

## Harrisburg Notes

As stated in my July report, the Legislature has passed a \$40.8 Billion budget including the annual \$2 million line for senior centers, although the Department has not decided how to release the funds. As also noted, the Department of Aging received approximately \$59 million in additional Older Americans Act (OAA) funds. It has notified the AAAs of how much each will receive, although the funds have yet to be released. For eighteen AAAs the funds are intended to offset loss suffered under the implementation of a new Intrastate Funding Formula (IFF).

Since returning for the Fall session, the Legislature has passed or begun to place in position for passage legislation of importance to seniors. The most important piece was HB 1861 (now Act 73) which extended the pandemic health and human services emergency waivers through March 31, 2022. These waivers are needed to continue to access federal emergency funds and to utilize them with flexibility.

In addition to Act 73, HB1774 (now Act 72) the Achieving Better Care by Monitoring All Prescriptions program was extended to December 31, 2028. It was to expire June 30, 2022.

The House has placed into position for passage:

HB 291 Extending the PACE/PACENET COLA moratorium to Dec 31, 2023 has been passed and sent to the Senate.

HB1260 Expanding PACENET eligibility and removing the "claw back" provision associated with PACENET recipients not enrolled in Medicare Part D is on the House Calendar.

Interestingly, the Senate previously passed similar bills (SB323 and SB668) which the House could consider and send to the Governor. It appears we are witnessing a pride of authorship battle.

When the Senate returns to session the week of October 18<sup>th</sup> it is in position to pass and send to the Governor HB1802 establishing an education program for medical professionals to encourage early detection of Alzheimer's and related conditions.

Representative Hennessey's HB1681 amending the Older Adult Protective Services Act is expected to be considered before next spring, whether or not Senator Muench reintroduces his version.

Also on the House horizon are guardianship bills providing for an increased Medicaid reimbursement rate from \$100/mo to \$300/mo, with CMS approval, and requiring background checks for guardians.

On the good news side of the ledger, the House Appropriations Committee reported revenue collections through September 30<sup>th</sup> General Fund revenues are \$628.3 million (7.3%) above estimate for the year, with only three months of the fiscal year completed. If this trend continues for the remaining nine months of the fiscal year it may help to relieve the pressure on Lottery funds.

The Department of Human Services has extended to November 2<sup>nd</sup> the date for response to the formal protests to the DHS decision to open negotiations with MAXIMUS to assume the clinical assessment function now performed by AAAs. P4a leadership is very grateful of PASC support to have clinical assessments remain with the AAA and TAG is urging legislators to increase pressure upon DHS and the Governor to withdraw from further negotiations with Maximus.

On September 7<sup>th</sup> Secretary Torres announced the long-awaited proposed regulations to implement the CARS Act (Act 2014-166) would be issued later that month. We are awaiting publication.

## WDC Notes

There is unfortunately little to report from Washington. The most important accomplishment to date was to approve a continuing resolution extending the budget and revenue authority of Fiscal year 2021 through December 3<sup>rd</sup>. (Fiscal year 2022 began on October 1<sup>st</sup> without a budget.)

As you know from commercial news reports, the Federal debt ceiling allowing the government to borrow money to pay for existing deficits expired on July 31<sup>st</sup> and has not been reenacted. The Treasury reported during the past week it will be out of funds by October 18<sup>th</sup> unless the debt ceiling legislation is passed before then. We expect a few more days of haggling over this.

The \$1.2 Trillion bi-partisan hard infrastructure act approved by the Senate and the proposed \$3.5 Trillion human services infrastructure act to accompany it are stalled. Both will eventually pass but the \$3.5 Trillion proposal is expected to be trimmed back substantially. ([Senate Democrats reach \\$3.5 trillion budget deal. - The Washington Post](#)) This is the proposal that includes \$400 Billion for Home and Community Based Services and \$1.9 Billion in targeted Older Americans Act funds. Tag is working with the Leadership Council of Aging Organizations\* in Washington to retain these funding increases.

Finally, as COVID remains with us, we can expect to see more uncertainty of how community senior centers and other congregate settings will be permitted to operate moving forward. The most important element of success will be engagement with local and state officials. CDC will continue to issue guidelines but it will be local and state officials that will interpret and enforce those guidelines. TAG remains ready to assist where and when possible.

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\*Presently comprised of sixty-seven national non-profit organizations including n4a, AARP, and the National Council on Aging (NCOA), since 1980 the Leadership Council of Aging Organizations (LCOA) has been the country's preeminent coalition representing older Americans.