

STATE WIDE

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2014 FEDERAL LEGISLATIVE PRIORITIES

ECONOMIC SECURITY

StateWide believes that economic security should be defined as having the income, resources, services and supports necessary to meet all basic needs, including housing, health care, transportation, food, miscellaneous essentials, and, when necessary, long term care. We believe more realistic tools are needed to assess elders' economic needs and well-being.

- StateWide recommends that the federal government use 200% of the federal poverty level (FPL) as a closer approximation of economic security rather than 100% of FPL, to shape planning efforts as well as eligibility for service delivery.
- StateWide will fight federal cuts to food programs, heating assistance and other important human service programs that provide assistance so that seniors and their families can live with dignity in the community.
- StateWide supports the National Council on Aging (NCOA) Public Policy Priorities to urge Congress to set the right priorities. <http://www.ncoa.org/assets/files/pdf/2011-aging-in-america-presentations/Public-Policy-Priorities.pdf>
- StateWide urges Congress to protect pension benefits for workers.
- StateWide supports farm legislation that funds the Supplemental Nutrition Assistance Program (SNAP) program to provide adequate food security for all Americans. SNAP must be authorized at levels necessary to meet the needs of a hungry nation, with the funding levels appropriated in the American Recovery & Reinvestment Act continued.

○Supplemental Security Income (SSI)

StateWide supports modernization of the SSI program in order to reduce or end poverty among persons with disability and the elderly and the blind in this nation. StateWide urges action to:

- Raise the Federal Benefit Rate for SSI to 100% of the FPL and undertake a re-evaluation of the FPL.
- Raise the income to offset inflation since 1974.
- Raise the allowable resource limits to offset inflation since 1989.
- Treat defined contribution pension plans in the same manner as defined benefit pension plans.
- Restore full eligibility to all otherwise eligible immigrants lawfully admitted for permanent residence or with permanent residence under color of law (PRUCOL).
- Restore eligibility to otherwise eligible persons whose qualifying disability is drug addiction or alcoholism.
- Provide funding for community outreach and assistance with applications and appeals to currently eligible low-income people who are not receiving SSI benefits.
- Encourage states to provide or improve state supplementary payments, at least until there is a full federalization of an adequate SSI benefit (recommendations 1 – 3 above), by:
 - Authorizing the disregard of state SSI supplements in calculating SNAP eligibility.
 - Raising the federal match for Medicaid payments for SSI Medicaid eligible persons.
- Increase the personal needs allowance for residents of Long Term Care facilities.
- Raise the asset limit imposed on people with disabilities receiving Supplemental Security Income

○ **SOCIAL SECURITY**

Social Security is a promise to generations of people who have contributed through dedicated taxes that there will be protection against lost wages due to old age, disability or death. Social Security did not cause the federal deficit. The Social Security Board of Trustees found that Social Security can pay 100% of promised benefits until 2033 from dedicated revenues and reserves of \$2.73 trillion.

Social Security benefits are a lifeline for retirees as well as surviving children and spouses and persons with disabilities. There are 3,394,309 Social Security beneficiaries in New York. Social Security is a driving force to the economy, contributing to the spending power in communities. New York residents receive Social Security benefits totaling over \$49 billion per year.

- StateWide will urge Congress to oppose all efforts to privatize Social Security and reduce benefits for future generations of retired workers and their families.
- StateWide is part of two national campaigns to ensure that Social Security is maintained and enhanced for future generations. StateWide has endorsed the Principles of the Strengthen Social Security campaign.
- StateWide supports gradually eliminating the cap on Social Security payroll contributions (currently \$113,700) which would eliminate 95 percent of the projected shortfall.
- StateWide opposes adoption of the Chained CPI for a cost of living adjustment and supports the CPI-E methodology that includes health care costs that lead to economic insecurity for older Americans.
- StateWide opposes any further adjustments that increase the retirement age.

○ **OLDER AMERICANS ACT (OAA)**

StateWide supports Senator Bernie Sanders legislation to reauthorize the OAA which:

- Re-defines “greatest economic need” to 200% of FPL; and
- Clarifies the definition of economic security to having the income necessary to pay for housing, health care, transportation, food, long-term care, and goods & services to meet basic needs.
- StateWide supports investment in the modernization of senior centers.
- StateWide supports restoration of the sequestration cuts to aging services so that the federal budget funding baseline does not start at the lower sequestration levels that were effective March 2013.

○ **ELDER JUSTICE ACT**

According to a recent National Institute of Justice study, almost 11% of people ages 60 and older (5.7 million) faced some form of elder abuse.. Financial exploitation of older adults is increasingly alarming. A 2009 report by the MetLife Mature Market Institute and the National Committee for the Prevention of Elder Abuse (NCPEA) estimates that seniors lose a minimum of \$2.5 billion each year.

Elder abuse, neglect and exploitation are serious and widespread social justice problems and major health issues. Victims of elder abuse are often abused by family members or someone close to them and victims tend to be older, frail and often dependent on their abusers for life’s basic necessities and care. Victims of elder abuse, neglect and financial exploitation have three times the risk of dying prematurely. To this day, elder abuse is the

only form of family violence for which the federal government provides virtually no resources.

Funding the Elder Justice Act would send money directly to the states to create jobs and protect our seniors from abuse; keeping them out of harm, from losing their life savings, and needing expensive care.

- StateWide encourages members of Congress to allocate \$21 million for the Elder Justice Act which was passed without any support for an ongoing funding stream.
- **StateWide supports expansion of the federal definition of elder abuse, neglect and exploitation.**
- **StateWide supports incorporation of elder abuse prevention training, screening and reporting protocols into all senior services access points that receive federal funding**

HEALTH CARE SYSTEM

The escalation of health care costs and failure of existing legislation to achieve universal coverage require continued emphasis on this vital issue. The best protection for Medicare, which now covers the most medically challenged part of the population, is to expand the risk pool to all, including younger, healthier Americans. StateWide supports federal Universal Health Insurance, the expansion of Improved Medicare for All, as the most effective vehicle for achieving universal coverage and cost control.

- StateWide supports the expansion of the Medicare program to provide universal health care for all.
- StateWide will monitor the implementation of the Affordable Care Act to ensure that it is fair and realistic for senior citizens and their families.
- StateWide will support efforts to maximize funding opportunities for aging and disability home and community based services through the Affordable Care Act.
- StateWide will fight federal cuts to Medicaid and attempts to block grant state payments.
- Improve palliative care by investing in a trained workforce to expand health care system capacity, enhancing research in pain management and providing a public awareness campaign.
- Provide paid family and medical leave
- Implement standards of training for personal care attendants and update home health aide training requirements.

○Medicare

While StateWide supports the expansion of the Medicare program to provide universal health care for all, in the context of the current program:

- StateWide supports the preservation of Medicare as a program available to everyone age 65 and older, and persons with disabilities, without discrimination.
- StateWide opposes the creation of a voucher system that forces future beneficiaries to shop for coverage rather than obtaining coverage as provided by the current Medicare program.
- Congress must ensure that the health care system does not further deteriorate, ensuring that enrollee premiums and co-payments remain affordable.
- StateWide supports giving Medicare the authority to maximize negotiating power to achieve fair and affordable prices for medicines.
- Oppose reduction of income level (currently \$85,000 for individual and \$170,000 for couple) for additional means testing.
- Support action to make permanent the Therapy Cap Exceptions Process.
- Make permanent the Part B Low Income Protection under the Qualified Individual Program.
- Remove social security numbers as the unique identifier for Medicare enrollees as a means of reducing identity theft.
- Oppose deemed status of nursing home providers to ensure, high, government controlled, standards.
- Expand benefits to include Long Term Care.
- Ensure that hospital stays defined as observation status are counted toward coverage for nursing home/rehabilitation services in the same manner as inpatient stays.

○Prescription Drugs

Congress must improve the Medicare prescription drug benefit to simplify access to the benefit, lower drug prices for all beneficiaries, protect vulnerable beneficiaries, and support state programs such as Elderly Pharmaceutical Insurance Coverage (EPIC).

- StateWide works to promote and protect American consumer access to sources of safe, affordable prescription drugs. We partner with *RxRights*, a national coalition

dedicated to raising awareness and spurring action around safe prescription drug importation, to provide legal access to safe and affordable drugs from abroad.

- StateWide supports the disclosure of gifts to prescribers from pharmaceutical industry representatives.
- StateWide supports a cap on the amount that the pharmaceutical industry can charge for prescription drugs.
- Support the proposed Medicare Drug Savings Act that would lower Rx costs for Medicare beneficiaries through rebates and other similar proposals and correct payments to drug companies.
- Give the federal government the authority to negotiate Medicare drug prices similar to the Veterans Administration.
- Authorize federal government to establish a Medicare run drug plan to compete with Part D insurance models.
- Continue to assure access to prescription medicines for the six protected classes of vulnerable patients under Medicare Part D.

HOUSING

StateWide supports the National Community Reinvestment Coalition's housing agenda:

- ***Restore Housing Counseling Funding in the Fiscal Year (FY) 2014 Budget.***
Supported by Department of Housing and Urban Development (HUD), housing counseling services help individuals navigate a complicated market on topics ranging from mortgage delinquency and default resolution to accessing safe reverse mortgages. Housing counseling has proved a critical resource during the foreclosure crisis and must be maintained. The \$88 million dollars devoted to these services must be restored in the FY2013 budget.
- ***Protect Affordable Housing for Older Americans.***
Seniors' access to affordable housing units is at risk in ongoing debt negotiations. Housing programs operated by HUD and other federal agencies are further threatened in the event of sequestration should the Joint Committee on Deficit Reduction fail to meet its established goals. Affordable housing programs should be funded at no less than FY2010 levels to ensure an appropriate stock of affordable housing is available for today and for future generations of older adults.
- ***Expedite Database Development on Foreclosure Trends and HMDA Enhancements.***

One charge of the newly developed Consumer Financial Protection Bureau (CFPB) and HUD involves the development of a database allowing the public to track foreclosure trends by census tract. Database development should be accelerated to better understand the affects of foreclosure in census tracts with concentrations of older adults in the aftermath of the Great Recession. In addition, the CFPB is responsible for enhancing the Home Mortgage Disclosure Act (HMDA) to include the age of the borrower as well as more information on loan terms and conditions. The CFPB should expeditiously propose changes to HMDA so that researchers, agencies, stakeholders and the general public can track whether older Americans continue to receive loans with onerous terms and conditions.

- ***Establish “elderliness” or “older Americans” a Protected Class of the Fair Housing Act (Title VIII).***

To date, no federal protections against discrimination on the basis of age exist in the fair housing or fair lending arena. Federal acknowledgement of older adults as a protected class will strengthen the ability of local advocates and service providers to protect seniors from financial abuses tied to housing.

- ***Reconvene a Bi-Partisan Commission to Explore Senior Housing Trends.***

In 2002, the Commission on Affordable Housing and Health Facility Needs for Seniors in the 21st Century released a summative analysis on the nation’s growing aging population and the lack of affordable housing, *A Quiet Crisis in America*. The affect of the Great Recession on housing for older adults has likely worsened this quiet crisis. We recommend establishing a bi-partisan commission to re-examine senior housing trends to both increase the visibility of this crisis and to devise cost-effective solutions for the long-term. This bi-partisan commission should assess how cost burdens for older renters and homeowners can be most effectively addressed with either demand-side interventions (more Section 8 vouchers) and/or supply-side interventions (increasing the supply of affordable renter housing, for example through construction of Section 202 units).

WEATHERIZATION PROGRAM [Home Energy Assistance Program (HEAP)].

We urge that the state plan be changed to restore this program through the State Office for the Aging.

StateWide is also concerned about the funding reduction in the Weatherization Referral Assistance Program (WRAP). This program has always had an earmark for seniors for “last resort” help to prevent emergency heating situations. This funding has now been cut in the state plan presented by the NYS Office of Temporary and Disability Assistance (OTDA), leaving no ready source of emergency help for older persons should their heating system and equipment need immediate repair or replacement. Not only was the federal funding amount reduced by 25% but the State OTDA also changed the State Plan so that there is 5% less for conservation than in 2011. So even if they put more money back in the program there is still less money that will be available.

ENVIRONMENTAL ISSUES

- Ban hydraulic fracturing on public lands.
- Repeal the “Monsanto Protection Act,” that prohibits federal courts from being able to halt the sale or planting of controversial genetically modified or genetically engineered seeds, no matter what health issues may arise in the future.

BANKING

- Oppose overturning the Credit Union Tax Exemption

REVENUE

StateWide promotes tax fairness. Congress should look to fair financing to maintain the guaranteed benefits under Social Security for retirement, disability and survivors.

- Congress should end the “Bush” tax cuts for those earning more than \$250,000 annually.
- Congress should end oil and gas subsidies.
- Congress should eliminate tax loopholes and foreign tax shelters for big business and corporations.
- StateWide supports reforms that would tax capital gains at the same rate as earned income.

CAMPAIGN FINANCING

StateWide supports passage of a constitutional amendment to overturn the Citizens United Supreme Court decision.