

## **Frequently Asked Questions (FAQ) Re: American Rescue Plan Act of 2021**

### **What is the American Rescue Plan Act of 2021 (ARP)?**

The American Rescue Plan Act of 2021 (ARPA) ([P.L.117-2](#)) was signed into law on March 11, 2021 to provide \$1.9 trillion in additional federal relief to address the continued impact of COVID-19 on the economy, public health, state and local governments, individuals, and businesses. Several of the key provisions directly impacted the lives of people with disabilities, their families, and the professionals who support them that we will expand upon in this document.

#### *Resources:*

- [Full text.](#)
- [Section-by-section summary.](#)

### **How have Home and Community-Based Services been impacted by ARP?**

ARP provides qualifying states with a temporary 10 percentage point increase to the federal medical assistance percentage (FMAP) for certain Medicaid expenditures for home and community-based services (HCBS). On May 13, CMS issued a State Medicaid Director letter explaining the implementation. The Guidance includes the types of services that can be provided using the FMAP bump. Initial plans from States have to be submitted by June 12, 2021.

#### *Resources:*

- [State Medicaid Director letter SMD #21-003 Implementation of American Rescue Plan Act of 2021 Section 9817: Additional Support for Medicaid Home and Community-Based Services during the COVID-19 Emergency](#)
- [ACL Blog: American Rescue Plan's Additional Funding for Medicaid HCBS](#)

### **How long does ARP's 10% FMAP bump last?**

The additional 10% in FMAP temporarily increases the FMAP by 10% for HCBS services beginning April 1, 2021 and ending March 31, 2022. The money can be spent through March 31, 2024 to provide states with sufficient time to design and implement activities and fully expend the funds. The increased FMAP must be used to supplement, not supplant, existing state funds for Medicaid HCBS in effect as of April 1, 2021.

### **What types of HCBS services can the FMAP bump be used for?**

States can implement a variety of activities, including enhancements to HCBS services, eligibility, infrastructure, and reimbursement methodologies, to enhance, expand, or strengthen Medicaid HCBS. A state may not claim the increased FMAP for any HCBS

expenditures other than those listed in Appendices to the letter. Examples include: activities to address COVID-related concerns, to promote HCBS capacity building and infrastructure development activities, and to pursue innovative LTSS rebalancing strategies.

### **Can you give some examples of what HCBS services might be possible with the FMAP increase?**

The [State Medicaid Directors letter](#) includes several appendices with examples of what the increase in HCBS could be used for. Check Appendices B, C and D. For instance, under COVID related Supports: Workforce training, new or additional HCBS to avoid risk of institutionalization during COVID, assistive technology, community transition costs and coordination to the community.

Under Appendix D, to support state HCBS capacity building and LTSS rebalancing, examples include: strengthening assessment and person-centered planning practices, quality improvement activities, training, institutional diversion, community transition, expanding use of telehealth and technology.

### **What should UCEDDs be doing now to assist with HCBS FMAP increase implementation in their states?**

The State Medicaid Director's letter recognizes the importance of stakeholder engagement and urges the engagement of a wide variety of stakeholders to provide "insight, ideas and feedback to inform the state's approach". CMS expects a public notice process when changes are made to the HCBS programs.

#### *To Do:*

- Reach out to your Medicaid agency to see what stakeholder input is being sought for the use of the FMAP bump under ARP.
- Offer assistance, data, research, stakeholder engagement to the disability community or other assistance to your Medicaid Agency.
- Review the types of services being suggested under Sections C and D of the letter. Many of these will be excellent opportunities for UCEDDs, LENDs and IDDRCs to offer assistance.

### **How has Money Follows the Person been impacted by ARP?**

ARP extended the Money Follows the Person program through September 30, 2023.

### **How could this be impacted by the proposed Biden Infrastructure Plan, known as the American Jobs Plan?**

ARP is separate from the American Jobs Plan. For instance, ARP provides the temporary 10% FMAP increase (see above). The American Jobs Plan proposes an additional \$400 billion be added to HCBS services. The American Jobs Plan is not yet legislation, however, and must still be passed by the House and Senate and signed by the President.

### **The ARP included another round of stimulus checks. Will adults with disabilities claimed as dependents receive a check?**

Yes, adult dependents claimed as dependents on 2019 or 2020 tax returns are eligible to receive the \$1400 stimulus checks. This can include adults with disabilities who receive Supplemental Security Income (SSI) and/or Social Security Disability Insurance (SSDI). Critically, the adult dependent must also be claimed on the tax filings of an individual or couple who make less than the stimulus thresholds (\$80,000 max. for individuals, \$160,000 max. for couples). This policy is a departure from the past two rounds of stimulus checks, for which adult dependents did not qualify.

There are myriad reasons that an adult dependent with a disability or their caregiver have not yet received their stimulus check. Potential troubleshooting points include:

- The 2019 or 2020 tax filings of the individual or couple claiming the person with disability has a higher income than \$80,000 or \$160,000, respectively.
- The individual with a disability was *not* claimed as a dependent in 2019 but was in 2020. The person(s) filing taxes will need to file 2020 tax returns to receive the additional stimulus.

#### *Resources:*

- [FAQ from the Social Security Administration](#) on the third round of stimulus checks.
- [Check](#) to see when an individual will receive their third stimulus check.

### **How have education services for students with disabilities been impacted by ARP?**

The legislation included a significant investment in students with disabilities through carved out funding for the Individuals with Disabilities in Education Act. Of the \$130 billion that was a

allocated to the U.S. Department of Education overall, the following amounts were dedicated to IDEA:

- Part B, Section 611 (5-21 years-old): \$2.5 billion
- Part B, Section 619 (3-5 years-old): \$200 million
- Part C (Birth – 3 years-old): \$250 million

These funds are portioned amongst state educational agencies and lead agencies to help schools meet the needs of students with disabilities and their families as schools reopen safely and address the impact of the COVID-19 pandemic.

*Resources:*

- [Estimated American Rescue Plan IDEA Supplemental Grant Allocations](#), by state and territory
- [Analysis of Education Funding in ARP](#) from The Council of State Governments
- [National Conference of State Legislatures web page tracking State Actions on Coronavirus Relief Funds](#) – includes separate sections by state for higher education, K-12, health, housing etc.
- The U.S. Department of Education has released two handbooks to help schools reopen safely that consider the needs of students with disabilities:
  - [Volume 1: Strategies for Safely Reopening Elementary and Secondary Schools](#)
  - [Volume 2: Roadmap to Reopening Safely and Meeting All Students' Needs](#)

### **What is ESSERs funding under ARP and how do I know how my state is spending it?**

Each state must submit a plan for how it is spending its American Rescue Plan Elementary and Secondary School Emergency Relief (ARP ESSER) funds. States received two-thirds of their allocation in March 2021, but the remaining amount will not be sent to states until they submit a plan to the Department of Education and have it approved. The funding is to reopen and sustain safe operation of schools. States are required to seek broad input into their plans. Plans are due June 7, 2021.

*Resources:*

- [ESSER resources from the US Department of Education](#)
  - [PowerPoint from DOE on ESSERs state plan requirements](#)
- See [National Conference of State Legislatures web page tracking State Actions on Coronavirus Relief Funds](#)

### **What about higher education – does ARP provide additional funds for institutions of higher education?**

Yes, under ARP's Higher Education Emergency Relief Fund (HEERF III) \$36 billion in emergency grants are provided to IHEs to provide emergency financial grants to students with exceptional needs, spend funds on retention and reengaging students, prevent spread of COVID on college campuses, and reimburse other expenses due to COVID. At least half of the funds will go to direct student financial relief (which is not limited to students who have filled out the FAFSA or receive federal financial aid) and the remainder to institutional needs.

*Resources:*

- [U.S. Department of Education website on HEERF III](#)
- [FAQ from US Department of Education on HEERF III](#)

**Did ARP include any additional funding for nutrition assistance programs?**

ARP included \$12 billion in additional funding for nutrition assistance programs in response to the dramatic increase in adults reporting food hardship and insecurity during the pandemic.

Specific provisions include:

- Extension of increase to the Supplemental Nutrition Assistance Program (SNAP) benefit;
- Extension of the Pandemic-EBT program, which provides grocery benefits for families when schools are closed;
- Investment in the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and temporary raise in amount of produce for individuals;
- Increase in federal resources for state administrative costs associated with SNAP; and
- Investment in addressing food needs in Puerto Rico and certain other U.S. territories.

*Resources:*

- [Fact sheet](#) on nutrition assistance in ARP from the U.S. Department of Agriculture
- [COVID-19 resources for food and nutrition assistance](#) from the U.S. Department of Agriculture
- [SNAP special rules for the elderly or disabled](#) from the U.S. Department of Agriculture
- [Information on ARP funding to Puerto Rico for nutrition assistance](#) from the Center on Budget Policy and Priorities
- [Details and estimated increases in SNAP benefits by state](#) from the Center on Budget Policy and Priorities

**Did ARP include any Affordable Care Act premium assistance?**

Yes, under ARP ACA marketplace premium subsidies are substantially enhanced for people at every income level and, for the first time, offered to those with income above 4 times the federal poverty level (FPL). Enrollment or changes of plans under the special enrollment period

for these savings extends through August 15. ARP also provides help paying COBRA premiums from April 1, 2021 through September 30, 2021.

- HealthCare.gov description of lower costs on the ACA Marketplace and [increased premium subsidies](#)
- [How the American Rescue Plan Will Improve Affordability of Private Health Coverage](#) by Kaiser Family Foundation

### **How is ARP related to the yearly appropriations process?**

The funding in ARP is in addition to the yearly appropriations funding. This is true not only for Fiscal Year 2021 (FY21), in which the legislation was passed, but also for future Fiscal Years in which the ARPA funds may be spent. For example, the FMAP bump to HCBS will extend through FY21 and into FY22, but is separate from both appropriations funding.

#### *Resources:*

- [Information about budget and appropriations](#) from AUCD, including AUCD's FY22 asks.

### **What can UCEDDs do with the recent ACL funding to help individuals with disabilities get vaccinated?**

The UCEDD network received \$4 million in funding from the ARP as a result of a CDC-ACL partnership to expand COVID-19 vaccine access for people with disabilities. Each of the 67 UCEDDs will receive approximately \$59,701. The grants can be used for activities such as:

- Education about the importance of receiving a vaccine;
- Identifying people unable to independently travel to a vaccination site;
- Helping with scheduling a vaccine appointment;
- Arranging or providing accessible transportation;
- Providing companion/personal support;
- Reminding people of their second vaccination appointment if needed; and/or
- Providing technical assistance to local health departments or other entities on vaccine accessibility.

#### *Resources:*

- [Updates](#) on ACL's response to COVID-19
- [Program Application Instructions for the UCEDD Network to expand COVID-19 vaccine access for people with disabilities](#) on the Federal Register
- [FAQ on vaccination considerations for people in immigrant communities](#) from the National Immigration Law Center

## **What AUCD resources are available to UCEDDs for dissemination to fill the community gaps that people with disabilities are experiencing in the COVID-19 pandemic?**

UCD is working to support people with disabilities and their families throughout the COVID-19 pandemic. Our network has developed a variety of resources in response to the needs of the disability community:

- Policy and advocacy efforts can be found on the [COVID-19 policy issues page](#).
- Access upcoming and archived [webinars regarding COVID-19](#).
- [The National Center on Disability in Public Health](#):
  - [Prepared4All](#): addresses gaps in emergency management, including for COVID-19 vaccination efforts.
  - [Vaccine Confidence](#): AUCD-CDC cooperative to address COVID-19 vaccine access and confidence for people with disabilities.
  - [Public Health is For Everyone](#) disability and health resource library.
- AUCD is a member of the [National COVID-19 Resiliency Network \(NCRN\)](#), which has a series of resources aligned with their focus on mitigating the impact of COVID-19 on racial and ethnic minority, and rural populations.

## **Where do I access information from AUCD and network resource/solution sharing?**

1. A Dropbox was created for AUCD network members. Access is available to everyone using the link on the AUCD homepage. A "welcome and overview" document includes a table about most common requests with link to relevant folder.
2. Dropbox will contain efforts related to federally funded TA efforts not policy advocacy efforts.
3. If you have resources that you would like added or if you feedback about the Dropbox resources contact Jamie Koenig: [jkoenig@aucd.org](mailto:jkoenig@aucd.org)

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