennessee Justice Center  
The Arc of New Mexico  
The Arc of the United States  
The Arc of Washington State  
The Center for Disability Empowerment  
The Children's Partnership  
The Commonwealth Institute for Fiscal Analysis  
The Difference Principle, Inc.  
The Kelsey  
The Myalgic Encephalomyelitis Action Network  
Union for Reform Judaism  
United Church of Christ Justice and Local Church Ministries  
Virginia Poverty Law Center  
VOYCE  
Washington Anti-Hunger & Nutrition Coalition  
Washtenaw Association for Community Advocacy (ACA)  
Well Spouse Association  
WI Department of Corrections