

# STATE WIDE

**New York StateWide Senior Action Council, Inc.**

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## Draft 2021 FEDERAL LEGISLATIVE PRIORITIES

### ECONOMIC SECURITY

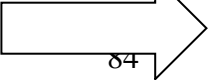
*StateWide believes that economic security should be defined as having the income, resources, services and supports necessary to meet all basic needs, including housing, health care, transportation, food, miscellaneous essentials, and, when necessary, long term care. We believe more realistic tools are 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 opposes any changes to the calculation of the federal poverty level that reduces the rate of growth of future benefits by using the Chained COLA (Cost of Living Adjustment) to adjust the formula.
- StateWide will fight federal cuts to food programs, heating/cooling assistance and other important human service programs that provide assistance so that seniors and their families can live with dignity in the community. StateWide opposes block grant funds that do not keep pace with needs and artificial per capita caps. Federal funding should protect and assist low-income and vulnerable people.
- StateWide supports the National Council on Aging (NCOA) Public Policy Priorities to urge Congress to set the right priorities, found at: <https://www.ncoa.org/public-policy-action/advocacy-toolkit/understanding-the-issues/issue-briefs/>
- **StateWide supports the legislative agenda of the National Committee to Protect Medicare and Social Security found at:** <https://www.ncpssm.org/wp-content/uploads/2019/01/legislative-agenda-2019.pdf>

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- 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 restored. Further, StateWide urges the loosening of federal rules that prevent online supermarkets from accepting public assistance as payment.
- StateWide urges Congress to require employers to provide paid family and medical leave. StateWide opposes the New Parents Act because it only provides a paid benefit to new parents during the immediate post delivery months, takes money from the Social Security Fund without replacement revenue to offset the cost, and individuals who claim the benefit would face a cut to Social Security retirement benefits.
- **StateWide seeks unemployment benefits for those who cannot work from home and are at a high risk for exposure to disease by going to a workplace during a public health emergency.**
- StateWide supports *The Schedules That Work Act* to protect working people who request a change in their schedule from retaliation from their bosses.
- StateWide supports efforts to ensure equal pay for equal work.
- StateWide urges an increase in the federal minimum wage to \$15, and to ensure a livable wage, future increases should be indexed to the rate of inflation.
- StateWide supports the *Domestic Workers Bill of Rights* to extend working rights to domestic workers, ensuring that they are covered by prevailing labor laws, and provide financial stability and safety, including assurance of meal breaks, rest breaks, paid sick days, and advanced notice of scheduling.
- StateWide opposes any cuts to the federal Lifeline program, the only federal program targeted at assisting low-income households with the cost of broadband and telephone service.
- StateWide opposes age discrimination in the workforce and urges Congress to prevent older workers from being demoted or fired without repercussions. We support the *Protecting Older Workers Discrimination Act* to reverse a Supreme Court decision in 2009 that made it harder to claim age bias for a layoff or demotion.

79       ▪ StateWide supports the *Guardianship Accountability Act* to improve the  
80       guardianship system used when a court appoints a family member or  
81       professional to control the assets of a person with diminished or lost  
82       capacity.



84       ▪ **StateWide urges efforts to ensure that the digital tele-**  
85       **communications industry achieve universal, affordable, high quality**  
86       **and technologically advanced service.**

87

88       ○ **Supplemental Security Income (SSI)**

89       *StateWide supports modernization of the SSI program in order to reduce or end*  
90       *poverty among persons with disability and the elderly and the blind in this nation.*  
91       *StateWide urges action to update the income and asset limits to better reflect*  
92       *reasonable assistance in today's dollars.*

93       • Raise the Federal Benefit Rate for SSI to 100% of the Federal Poverty  
94       Level (FPL) and undertake a re-evaluation of the FPL.

95       • Raise the income to offset inflation since 1974.

96       • Raise the allowable resource limits to offset inflation since 1989.

97

98       • Treat defined contribution pension plans in the same manner as defined  
99       benefit pension plans.

100       • Restore full eligibility to all otherwise eligible immigrants lawfully admitted  
101       for permanent residence or with permanent residence under color of law  
102       (PRUCOL).

103       • Restore eligibility to otherwise eligible persons whose qualifying disability  
104       is drug addiction or alcoholism.

105       • Provide funding for community outreach and assistance with applications  
106       and appeals to currently eligible low-income people who are not receiving  
107       SSI benefits.

108       • Encourage states to provide or improve state supplementary payments, at  
109       least until there is a full federalization of an adequate SSI benefit  
110       (recommendations 1 – 3 above), by:

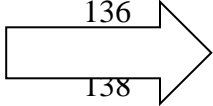
111               □ Authorizing the disregard of state SSI supplements in calculating  
112               SNAP eligibility.

- 113                   □ Raising the federal match for Medicaid payments for SSI
- 114                   Medicaid eligible persons.
- 115
- 116           • Increase the personal needs allowance for residents of Long Term Care
- 117           facilities.
- 118
- 119           • Raise the resources limit and increasing the general income disregard
- 120           imposed on people with disabilities receiving Supplemental Security
- 121           Income
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123   ○ **SOCIAL SECURITY – An Earned Benefit**

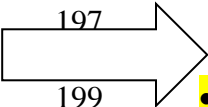
124   *Social Security is a promise to generations of people who have contributed*  
125   *through dedicated taxes that there will be protection against lost wages due to*  
126   *old age, disability or death. Social Security did not cause the federal deficit. The*  
127   *Social Security Board of Trustees found that Social Security can pay 100% of*  
128   *promised benefits until 2034 from dedicated revenues and reserves of \$2.9*  
129   *trillion.*

130   *Social Security benefits are a lifeline for retirees as well as surviving children and*  
131   *spouses and persons with disabilities. There are 3,586,883 Social Security*  
132   *beneficiaries in New York. Social Security is a driving force to the economy,*  
133   *contributing to the spending power in communities. New York residents receive*  
134   *Social Security benefits totaling over \$ \$56.6 billion per year.*

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- 135           • StateWide will urge Congress to oppose all efforts to privatize Social
  - 136           Security and reduce benefits for future generations of retired workers and
  - 137           their families. **We oppose the Trust Act that will create a**
  - 138           **Congressional fast track process for cuts to Social Security and**
  - 139           **Medicare.**

- 140           • StateWide is part of two national campaigns to ensure that Social Security
- 141           is maintained and enhanced for future generations. StateWide has
- 142           endorsed the Principles of the Strengthen Social Security campaign.
- 143
- 144           • StateWide supports gradually eliminating the cap on Social Security
- 145           payroll contributions (currently \$ 137,700) which would eliminate 95
- 146           percent of the projected shortfall.
- 147
- 148           • StateWide opposes adoption of the Chained CPI for a cost of living
- 149           adjustment and supports the CPI-E methodology that includes health care
- 150           costs that lead to economic insecurity for older Americans.
- 151
- 152           • StateWide opposes any further adjustments that increase the retirement
- 153           age.
- 154

- 155 • StateWide opposes reduced services, including closure of Social Security  
156 offices, elimination of benefit verification letters and a reliance primarily on  
157 web-based information.  
158
- 159 • StateWide supports providing credits for those who have had to leave the  
160 workforce to volunteer as a caregiver for a family member or friend  
161
- 162 • StateWide urges Congress to responsibly reallocate funds between the  
163 Old-Age and Survivors trust fund and the Disability Insurance trust fund.  
164 Further, we support combining the Social Security Old Age and Disability  
165 Trust funds to ensure that both remain solvent through 2034.  
166
- 167 • StateWide opposes any use of the Social Security Trust Fund other than  
168 to fund earned entitlements and opposes any reduction below actuarial  
169 requirement to support the program for 75 years.  
170
- 171 • StateWide supports the SAVE Benefits Act, a one-time \$580 payment for  
172 70 million Americans receiving Social Security, to serve as a lifeline in a  
173 year of rising out-of-pocket costs, but no Cost of Living Adjustment.  
174
- 175 • StateWide supports the Stop Social Security Garnishment Act. Currently  
176 approximately 160,000 elderly Social Security beneficiaries and an  
177 additional 83,000 people with disabilities between the ages of 50-65 are  
178 having their benefits garnished to pay off student loans.  
179
- 180 • StateWide supports the *Social Security 2100 Act* to provide an increase  
181 for all beneficiaries equal to 2% of the average benefit, and ensure that  
182 the new minimum benefit is 25% above the federal poverty line. Changes  
183 would be financed by a gradual phase in of an increased payroll tax  
184 contribution rate so that by 2043 workers and employers would pay 7.4%  
185 rather than the current 6.2% - an increase of about 50 cents/week.  
186
- 187 • StateWide supports the Protecting Our Widows and Widowers in  
188 Retirement (POWR) Act, to increase survivors' benefits so that widows  
189 and widowers can live with dignity. (Currently, the surviving spouse only  
190 receives the higher of the two benefits which was their household Social  
191 Security income. The POWR Act creates a new Social Security option for  
192 widows and widowers in two-income households that would equal 75  
193 percent of the combined benefits they received while both individuals were  
194 alive. Currently, the average widow or widower sees a benefit cut between  
195 33 and 50 percent after the death of a spouse, but he or she requires  
196 around 79 percent of the combined benefit total to maintain his or her  
197 standard of living.)



- 199 • **StateWide supports a technical fix in the benefits calculation for**  
200 **those born in 1960, who would otherwise suffer reduced Social**

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**Security lifetime payments, not caused by the beneficiaries' personal salary history. The formula calculation uses a broad labor market average factor, which in 2020 has collapsed under the pandemic economy, and must be adjusted to protect those coming into retirement age.**

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○ **OLDER AMERICANS ACT (OAA)**

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***Congress must make critical investments in the Older Americans Act by protecting these essential programs and continuing to restore the capacity lost to sequestration and years of funding erosion, to better meet the increasing demand for these cost-effective services such as home and community-based services that keep older adults out of more expensive nursing homes.***

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Last reauthorized in 2020, the Older Americans Act still must ensure that funding is allocated to:

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- meet the service needs of the rapidly increasing older demographic, and
- update program design to reflect the way services need to be delivered now and into the future.
- End sequestration budget cuts

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○ **ELDER JUSTICE ACT**

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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.

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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.

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- StateWide encourages members of Congress to allocate \$25 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.



- 240 • StateWide supports incorporation of elder abuse prevention training,  
241 screening and reporting protocols into all senior services access points  
242 that receive federal funding.  
243
- 244 • StateWide urges congress to direct funding from the Elder Justice Act to  
245 grassroots organizations which reach marginalized populations which do  
246 not necessarily access services from traditional sources and agencies – to  
247 provide outreach, education, information and services to this population.  
248

249 **HEALTH CARE SYSTEM**

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

- 258 ▪ StateWide supports the expansion of the Medicare program to provide  
259 universal health care for all. (Medicare for All is a single payer for all US  
260 residents that will provide coverage for all ages and improve Medicare by  
261 eliminating co-payments, deductibles, premiums and adding coverage for  
262 dental, vision, hearing and long term care.)
- 263 ▪ StateWide will monitor the implementation of the Affordable Care Act to  
264 ensure that it is fair and realistic for senior citizens and their families. Any  
265 changes made should improve access and quality, not impact Medicare’s  
266 solvency, and should continue to fund the expansion of Medicaid and the  
267 Essential Benefits Plan.  
268
- 269 ▪ StateWide urges that social determinants of care be included as a covered  
270 health insurance benefit and that non-medical community-based  
271 organizations be recognized as providers so that they can be paid by the  
272 health system for services they provide that improve the health of clients.  
273
- 274 ▪ StateWide will support efforts to maximize funding opportunities for aging  
275 and disability home and community-based services [through the  
276 Affordable Care Act.] **(HCBS) including additional resources for**  
277 **providers to remain financially stable, to recruit and retain sufficient**  
278 **numbers of workers to care for homebound individuals, and to keep**  
279 **their workforce safe and healthy.**  
280
- 281 ▪ StateWide supports *The Community Integration Act* (CIA) to create a new  
282 Title of the Americans with Disabilities Act (ADA), to require states to

283 provide community-based services first, and offer home and community  
284 based services (HCBS) to people currently in institutions as a civil right.

285

286 ■ StateWide supports the Disability Integration Act (DIA) to create an  
287 absolute right for all people with disabilities to live in the community  
288 instead of being forced into institutional settings by prohibiting the state  
289 and long term care insurance providers from denying community-based  
290 services that would enable such individuals to live in the community and  
291 lead an independent life.

293 ■ StateWide urges **making permanent the** [reauthorization of] Money  
294 Follows the Person (MFP), to support people transitioning from a nursing  
295 home back to the community.

297 ■ **StateWide supports the Health Force and Resilience Force Act to**  
298 **recruit, train and employ hundreds of thousands of Americans to**  
299 **respond to the COVID-19 pandemic in their communities, provide**  
300 **capacity for ongoing and future public health care needs, and build**  
301 **skills for new workers to enter the public health and health care**  
302 **workforce.**

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304 ■ StateWide supports revised standards for staffing in nursing homes to  
305 require a professional registered nurse (RN) be on duty 24 hours a day/7  
306 days a week and ensure 4.1 hours per day of total nursing time per  
307 resident. StateWide seeks the adoption of standards in acute settings to  
308 establish safe nurse to patient ratios.

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310 ■ Statewide proposes that the Centers for Medicare and Medicaid (CMS)  
311 further refine the quality reports required of nursing homes, home health  
312 agencies, long-term care hospitals and in-patient rehabilitation units.  
313 (CMS now has a uniform tool for assessing an individual's need for  
314 personal assistance to perform activities of daily living - such as bathing,  
315 toileting, dressing, and walking. This assessment protocol, known as  
316 Section GG, provides the basis for meaningful discussions between staff,  
317 patients and families to assess the current level of an individual's  
318 independent function and determine his/her expected future level of  
319 function: either a recovery to the past level, maintenance of current  
320 function or recognition that function is likely to decline based on the  
321 particular medical diagnosis. This assessment structure will enable clear  
322 expectations across institutional and home-based settings. It provides a  
323 means for evaluating the appropriateness of a care plan relative to the  
324 individual's personal goal as well as a structure for appealing for changes  
325 in that care plan to the insurance company or institutional care provider.)

326  
327 ■ StateWide calls on the Center for Medicare and Medicaid Services (CMS)  
328 to ban the use of pre-dispute, forced arbitration clauses in nursing home  
329 contracts as part of its revisions to the federal nursing home regulations.



330 (Taking away the ban on pre-dispute arbitration agreements deprives  
331 nursing facility residents of important rights and opens the door to the  
332 routine use and enforcement of arbitration agreements that a resident  
333 signs before knowing what the dispute is or what is at stake.)

334 ■ StateWide will fight federal cuts to Medicaid and attempts to block grant  
335 state payments or create per capita caps that do not reflect future funding  
336 needs.

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338 ■ StateWide supports efforts to improve palliative care by investing in a  
339 trained workforce to expand health care system capacity, enhancing  
340 research in pain management, palliative care and hospice and providing a  
341 public awareness campaign.

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343 ■ StateWide supports efforts to eliminate or loosen eligibility restrictions that  
344 require a patient to be “home bound” for either palliative care services or  
345 home care services; and instead provide the best care for each patient for  
346 their “quality of life.”

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348 ■ StateWide supports ending age discrimination against low-income  
349 individuals over the age of 65 by providing Medicaid expanded coverage,  
350 as provided to those under the age of 65, to 138% of the federal poverty  
351 level with no asset test.

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353 ■ StateWide supports enhanced funding for the Centers for Disease Control  
354 (CDC) to ensure that the CDC is prepared to deal with the effects of  
355 natural or manmade disasters, and to effectively prevent the spread of  
356 communicable disease.

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358 ■ Given the increasing number of older Americans, StateWide supports  
359 incentives for physicians and nurses to develop clinical expertise as  
360 geriatricians to improve treatment for the specific needs of older adults,  
361 Furthermore, we urge the development of incentives to develop clinical  
362 expertise in gerontology for social workers, physical therapists,  
363 occupational therapists, speech/language therapists, pharmacists.

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365 ■ StateWide recommends that screening and treatment of depression and  
366 suicide prevention be included in all primary care visits.

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368 ■ StateWide opposes the “Patient Rights Act” that would, in fact, dishonor  
369 patient rights by denying payment to health care providers who honor the  
370 wishes of patients to direct their own care, and do not want extreme  
371 measures to preserve life.

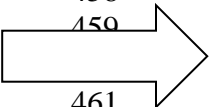
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375 ○ **Medicare**

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

- 378 • In an incremental approach to achieving universal care for all, StateWide  
379 also supports allowing residents over the age of 50 to buy in to the  
380 Medicare system.  
381
- 382 • StateWide supports the preservation of Medicare as a program available  
383 to everyone age 65 and older, and persons with disabilities, without  
384 discrimination.
- 385 • StateWide opposes the creation of a voucher system that forces future  
386 beneficiaries to shop for coverage rather than obtaining coverage as  
387 provided by the current Medicare program.
- 388 • StateWide urges Congress to ensure that the health care system does not  
389 further deteriorate, ensuring that enrollee premiums and co-payments  
390 remain affordable. We urge Original Medicare to adopt a standardized  
391 and affordable cap on out of pocket costs.
- 392 • StateWide supports giving Medicare the authority to maximize negotiating  
393 power to achieve fair and affordable prices for medicines.  
394
- 395 • StateWide opposes reduction of income level (currently \$87,000 for  
396 individual and \$174,000 for couple) for additional means testing.  
397
- 398 • StateWide opposes deemed status of nursing home providers to ensure,  
399 high, government controlled, standards.  
400
- 401 • StateWide supports expanding benefits to include Long Term Care,  
402 eyeglasses, eye exams, hearing aids, cavity fillings and dentures **and**  
403 **coverage for alternative or complementary health providers, such as**  
404 **massage therapists and acupuncturists.**  
405
- 406 • StateWide opposes combining the Part A and B deductibles, shifting  
407 additional costs on to beneficiaries who do not use hospital care.  
408
- 409 • StateWide urges the Center for Medicare and Medicaid Services (CMS) to  
410 immediately implement reforms to help people with Medicare better  
411 navigate Part D denials and appeals.  
412
- 413 • StateWide calls on Congress to limit prior authorization and step therapy  
414 in Medicare Part D coverage to assure these provisions do not delay  
415 patients' access to needed medical care.  
416

- 417 • StateWide urges a prohibition on advertising of prescription drugs to the  
418 consumer.
- 419
- 420 • StateWide urges the Department of Health and Human Services, the  
421 Department of Labor and the Social Security Administration to implement  
422 a system for notifying individuals approaching Medicare eligibility to inform  
423 them of their rights and obligation as they near enrollment.
- 424
- 425 • StateWide supports ensuring that hospital stays defined as observation  
426 status are counted toward coverage for nursing home/rehabilitation  
427 services in the same manner as inpatient stays.
- 428
- 429 • StateWide supports changes in Medicare policy to allow for appeal rights  
430 relating to observation status.
- 431
- 432 • StateWide will monitor new CMS regulations requiring that patients be  
433 automatically granted admission status if they remain in the hospital for  
434 over 48 hours.
- 435
- 436 • StateWide urges Congress to prohibit Medicare Advantage organizations  
437 ability to remove a service provider or supplier from a plan network without  
438 cause, and require disclosure of information on the measures used in  
439 establishing or modifying the plans provider network. StateWide urges  
440 CMS to require Medicare Advantage Plans to post and update monthly  
441 their provider panels.
- 442
- 443 • StateWide urges CMS to stop appearing to show a bias of preferences for  
444 Medicare Advantage enrollment, a most disturbing trend particularly since  
445 the administrative costs for such plans are much higher than original  
446 Medicare.
- 447
- 448 • StateWide urges stricter oversight on Medicare Advantage plans to avoid  
449 further overpayment at the expense of the beneficiaries and the American  
450 taxpayer.
- 451
- 452 • StateWide supports inclusion in Original Medicare benefits all  
453 supplemental benefits that are provided through Medicare Advantage  
454 plans.
- 455
- 456 • StateWide supports simplifying and aligning the Low Income Subsidy (LIS)  
457 and Medicare Savings Program (MSP) programs so that if an enrollee is  
458 qualified for the LIS program they would be automatically enrolled in the  
459 appropriate MSP program.



- 461 • **StateWide supports the Helping Seniors Afford Health Care Act,**  
462 **making it easier for seniors to qualify for subsidies provided by**

463 **Medicare Savings Programs, which help pay for Medicare premiums,**  
464 **copayments, deductibles and other health care expenses. We also**  
465 **support the Enhancing Retirement Security for Medicare**  
466 **Beneficiaries Act. to exclude covered retirement accounts from**  
467 **counting as income for the purposes of determining eligibility under**  
468 **the Medicare Part D low-income subsidy (LIS) program.**

- 469
- 470 • StateWide supports inclusion of coverage for removal of polyps during  
471 screening colonoscopies.
- 472
- 473 • StateWide opposes any use of the Medicare Trust Fund other than to fund  
474 earned entitlements and opposes any reduction below actuarial  
475 requirement to support the program for 75 years.
- 476
- 477 • StateWide supports updates to the "Welcome to Medicare" package and  
478 enhanced education to promote understanding among newly eligible  
479 beneficiaries about enrollment considerations and rules.
- 480
- 481 • StateWide supports funding to allow Medicare enrollees, and caregivers to  
482 receive unbiased information and counseling that is culturally and  
483 linguistically appropriate to ensure informed decision making when  
484 choosing health insurance and prescription coverage plans, through the  
485 SHIP program. We call for improvement in the Medicare Plan Finder, to  
486 provide external links to specific plan web sites so that the user can review  
487 the plan formulary and the provider network while using the Plan Finder  
488 and return to their active session.
- 489
- 490 • StateWide supports an enhanced Medicare reimbursement rate for  
491 medically necessary air ambulance transports to ensure access for  
492 patients, particularly those in rural areas.

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495 ○ **Prescription Drugs**

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

- 500 • StateWide works to promote and protect American consumer access to  
501 sources of safe, affordable prescription drugs. We partner with *RxRights*,  
502 a national coalition dedicated to raising awareness and spurring action  
503 around safe prescription drug importation, to provide legal access to safe  
504 and affordable drugs from abroad.
- 505 • StateWide supports the disclosure of gifts to prescribers from  
506 pharmaceutical industry representatives.

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- StateWide supports a cap on the amount that the pharmaceutical industry can charge for prescription drugs and supports efforts to require drug manufacturers to notify insurance companies and Medicare, no less than 60 days prior to expected price increases, so they will issue the final notice to consumers and patients no less than 30 days prior to the effective date so the patients can anticipate increased costs.
  - StateWide calls for the investigation of drug price gouging and efforts to prevent coverage for less expensive competitors' products. We support the "Stop Price Gouging Act."
  - StateWide supports 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.
  - StateWide supports giving the federal government the authority to negotiate Medicare drug prices similar to the Veterans Administration, and ensure discounts and rebates negotiated through Medicare Part D are shared with patients. We oppose any provision that could significantly increase out-of-pocket costs for enrollees and efforts to allow monopoly pricing. We advocate an out-of-pocket maximum for Part D beneficiaries in the catastrophic coverage phase.
  - StateWide urges the federal government to establish a Medicare run drug plan to compete with Part D insurance models.
  - StateWide supports assuring access to prescription medicines for the six protected classes of vulnerable patients under Medicare Part D.
  - StateWide urges the end of "pay for delay" a practice in which brand name prescription drug companies pay other companies not to manufacture cheaper generic drugs.
  - StateWide opposes the Orphan Product Extensions Now Act, allowing the pharmaceutical industry an additional six months of exclusivity while they can charge as much as they would like.

544 **HOUSING**

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- StateWide urges funding the National Housing Trust Fund (NHTF) through two basic modifications to mortgage interest tax benefit: converting the benefit from a deduction to a 15% tax credit (which, in addition to providing important resources for extremely low income rental housing, would make the benefit available to approximately 16 million more low and moderate income homeowners who do not currently benefit), and reducing

551 the cap on the size of mortgage eligible for the benefit from \$1 million to  
552 \$500,000.

553

554 • StateWide supports The Housing Opportunities through Modernization Act  
555 to update and streamline rental assistance programs, expanding access to  
556 higher-opportunity areas, addressing homelessness, supporting  
557 renovation of public housing, strengthening work incentive, easing  
558 administrative burdens and trimming program costs. The bill improves  
559 low-income families' access to areas with low poverty and crime and high-  
560 performing schools by enabling state and local housing agencies to use  
561 project-based vouchers where it is difficult to use tenant-based vouchers.

562

563 • StateWide supports tax credits for home modifications that enable aging in  
564 place.

565

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

568

• ***Restore Housing Counseling Funding in the Budget.***

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When 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 budget.

576

• ***Protect Affordable Housing for Older Americans.***

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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.

584

• ***Expedite Database Development on Foreclosure Trends and HMDA Enhancements.***

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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



592 enhancing the Home Mortgage Disclosure Act (HMDA) to include the age  
593 of the borrower as well as more information on loan terms and conditions.  
594 The CFPB should expeditiously propose changes to HMDA so that  
595 researchers, agencies, stakeholders and the general public can track  
596 whether older Americans continue to receive loans with onerous terms  
597 and conditions.

598  
599 • ***Establish “elderliness” or “older Americans” as a Protected Class of***  
600 ***the Fair Housing Act (Title VIII).***

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

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

608 In 2002, the Commission on Affordable Housing and Health Facility Needs  
609 for Seniors in the 21st Century released a summative analysis on the  
610 nation’s growing aging population and the lack of affordable housing, A  
611 Quiet Crisis in America. The affect of the Great Recession on housing for  
612 older adults has likely worsened this quiet crisis. We recommend  
613 establishing a bi-partisan commission to re-examine senior housing trends  
614 to both increase the visibility of this crisis and to devise cost-effective  
615 solutions for the long-term. This bi-partisan commission should assess  
616 how cost burdens for older renters and homeowners can be most  
617 effectively addressed with either demand-side interventions (more Section  
618 8 vouchers) and/or supply-side interventions (increasing the supply of  
619 affordable renter housing, for example through construction of Section 202  
620 units).

621  
622 **WEATHERIZATION PROGRAM [Home Energy Assistance Program (HEAP)].**  
623 ***We urge that the state plan be changed to restore this program through the***  
624 ***State Office for the Aging.***

625 StateWide is also concerned about the funding reduction in the Weatherization  
626 Referral Assistance Program (WRAP). This program has always had an earmark  
627 for seniors for “last resort” help to prevent emergency heating situations. This  
628 funding has now been cut in the state plan presented by the NYS Office of  
629 Temporary and Disability Assistance (OTDA), leaving no ready source of  
630 emergency help for older persons should their heating system and equipment  
631 need immediate repair or replacement. Not only was the federal funding amount  
632 reduced by 25% but the State OTDA also changed the State Plan so that there is  
633 5% less for conservation than in 2011. So even if they put more money back in  
634 the program there is still less money that will be available.

635 NOTE: Up to now we have reported on federal legislation concerned with senior  
636 issues. But there are broader issues relating to the needs of all ages in our  
637 population which we are also vitally concerned about and require action on our  
638 part:

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640

## 641 **REVENUE**

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

- 645       ▪ Congress should end oil and gas subsidies.
- 646
- 647       ▪ Congress should eliminate tax loopholes, such as inversion, and foreign  
648 tax shelters for big business and corporations and carried interest for  
649 individuals. Corporate tax reform should raise a significant amount of  
650 revenue over the long term, not be revenue neutral, in order to help meet  
651 our country's critical needs. Further, the tax code should not permit  
652 corporations to invest in foreign countries rather than the United States,  
653 such as by allowing them to pay a lower tax rate on their offshore profits  
654 than on their domestic profits.
- 655
- 656       ▪ StateWide supports reforms that would tax capital gains at the same rate  
657 as earned income.

658

659 StateWide opposes a balanced budget amendment (BBA) that would:

660       •undercut Social Security, Medicare, and other programs that have built up  
661 reserves. The BBA prohibits Social Security, Medicare Part A, the Federal  
662 Deposit Insurance Corporation, the military and civil service retirement  
663 funds, and other funds from using their accumulated reserves. That's  
664 because the BBA prohibits spending from exceeding the revenues  
665 collected in that year. For example, Social Security couldn't use the \$2.9  
666 trillion in Treasury securities it holds to help pay benefits to retired baby  
667 boomers since almost all of it was collected in prior years.

668

669       •prohibit all federal borrowing. The BBA would prohibit the federal  
670 government from building "rainy day" reserves during good times and  
671 draw on them in bad times because it prohibits spending from exceeding  
672 revenues collected in that single year.

673

674       •be silent on the critical question of who would be responsible to balance  
675 the budget or allow unilateral action by the White House.

676

## 677 **ENVIRONMENTAL ISSUES**

678 NOTE: We also recognize that our planet is facing its most serious threat in  
679 terms of the effect of climate change. StateWide promotes the spreading of

680 information about this crisis, and encourages positive action as a way of  
681 preventing increased problems of climate change.

682

683 • Ban hydraulic fracturing (fracking) on public lands in areas where it  
684 pollutes the water supply or is near faults.

685

686 • Ban fracking, keep fossil fuels in the ground, stop building fossil fuel  
687 infrastructure and rapidly transition to 100 percent renewable energy.

688

689 • StateWide urges Congress to close loopholes in governance of hazardous  
690 wastes so that those associated with the exploration, development or  
691 production of crude oil, natural gas or geothermal energy are identified.

692

693 • Repeal the "*Monsanto Protection Act*," that prohibits federal courts from  
694 being able to halt the sale or planting of controversial genetically modified  
695 or genetically engineered seeds, no matter what health issues may arise  
696 in the future.

697

698 • StateWide urges Congress to temporarily halt the use of certain pesticides  
699 while safe pesticides are being developed that do not cause risk to  
700 honeybees, inherently important to our food supply.

701

702 • StateWide opposes federal action that would prevent states from passing  
703 legislation requiring Genetically Modified Organisms (GMO) labeling or  
704 GMO product sales.

705

706 • StateWide urges assistance for Flint, Michigan and other communities  
707 with lead-contaminated water or other contaminants in The Water  
708 Resources Development Act (WRDA) reauthorization - lead poisoning  
709 prevention funding.

710

711 • StateWide supports funding for testing water supplies and treatment in  
712 areas that have been exposed to contaminants or through the degradation  
713 of leaded pipes as part of the water delivery system or in public housing  
714 facilities to ensure no cost to homeowners/residents.

715

716 • StateWide opposes state interference in national parks decisions  
717 regarding no-fishing zones that have been specifically created to help  
718 rebuild reefs and fish populations, and supports honoring of treaties with  
719 native populations that have sovereignty.

720

## 721 **GUN CONTROL**

722

723 • StateWide supports a more rigorous enforcement of background checks of  
724 people seeking to purchase guns according to federal law including

725 closing background check loopholes for Internet and gun show sales,  
726 expanding the background check database and cracking down on the  
727 illegal gun market.

728

729 • StateWide supports digitized gun ownership records at The Bureau of  
730 Alcohol, Tobacco, Firearms and Explosives' (ATF).

731

732 • StateWide supports a ban on the manufacture, sale and possession of  
733 bump stocks and/or any device or kit which can convert a semi-automatic  
734 weapon to an automatic weapon, and gun silencers.

735

736 • StateWide supports banning the plans, production, use and sale of guns  
737 made from a 3-D print imager to avoid the registration laws.

738

### 739 **BANKING**

740

741 • StateWide opposes overturning the Credit Union Tax Exemption.

742

743 • StateWide supports enactment of consumer protection rules for the debt  
744 collection market, including the accuracy of information used by debt  
745 collectors, how to ensure consumers know their rights, and the  
746 communication tactics collectors employ to recover debts, and adding  
747 consumer complaints about debt collections to the federal Consumer  
748 Financial Protection Bureau's public Consumer Complaint Database.

749

750 • StateWide urges passage of the 21<sup>st</sup> Century Glass-Steagall Act to  
751 decrease the likelihood of future financial crises by separating traditional  
752 banks with savings and checking privileges insured from the FDIC from  
753 riskier financial institutions that offer investment banking and hedge funds.

754

755 • StateWide supports regulation of the payday lenders industry by the  
756 Consumer Financial Protection Bureau (CFPB) to restrict the predatory  
757 lending nature of their practices by placing new rules on the industry,  
758 which currently operate on a state-by-state regulatory basis.

759

760 • StateWide urges the preservation and expansion of the Consumer  
761 Financial Protection Bureau which aims to make consumer financial  
762 markets work for consumers, responsible providers, and the economy as  
763 a whole. They protect consumers from unfair, deceptive, or abusive  
764 practices and take action against companies that break the law. They arm  
765 people with the information, steps, and tools that they need to make smart  
766 financial decisions.

767

768 • StateWide supports the regulation of credit reporting agencies to ensure  
769 that the industry standard protects against hacking and data breaches.

770

771 **CAMPAIGN FINANCING**

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

774

775 StateWide opposes weakening of the Johnson Amendment, the provision of  
776 federal tax law that protects charitable nonprofits from demands from politicians  
777 and others for endorsements and other support. We oppose the diversion of  
778 charitable assets to influence partisan political campaigns.

779

780 **IMMIGRATION**

782 [ StateWide opposes efforts to add a citizenship question to the 2020 US  
783 Census, resulting in the undercounting of the immigrant population and a  
784 reduction in funding for currently funded needed services that are allocated to  
785 each state by virtue of the Census population count. ]

786 StateWide opposes diminution of current law that allows immigrants to receive  
787 credit toward future Social Security benefits for wages earned prior to being  
788 granted lawful presence, when and if they acquire lawful presence.

789

790 StateWide supports efforts to allow lawfully present individuals who are working  
791 and paying all applicable taxes to be able to access the federal safety net  
792 programs they have contributed toward through taxation, particularly Medicare  
793 and Medicaid.

794

795 StateWide supports providing legal status and citizenship to the undocumented  
796 population to allow these aspiring Americans to collect benefits upon retirement.

797

798 Statewide opposes proposed regulations (Department of Homeland Security 8  
799 CFR Parts 103, 212, 213, 214, 245 and 248 [CIS No. 2499-10; DHS Docket No.  
800 USCIS-2010-0012] RIN 1615-AA22.) to limit immigrants' rights to enter the US or  
801 receive green cards if they're deemed likely to use public benefits like food  
802 stamps or Medicaid or Medicare Extra Help/Low Income Subsidy assistance.

803

804 **CONCLUSION**

805

806 Finally, StateWide recognizes the need for a solid multi-generational education  
807 programs and positive curricula on aging which is vital if our democratic system  
808 is to survive. We need a well-educated population; therefore we support budgets  
809 for local school systems, colleges and universities and programs which would  
810 improve this system.