



Wis. Caregiver Support Community Statewide Webinar Advocacy Update January 25, 2021

Absentee Ballot Return Restrictions

A high percentage of older and/or disabled Wisconsinites vote absentee due to health or disability related concerns or other barriers (such as transportation or caregiving responsibilities) that limit their ability to vote in person. Additionally, many of these voters due to disability or other barriers rely on a friend, family member or care provider to place their ballot in a mailbox, in a secure drop box, or to return it to their clerk.

Earlier this month, a Waukesha County Circuit Judge ruled ballot drop boxes could not be used in Wisconsin because current state law says absentee ballots must be returned by mail or in person. Drop boxes have been available in some Wisconsin communities for a long time. During the 2020 elections the use of drop boxes expanded because of the coronavirus pandemic. **The judge also ruled voters cannot have someone else return their ballot for them.** This ruling was set to take effect on Jan. 24, 2022.

Several groups that support the use of drop boxes and assistance returning absentee ballots asked for the ruling to be put on hold for the upcoming primary for spring elections on Feb. 15, 2022, while they pursued an appeal. These groups felt a stay of the ruling was needed because the primary election was coming up so soon and would not allow enough time to communicate these changes to voters. However, this past Friday (1/21/22) the judge denied their request to suspend his earlier ruling. The groups then filed a motion for an emergency stay with the Court of Appeals.

Yesterday (1/24/22), the District 4 Court of Appeals ruled that absentee ballot drop boxes and absentee ballot return assistance will be allowed in the February 15th primary election. This ruling will prevent a change in the law for return of absentee ballots just a few weeks in advance of the election and avoids creating confusion for voters and potentially disenfranchising any voters.

The Court of Appeals will now need to rule on the merits of judge's decision. During this process, the stay will protect access to drop boxes and ballot return assistance in Wisconsin.

New Voting Resources for 2022

The 2022 elections are rapidly approaching. The Disability Vote Coalition has some great new resources to help you get the word out about the 2022 elections and encourage people with disabilities to participate.

The Disability Vote Coalition postcards and posters include 2022 elections dates, information about voter registration, and where to call for help. The materials can be posted at your office or home, displayed in

literature racks or resource tables, distributed at community events and by mail. They are available to you at no charge.

Be prepared – order our postcards (English or Spanish) and posters now at this link: [New DVC Materials for 2022 Elections - Wisconsin Disability Vote Coalition](#) (which includes a survey link to order materials by quantity). Materials will be mailed to you.

Save the Date: Local Elections Matter – Zoom Event

On Wednesday, February 2, 2022, 6:00 – 7:15 PM a panel of disability advocates who have held local office will discuss why Local Elections Matter. The panel presentation will cover:

- What local officials do.
- Why voting in local elections matters.
- Local government’s role on disability related services and access.
 - Resources for the Spring 2022 elections: Spring Primary: February 15
 - Spring Election: April 5

A flyer for this event, including a link to register, is attached.

Older Americans Act (OAA) Federal Fiscal Year 2022 Appropriations

Last month, the U.S. Senate released their remaining FY2022 appropriations bills, including the Labor-HHS-Education package that includes most aging & disability programs. Funding levels proposed by the Senate generally reflect smaller increases than those proposed by the House earlier this summer. Negotiations continue between the two Houses and a final agreement has yet to be reached. The current continuing resolution (CR) is set to expire on Feb. 18, 2022.

To avoid yet another CR or government shutdown, efforts to come to a final agreement on the 12 appropriations bills that fund the government for the remainder of fiscal year 2022 (which ends Sept. 30, 2022) must be completed by Feb. 18, 2022.

Our national partners are urging us to reach out NOW to advocate for a FY 2022 funding bill that includes house-approved levels for OAA and other aging programs and against any additional CRs (or even worse a full-year CR). To contact Wisconsin’s U.S. Senators directly call: Sen. Baldwin – (202) 224-5653 and Sen. Johnson – (202) 224-5323. To find out who represents you in the U.S. House of Representatives go here: [Who Represents Me?](#) For additional contact information see a complete list of Wisconsin’s Members of the 117th Congress [here](#). Let your federal elected officials know how important permanent funding for caregiver support services is to the caregivers in your community. Encourage others to make calls too!

The chart below, released by the National Association of Nutrition and Aging Services Programs (NANASP), shows the proposed funding levels for OAA Programs:

Program	FY21 Final	FY22 President	FY22 House	FY22 Senate
Older Americans Act Programs				
Title III-B Home and Community-Based Services	\$392.5 million	\$550.6 million	\$550.6 million	\$500 million
Title III-C Nutrition Total	\$951.7 million	\$1.341 billion	\$1.387 billion	\$1.213 billion
<i>III-C-1 Congregate Meals</i>	<i>\$515 million</i>	<i>\$469 million</i>	<i>\$515 million</i>	<i>\$469 million</i>
<i>III-C-2 Home-Delivered Meals</i>	<i>\$276 million</i>	<i>\$703 million</i>	<i>\$703 million</i>	<i>\$576 million</i>
<i>III-C Nutrition Services Incentive Program (NSIP)</i>	<i>\$160 million</i>	<i>\$169 million</i>	<i>\$169 million</i>	<i>\$169 million</i>
Title III-D Preventive Health	\$24.8 million	\$26 million	\$31.3 million	\$26 million
Title III-E Family Caregiver Support Program	\$188.9 million	\$250 million	\$250 million	\$230 million
Title V Senior Community Service Employment Program (SCSEP)	\$405 million	\$405 million	\$450 million	\$410 million
Title VI Native Americans Nutrition/Supportive Services	\$35.2 million	\$70 million	\$70 million	\$65 million
Title VI Native Americans Caregiver Program	\$10.8 million	\$15.8 million	\$15.8 million	\$15.8 million
Title VII Long-Term Care Ombudsman	\$18.8 million	\$29.8 million	\$29.8 million	\$29.8 million
Title VII Elder Rights Support Activities Total	\$17.9 million	\$19.4 million	\$19.4 million	\$19.4 million
<i>Elder Justice Initiative</i>	<i>\$14 million</i>	<i>\$15 million</i>	<i>\$15 million</i>	<i>\$15 million</i>
<i>Other Elder Rights Activities</i>	<i>\$3.9 million</i>	<i>\$4.4 million</i>	<i>\$4.4 million</i>	<i>\$4.4 million</i>

House Passage of Build Back Better Act (BBB) - Reconciliation Package

The latest efforts to deploy additional financial help through the Build Back Better bill have stalled in Congress. President Biden indicates Congress may still be able to pass some of the social and climate policies proposed in the package.

President Joe Biden last week said Congress may still be able to pass some of the social and climate policies proposed in the package. Debate is currently going on to identify exactly which proposals could stay in a whittled down package. Programs that do not get inserted into the Build Back Better Act could be addressed through bipartisan legislation.

A few of the BBB proposals aging advocates hope to keep in include:

- Approximately \$1.2 billion for Older Americans Act programs -
 - \$655 million for **OAA Title III B Home & Community-Based Supportive Services**. Flexible Title III B funding focused on improving availability of critical aging services, building upon the Aging Network workforce and an investment in facilities and multipurpose centers.
 - \$140 million for **OAA Title III C Nutrition Services** to support the modernization of infrastructure and technology, including kitchen equipment and delivery vehicles.
 - \$150 million for the **OAA Title III E National Family Caregiver Support Program**.
 - \$50 million for **OAA Title VI Native American Nutrition, Supportive and Caregiver Services** to support modernization of infrastructure and technology, including kitchen equipment and delivery vehicles investment for sustainability of food distribution in congregate and home-delivered meals programs.
 - \$50 million for **OAA Title VII Long-Term Care Ombudsman Program**. The House borrowed from the President’s budget (a nearly 48 percent increase to the current level of spending for the LTCOP, to improve our nation’s protection of nursing home residents and long-term care Medicaid waiver participants.
 - \$75 million for the **Research, Demonstration and Evaluation Center** at the Administration on Aging, established during the 2020 reauthorization of the OAA to improve assessment and

- promote advancement of the relationship between OAA programs and services and health outcomes.
- \$1 million towards **national training and technical assistance centers** supported under the OAA—specifically to address social isolation, provide additional support in technical assistance and training, and continue to support a repository for innovations in Aging Network services in the field ([engAGED: The National Resource Center for Engaging Older Adults](#)).
 - \$59 million for **technical assistance or national resource centers under OAA Title IV** to support technical assistance and resource development for older individuals with the greatest social need, including those from racial and ethnic minority groups. The bill includes an additional \$15 million for technical assistance centers or national resource centers focused on providing services for populations underserved in communities due to sexual orientation or gender identity.
 - \$5 million to support **multi-generational program and demonstration projects** within section 417 of OAA.

Additionally, a retroactive waiver of the state and local match requirement for OAA funding in the American Rescue Plan Act (ARPA) is important to keep in BBB to ensure these funds can be spent at the state and local level.

Other key aging proposals include:

- An estimated \$150 billion for **Medicaid home and community-based services (HCBS)**, which includes:
 - A permanent 6% FMAP increase to states that meet all the applicable requirements;
 - A temporary additional 2% FMAP increase for states that implement a self-direction program that includes certain defined criteria;
 - A permanent reauthorization of the Money Follows the Person program, funded at \$450 million a year; and
 - A permanent extension of the Affordable Care Act’s Medicaid spousal impoverishment protections.
- **New funding and reauthorization for the Elder Justice Act**, including a \$4.2 billion investment in the **elder justice** infrastructure, including \$183 million for Long-Term Care Ombudsman Program grants and training (in addition to the OAA funding mentioned above) and \$265 million in grants to community- based organizations to address social isolation.
- A \$1 billion investment to support **affordable housing** for older adults and people with disabilities.
- Additional **support for the Senior Community Service Employment Program (SCSEP)** - \$35 million.
- **New coverage for hearing services and hearing aids in Medicare.**
- **Broadband affordability and accessibility initiatives.**
- Funding to ACL for **HCBS workforce development, training, and retention grants** - \$1 billion; and
- **Universal and permanent family and medical leave with four weeks of paid parental, family caregiving and medical leave.**

As we await anticipated increases for annual OAA and other aging services appropriations, this supplemental funding would provide welcome support for the continuance of critical pandemic-era efforts and increased service needs in your communities.

TAKE ACTION

It is imperative that all Senators and Representatives hear from their constituents regarding the critical need for Older Americans Act (OAA) support. **Immediate relief (Build Back Better Act) to address critical needs resulting from the COVID-19 pandemic and permanent funding (FY 2022 appropriation) to support the ongoing needs of a growing older adult population are both essential.**

Ask U.S. Senators Tammy Baldwin and Ron Johnson and your U.S. Representative (Find out who represents you [here](#) – type your zip code in the white box in the upper right hand corner titled “LOOK UP”) to support:

- **Increased funding for OAA programs in FY 2022, and**
- **Keep funding for OAA programs, paid family and medical leave, Medicare expanded benefits, and other Medicaid long-term service and support program enhancements in the final version of the Build Back Better Act.**

Take time to personalize your message and let your federal elected officials know what this funding means for the older adults and caregivers in your community, tribe, or state. For contact information for your Members of Congress see: [Wisconsin's Members of the 117th Congress](#).