



# National Council on Independent Living

The National Council on Independent Living (NCIL) is the longest-running national cross-disability, grassroots organization run by and for people with disabilities.



# Advocacy

- CILs:
  - Individual Advocacy
  - Systems Advocacy
- SILCs
- NCIL:
  - Capacity Building
  - National Advocacy



# NCIL's Structure

- **Diversity Committee**
  - Women's Caucus
  - Youth Caucus
  - Quer Caucus
- **International Committee**
- **Executive Committee**
- **Finance Committee**
  - Resource Development
- **Human Resources Committee**
  - Annual Conference
  - Membership & Nominating
- **Regional Representatives Committee**
- **President's Task Forces**
  - Outcome Measures Task Force
  - Parenting Task Force
  - Electronic Visit Verification Task Force
  - Chronic Pain/ Opioids Task Force
- **Legislative & Advocacy Committee**
  - ADA / Civil Rights Subcommittee
  - ADRC
  - Education & IDEA
  - Emergency Preparedness
  - Employment- Social Security
  - Healthcare / PAS
  - Housing
  - Mental Health
  - Rehab Act & IL Funding
  - Technology
  - Transportation
  - Veterans
  - Violence & Abuse Task Force
  - Voting Rights Task Force



# NCIL's 2019 Top 10 Legislative Priorities

- Rehabilitation Act/ Independent Living Funding
- Housing
- Personal Assistance Services/ Healthcare
- Civil Rights/ Americans with Disabilities Act
- Transportation
- Mental Health
- Social Security/ Employment
- Voting Accessibility
- Violence & Abuse
- Education



# Disability Integration Act

## (H.R. 555/ S. 117)

- Bipartisan, bicameral civil rights legislation introduced by Senator Schumer (D-NY) and Congressman Sensenbrenner (R-WI)
- Addresses the institutional bias:
  - Payers of LTSS must not discriminate against people with disabilities when providing home and community based services (HCBS)
  - Payers of LTSS must establish adequate payment structures for HCBS (to maintain a sufficient workforce)
  - Payers of LTSS must inform people with disabilities of their right to receive services in the community
  - Public entities must increase affordable and accessible housing options



# Disability Integration Act

(H.R. 555/ S. 117)

- Currently has enough support (over 218 cosponsors) to secure passage in the House
- 26 cosponsors in the Senate
- Over 800 organizations including all major national disability rights organizations and others including AARP, SEIU, National Fair Housing Alliance, & NAACP.
- More info:  
[www.DisabilityIntegrationAct.org](http://www.DisabilityIntegrationAct.org)



# Money Follows the Person/ EMPOWER Care Act (S. 548/ H.R. 1342)

- Money Follows the Person (MFP) was enacted in 2005
- 47 states have participated
- 88,000 people have transitioned out of institutions
  
- The Medicaid Extenders Act passed into law earlier this year and contained a reauthorization of MFP through September with ~3 months (\$112 million) of funding
- The Medicaid Services Investment and Accountability Act passed in April, which contained an additional \$20 million in funding





# Money Follows the Person/ EMPOWER Care Act (S. 548/ H.R. 1342)

- Ensuring Medicaid Provides Opportunities for Widespread Equity, Resources, and Care Act (EMPOWER Care Act)
- Bipartisan, bicameral legislation introduced by Senator Portman (R-OH) and Congresswoman Dingell (D-MI)
- It would:
  - Reauthorize MFP for five years
  - Provide \$450 million/year
  - Change the institutional residency period requirement from 90 to 60 days
- NCIL Advocacy



# Electronic Visit Verification (EVV)

- The 21<sup>st</sup> Century Cures Act (2016) included a provision requiring EVV
- NCIL created an EVV Task Force to follow federal and state activity and coordinate NCIL's national advocacy strategy
- EVV negatively impacts people with disabilities
  - Privacy
  - Olmstead
  - Stakeholder involvement



# Electronic Visit Verification (EVV)

- In July 2018, a 1-year delay bill was passed.
  - It also included a “sense of Congress” on stakeholder input
- Working with CMS
- An informal coalition of national organizations has been working with Congress
- More about NCIL’s specific concerns:  
<https://www.ncil.org/about-the-ncil-electronic-visit-verification-task-force/>



# Employment

- Fair Labor Standards Act (FLSA) Section 14(c)
  - Certificates to pay people with disabilities subminimum wages
  - Originally intended to provide a stepping stone to competitive employment
  - When first passed there was a 75% lower limit; in 1986 the floor was removed; some people receive hourly wages as low as \$0.08/hour.



# Employment

- Competitive Integrated Employment (CIE)
  - Defined in the Workforce Innovation and Opportunity Act (WIOA) as:
    - Work that is performed on a full-time or part-time basis (including self-employment)—
      - “(A) for which an individual— “(i) is compensated at a rate that— “(I)(aa) shall be not less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the rate specified in the applicable State or local minimum wage law; and “(bb) is not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities, and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills; or “(II) in the case of an individual who is self- employed, yields an income that is comparable to the income received by other individuals who are not individuals with disabilities, and who are self-employed in similar occupations or on similar tasks and who have similar training, experience, and skills; and “(ii) is eligible for the level of benefits provided to other employees;

# Employment

- Competitive Integrated Employment (CIE) (continued)
  - Work that is performed on a full-time or part-time basis (including self-employment)— (continued)
    - “(B) that is at a location where the employee interacts with other persons who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that individuals who are not individuals with disabilities and who are in comparable positions interact with other persons; and
    - “(C) that, as appropriate, presents opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions.”;



# Employment

- Bills
- Past bills
  - Bills phasing out 14(c)
  - TIME Act
- Current bills
  - Bills phasing out 14(c)
  - Transformation to Competitive Employment Act (S. 260/  
H.R. 873)
    - State grant program
    - Current 14(c) holder grant program
    - Freezes issuance of new 14(c) certificates
    - Phases out existing 14(c) certificates over 6 years
    - Establishes a TA center
    - Requires reporting

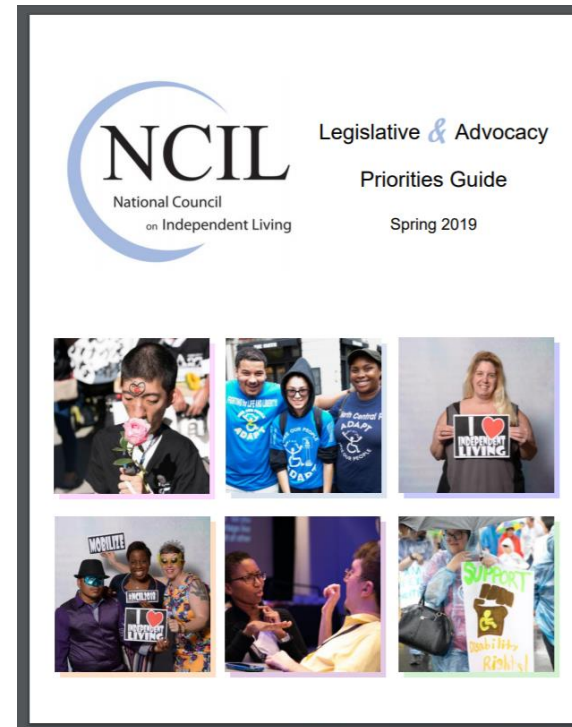


# Resource: 2019 Legislative & Advocacy Priorities Guide

For more  
information:

[www.ncil.org/press-room](http://www.ncil.org/press-room)

Legislative &  
Advocacy Priorities  
Guide





**For additional information or questions:**

[www.ncil.org](http://www.ncil.org)

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