



ASSOCIATION OF UNIVERSITY CENTERS ON DISABILITIES
THE LEADERSHIP, EDUCATION, ADVOCACY & RESEARCH NETWORK

Build Back Better Act Framework Explainer: What Does It Mean for the Disability Community?

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On Thursday, October 28, 2021, President Biden released the Build Back Better Act framework (BBB) and corresponding [legislative text](#). This expansive bill covers a wide range of social service needs, supporting direct support professionals (DSPs), health care services, the climate crisis, universal Pre-K, and other essential services.

We highlight key parts of the BBB framework that impact people with disabilities and direct support professionals (DSPs) below:

Medicaid Home and Community Based Services (HCBS)

Home and Community Based Services (HCBS) is a Medicaid program that provides funding to people with disabilities and the elderly to receive care in their home or community rather than in institutional settings.

The BBB framework proposes **\$150 billion** toward the Medicaid HCBS program over 10 years including a 6% FMAP bump for HCBS services.

What does this mean for us?

There is a lot more money going to states to make sure that more people with disabilities and those who are aging can get care in their home or community. The money will also be used to pay DSPs of people who receive Medicaid.

Money Follows the Person Rebalancing Demonstration Program (MFP)

The Money Follows the Person (MFP) Program helps states increase the use of HCBS and decrease the use of institutional care. The BBB framework proposes a permanent extension to the MFP program.

The BBB framework proposed **\$450,000,000** for each fiscal year after fiscal year 2021.

What does this mean for us?

There would be a permanent money source to make sure more people with disabilities and those who are aging can get care in their home or community.

Competitive Integrated Employment Transformation / 14(c) Special Certificate

There is a significant investment being made to ensure that people with disabilities have meaningful jobs with fair, competitive wages. This money will be given to states to help employers with special certificates under section 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 14 214(c)) move away from 14(c) subminimum wage certificates to competitive integrated employment opportunities.

The BBB framework proposed **\$270 million for state grants** to improve competitive integrated employment options instead of employment 14(c) special certificate program models paying subminimum wage.

What does this mean for us?

There is a lot of money being put into making more job opportunities for people with disabilities with fair pay.

Workforce Development and Training for Direct Support Professionals (DSPs)

The direct support professional (DSPs) workforce provides essential supports to people with disabilities in their homes and communities, and these workers need to be paid more. Funding has been proposed to invest in competitive wages, benefits, other supportive services, as well as better recruitment, retention, and career advancement strategies. Specific programs or allocations have not been made yet, but this is a start in creating such programs.

The BBB framework proposes **\$1 billion** for workforce development grants to states for 3 years via the U.S. Department of Labor in coordination with Administration for Community Living (ACL) and **\$20 million** for National Technical Assistance Center on the DSP Workforce.

What does this mean for us?

DSPs will get fairer pay, benefits, and support to do their jobs well. They will also have better training and educational opportunities.

The BBB framework also includes other expanded services that will benefit the disability community:

- **Expand Supplemental Security Income (SSI) to the U.S. Territories:** BBB proposes eliminating a limit of the total payments to the U.S. territories of Puerto Rico, U.S. Virgin Islands, Guam, and American Samoa for SSI.

What does this mean for us?

SSI gives cash to people with disabilities and older people who do not make much money or earn no money. Uncapping SSI in the U.S. territories means people with disabilities who make little or no money would be able to receive extra cash to help with food, clothing, or housing.

- **Extend Affordable Care Act (ACA) Premium Tax Credits:** The expanded ACA premium tax credits have been extended through 2025.

What does this mean for us?

The health insurance for adults who are 65 years and older will now pay for hearing aids for those with severe hearing loss.

- **Allow Medicare to cover the cost of hearing:** Medicare will include a hearing benefit, including hearing aids for those with profound or severe hearing loss.

What does this mean for us?

More people who would otherwise not have health insurance will be able to get the medical care they need at lower costs.

- **Permanent Extension of Medicaid Protections Against Spousal Impoverishment for HCBS Recipients**

Spousal Impoverishment for HCBS recipients seeks to prevent a married couple from becoming financially unstable due to the costs of long-term care. It allows the couple to divide their assets for purposes of eligibility when one spouse needs Medicaid coverage for HCBS services. The BBB Framework makes this a permanent rule.

What does this mean for us?

This program allows one person in a married couple to receive HCBS services through Medicaid without their spouse having to become less financially stable to support them. This program will not go away.

- **Further Investment in Housing Affordability and Reducing Price Pressures:** There is a **\$150 billion investment** being made toward making housing affordable, which includes rural areas and building more affordable rental and single-family homes as well as public housing.

What does this mean for us?

There is a lot of money being put into making sure that there are cheaper places to live.

What should we continue to advocate for?

- Thank your Representative and both Senators for including HCBS in BBB, while continuing to advocate for increased funding for HCBS services.

Action Steps:

- Refer to the BBB framework's [legislative text](#).
- Read and share an [Opinion Piece](#) on this bill by Liz Weintraub.
- Reach out to your Representative and both Senators. Share how these investments will support people in your community.
- Use social media to raise the importance of this legislation
 - Use #BuildBackBetterAct