



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

November 4, 2009

The Honorable Nancy Pelosi  
Speaker  
United States House of Representatives  
Washington, D.C. 20515

**RE: Disability Community Supports Critical Provisions in H.R. 3962**

Dear Speaker Pelosi:

The following members of the Consortium for Citizens with Disabilities (CCD) are writing to express our deep gratitude and strong support for critical elements of H.R. 3962, the Affordable Health Care for America Act of 2009. CCD, a coalition of national consumer, service provider, and professional organizations advocates on behalf of persons with disabilities and chronic conditions and their families.

We believe that the goal of health care reform should be to assure that all Americans, including people with disabilities and chronic conditions, have access to high quality, comprehensive, affordable health care that meets their individual needs and enables them to be healthy, functional, live as independently as possible, and participate in the community. H.R. 3962 goes a long way toward meeting that goal. Many of its provisions mark a sea change in improving access to quality, affordable health care for people with disabilities and chronic conditions.

The provisions in the bill that benefit people with disabilities and chronic conditions are far too many to list in this brief letter, but the following provisions stand out as signature achievements of the legislation for our community:

- Major insurance market reforms such as the elimination of discrimination based on health status, a prohibition on pre-existing condition exclusions, guaranteed issue and renewal requirements, and elimination of annual and lifetime caps;
- Creation of a high-risk pool to provide immediate assistance to those currently uninsured with pre-existing conditions before insurance market reforms are implemented;

- Inclusion of critical services for people with disabilities in the new Health Insurance Exchange's essential benefits package such as rehabilitation and habilitation services, durable medical equipment, prosthetics, orthotics and related supplies, vision and hearing services, equipment and supplies for children under 21 years of age, behavioral health treatment, and mental health and substance abuse services in compliance with the Wellstone-Domenici parity law;
- Inclusion of the Community Living Assistance Services and Supports (CLASS) Act, a new actuarially sound, premium-based, national long term services insurance program to help adults with severe functional impairments to remain independent, employed, and a part of their communities, without having to impoverish themselves to become eligible for Medicaid;
- Inclusion of a Sense of Congress Regarding Community First Choice Option to Provide Medicaid Coverage of Community-Based Attendant Services and Supports which expresses support for allowing states to offer such services to people otherwise eligible for Medicaid institutional services;
- Significant investments in Medicaid to dramatically expand eligibility, including EPSDT services for millions of children, increased reimbursement for physicians to Medicare rates with significant federal funding to offset the burden on states, a Maintenance of Effort (MOE) provision, and a six month-extension of the American Recovery and Reinvestment Act's increase to the federal share of Medicaid spending;
- Substantial federal subsidies and out-of-pocket limits to make coverage as affordable as possible;
- Creates new mechanisms and payment methods to better coordinate care for people with disabilities and chronic conditions (e.g., the Continuing Care Hospital ("CCH") and other concepts), and establishes important patient protections to address some of the legitimate concerns involving "bundling" of payments to providers;
- A two-year extension of the exceptions process to the Medicare therapy caps on physical, occupational, and speech and language therapies;
- Requirements for the development of standards for accessible diagnostic and other medical equipment;
- Inclusion of "disability" as a category for purposes of health disparities;
- Inclusion of "disability" as a subpopulation in the provisions regarding Comparative Effectiveness Research (CER); and
- Provision of wellness grants that prohibit the use of discriminatory incentives.

Thank you for your tremendous leadership in developing the Affordable Health Care for America Act of 2009. We look forward to working with you and your staff to secure final passage of meaningful and comprehensive health reform legislation that meets the needs of all Americans this year, including people with disabilities and chronic conditions.

Sincerely,

ACCSES

Alexander Graham Bell Association for the Deaf and Hard of Hearing  
American Academy of Physical Medicine and Rehabilitation  
American Association of People with Disabilities  
American Association on Health and Disability  
American Association on Intellectual and Developmental Disabilities  
American Council of the Blind  
American Foundation for the Blind  
American Medical Rehabilitation Providers Association  
American Music Therapy Association  
American Network of Community Options and Resources  
American Occupational Therapy Association  
American Physical Therapy Association  
American Speech-Language-Hearing Association  
American Therapeutic Recreation Association  
Amputee Coalition of America  
Association of University Centers on Disabilities  
Autism Society  
Bazelon Center for Mental Health Law  
Brain Injury Association of America  
Burton Blatt Institute  
Center for Disability Issues and the Health Professions  
CHADD - Children and Adults with Attention-Deficit/Hyperactivity Disorder  
Community Access National Network  
Council for Exceptional Children  
Council for Learning Disabilities  
Disability Rights Education and Defense Fund  
Easter Seals  
Epilepsy Foundation  
Family Voices  
Helen Keller National Center  
Learning Disabilities Association of America  
Mental Health America  
National Alliance on Mental Illness  
National Association for the Advancement of Orthotics and Prosthetics  
National Association of Councils on Developmental Disabilities  
National Association of Social Workers  
National Association of State Directors of Special Education  
National Association of State Head Injury Administrators  
National Coalition on Deaf-Blindness  
National Council for Community Behavioral Healthcare  
National Council on Independent Living  
National Disability Rights Network  
National Down Syndrome Congress  
National Industries for the Blind  
National Multiple Sclerosis Society  
National Respite Coalition

National Spinal Cord Injury Association  
NISH  
Paralyzed Veterans of America  
Rehabilitation Engineering and Assistive Technology Society of North America  
Teacher Education Division of the Council for Exceptional Children  
The Arc of the United States  
Tourette Syndrome Association  
United Cerebral Palsy  
United Spinal Association  
World Institute on Disability

cc: The Honorable Steny Hoyer  
The Honorable Henry Waxman  
The Honorable Charles Rangel  
The Honorable George Miller  
The Honorable Frank Pallone  
The Honorable Pete Stark