

LEGISLATIVE COMMITTEE REPORT as of OCTOBER 16,1988

The "Chafee" bill remains in the hands of the Senate Finance Committee;has a increased list of co-sponsors and Senator Bentsen is not expected to move on the bill during the current session.

Senator Durenberger, member of the Senate Finance Committee has prepared four (4)amendments to the "Chafee" bill in an attempt to have the amendments attached to the bill,saying that the proposed amendments cover the major objections to the"Chafee"bill,which is incorrect. It is believed that an attempt may be made, to attach theamendments to the"Chafee"bill and then attach the bill to an existing bill under consideration and slide it through in the final days of the current session. There is no action in this direction and it is thought,that the present session will conclude its deliberations by October 21.

VOR has advised Senator Durenberger of its opinion regarding the Four (4) amendments.indicating that 3 of the 4 amendments will require changes to be acceptable with one amendment being acceptable.

VOR has also written Senator Bentsen and all members of the Finance Committee a letter recapping the current objections to the "Chafee" bill with three enclosures that provide additional data,in areas requiring clarification as follows; a paper on the incorrect use of the word "Institution", a paper on freeze costs,and an explanation of the freeze on facilities. The letter recommends that supportive action on S.1673 and its companion bill HR.3454 be discontinued and that amendments ,if proposed ,be disapproved.

A most important event in the area of Medicaid Quality Servuces for the Mentally Retarded was the introduction of a new Bill, by Congressman Henry Waxman to the House of Representatives on August 11,1988,HR.5233 entitled " Medicaid Quality Services to the Mentally Retarded Amendments of 1988".

VOR plus many others consider the Waxman Bill,HR.5233, to be preferable to the "Chafee and Florio Bills.

A Public Hearing on the Florio Bill HR 3454 (same as the Chafee bill) and the "Waxman Bill HR5233,was held on Friday Sept.30,1988 in Washington. The Voice of the Retarded was represented by Marty.Pratt,George O'Donnell and Patricia Crawford of Nebraska. George and Pat.Crawford were selected to testify. George O'Donnell will report on the Hearing.

The Voice of the Retarded has turned a legislative corner in 1988,in that VOR has become KNOWN and RESPECTED.We must accept and understand the challenges that will be formidable and constant.

THE FUTURE

It appears that, the Chafee, Florio and Waxman Bills will be introduced to the next Congress and will be subject to a variety of conditions.

These conditions could be;

What happens to the Chafee Bill if the Senator is not re-elected ?
Will some other Senator take the Bill and convert it to his ideas ?
What will then happen to the Florio Bill?

Senator Bentsen stated that the Chafee will be marked-up in the early part of next year; this also depends on election results.

The Waxman Bill will be introduced to the new Congress and will probably have one or more hearings and then be marked-up. It appears that the Waxman Bill will be surviving bill for the House of Representatives. There probably will be a Senate version of the Waxman Bill developed in the early Spring.

There is another event which will have an effect on the overall situation regarding the Medicaid Bills.

What effect will the possible election of a Democratic President and Vice-President have ? If this happens, the makeup of the Senate Finance Committee will change with the promotion of Senator Matsunaga to Chairman of this most powerful committee.

With all these probabilities or movement, it is incumbent that a action plan be developed now and finalized after NOV.8.

PLAN OF ACTION

During the Waxman Hearing, two observations were brought to my attention by Pat Crawford and Terry Turner. They were items of omission or errors in the Waxman Bill; corrective action will be instituted for these items and others. This brings to ATTENTION, the fact that, even with close review, omissions or errors can occur. Please review your copy of the Waxman Bill and advise me of any area of CONCERN, indicatig the page and line number of the reference area. This is most important; please do this at the earliest opportunity and involve every one.

1. The first step is underway, that of linking the Congressman to his voters (constituency). This will be accomplished by matching the ZIP codes of VOR members, with those of the incumbent Congressman and advising the members (organizations will be provided the entire State listing) of the correct address, Washington and local for mailing. The Congressional Yellow Book has the ZIP codes for each congressional district listed, and will be used in our analysis.

The Voice of the Retarded will prepare the overall letter to the Senators and Representatives with enclosures;a copy of each letter will be furnished each person and organization on our mailing list. All on the mailing list,will be provided a copy of the ZIP codes served by your Representatives.

The same letter and enclosures ,with change of address and salutation; will be mailed to your U.S. Senator;your State Governor, and individuals sympathetic to the interests of the Mentally Retarded.

The mailing to Senators and Representatives,will be the signal for starting your communication program;thatof Writing,Calling and Visiting your Senator and Representative.In presenting your comments viewpoint,use your individual style in getting the message across.

Please convince all your relatives,friends,social and business associates,membership groups(Rotary etc.)and AARP.

In canvassing your contacts,you may find one that has access to a PAC(political action committee) that could be of help.

I realize that this will entail a lot of work to get the mailing out.It will be worthwhile;be sure to remember that your effort is for your family and the families of others.

"REMEMBER PEOPLE POWER" is in your hands;you are the voters that put them where they are;you are powerful.When you receive the reply,you requested,read it carefully and if not acceptable, write another letter asking for an answer to your letter.

State Problems:(ILLINOIS)

It is expected that the financial problems experienced in January 1988 to June 1988,will be repeated. This will require an early organization of Illinois Parents (also known as voters) into a correspondence campaign with, your State Representatives,your State Senators,the President of the State Senate,the Speaker of the House and Governor Thompson. You will be receiving information after the Presidential Election,so start thinking it over; we the voters will have to exercise the right to be heard when we insist on adequate funding for the mentally retarded among others.How Can Quality Care and Services be given when funding is not equitable? If you have any ideas or suggestions,please write me.

Thank you for the phone calls and your consideration..

REGARDS AND GOOD LUCK!

ED MALONE

RECOMMENDED CHANGES HR# 5233

1. PAT Crawford :
page 12 line 1--place a period after the word unobtainable
delete balance of sentence.

PAT Crawford:

page 26 --add after line 4,
(D)requirement of the habilitation facility,to promptly
re-admit client,when transfer or discharge to new facility
fails.

Example:

- o Lack of filling service needs of the
client,identified in the pre-discharge IPP.
- o Failure to provide active treatment as identified
in clients IPP.
- o Failure to provide 24 hour care to client requiring
same.

3. Page 20--line 6-add psychologist--Reword to read, Physician,
Psychologist or Qualified Mental Retardation
Professional

4. TERRY TURNER:

Page 66--line7:Renumber para.ii as para.iii and add as
para.ii the following"Arrange for the safe and satisfactory
admittance of the concerned client to a proper facility.
If this is not possible,then the client must remain in the
present facility pending the selection of a proper facility.
The fundingof this client will remain as presently being
executed.(parent or duly authorized representative must
participate).

General:

1 The use of the terms, "when practicable","when
appropriate" should be carefully observed,questioned and
suggestions made to eliminate or correct the term use.