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January 8, 2015

CURRENT NEWS AND UPDATES

U.S. District Judge Delays Home Healthcare Overtime Implementation

On December 22, U.S. District Judge Richard Leon struck down part of the U.S. Department of Labor's (DOL) regulations requiring employers to pay most home care workers minimum wages and overtime. Following the ruling, the Court issued an order staying implementation of the effective date of the regulations, which narrow the definition of "companionship services" and exclude third party employers from the companionship exemption, until January 15, 2015.

A hearing has been scheduled for tomorrow, January 9, to decide whether Judge Leon will issue a "preliminary injunction," which would stay key parts of the new regulations indefinitely. The Judge's reason for striking down

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DOL's recent regulations that allow for higher wages and overtime for home care workers was that the "rules conflict with federal law that has long exempted third-party providers of in-home care for the elderly and disabled from complying with wage laws." [Learn more about the ruling from *The National Law Review*.](#)

U.S. Department of Labor, Office of Disability Employment Policy Adds New Members to Disability Employment Advisory Committee

On Monday, it was announced that the U.S. Department of Labor's (DOL) Office of Disability Employment Policy (ODEP) had added seventeen new members to its Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities. The new members of this committee will advise [the Secretary of Labor](#) on ways to increase job opportunities for people with disabilities. [Learn more about this important Committee, which was developed as a part of the recently reauthorized Workforce Innovation and Opportunity Act \(WIOA\).](#)

ABLE Act Signed Into Law

On December 21, 2014, President Obama signed the Achieving a Better Life Experience (ABLE) Act into law. The Act is aimed at giving families the ability to create tax-exempt savings accounts for people born with disabilities or are diagnosed with a disability by the age of 26. The ABLE Act will allow families to set up tax-free savings accounts at financial institutions and deposit as much as \$14,000 per year into the accounts to pay for services that include transportation, health care, and other long term needs. The ABLE accounts will be able to accrue up to \$100,000 in savings without the person with a disability losing eligibility for government aid such as Social Security.

UCP Launches New Resource

On January 5, UCP launched a new resource for young people and adults with a range of disabilities. [My Life Without Limits](#), is a natural companion to UCP's [My Child Without Limits](#) program, which was developed for the parents of young children with disabilities. The new flagship website and forum at www.mylifewithoutlimits.org is a community-driven hub devoted to topics of interest to young people and adults with disabilities such as health and

wellness, relationships, education, employment, and entertainment. Find out more from Public Education Director O'Ryan Case on the [Voices of UCP](#) blog.

STATE CHECK-UP

January Edition of Medicaid Watch Released

[Read the January 1, 2015 edition of MEDICAID WATCH.](#)

Notable and recent state developments and proposals that expand access and eligibility appear in blue, while noteworthy and recent state developments and proposals that reduce access and eligibility are printed in red. The last two pages contain a regularly-updated and current listing of sources and resources on state-level health coverage, with the most relevant news, facts and documents highlighted in yellow.

The MEDICAID WATCH doesn't cover only state-level Medicaid eligibility and access news; it also reports on other state health assistance programs, including: State Children's Health Insurance Programs (SCHIP); States' own non-federally-funded medical assistance programs; State Pharmacy Assistance Programs (SPAPs); State AIDS Drug Assistance Programs (ADAPs); State-subsidized or -sponsored health insurance programs for limited income persons; and State-subsidized high risk health insurance pools (including premium discounts given by some risk pools to those with incomes under state-set levels).

ON THE HORIZON

National Council on Disability to Hold Meeting in January

The National Council on Disability (NCD) will hold a meeting on January 12, 2015. The meeting will discuss NCD's upcoming home and community based services report and will also talk about the incoming 114th Congress. [Get more information and learn how to attend the meeting by visiting the National Council on Disability's website.](#)

For more information on the Washington Wire, please contact Connie Garner at CGarner@ucp.org.

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