

# \* Presidential Appointments to federal agencies important to people with disabilities



Tami Jackson, Wi Board for People with Developmental Disabilities  
January 20, 2017

- \* Many government functions and state programs you are familiar with receive funding from federal agencies.
- \* Federal agencies also provide technical assistance and oversight of states to ensure states are providing direct services to citizens as Congress intended.
- \* **Presidential appointees** lead many federal agencies, and can:
  - \* Prioritize what issues/programs to emphasize (or not emphasize),
  - \* Create special initiatives and agency priorities
  - \* Direct grant or other incentive funding to support priorities (may result in less funding for non-priority areas)
  - \* Create or change administrative rules that let states know how they must implement federal laws.
  - \* Create or change agency policies or business processes

\* **Why are Presidential Appointees important?**

- \* The U.S. Senate holds hearings on proposed **Presidential appointees**.
- \* The U.S. Senate must approve Presidential appointees and Senators vote in favor or against each proposed appointee.
- \* Wisconsin's two U.S. Senators are Sen. Tammy Baldwin and Sen. Ron Johnson.



Sen. Tammy Baldwin  
DC Office: (202) 224-5653



Sen. Ron Johnson  
DC Office: (202) 224-5323

\* **Who approves Presidential appointments?**



## \* U.S. Dept. of Health and Human Services

### \* Functions include oversight and management of:

#### \* Medicaid

\* (states have different names for Medicaid funded programs. Examples of Wisconsin Medicaid programs include Family Care, IRIS, BadgerCare, and the Forward Health card)

#### \* Affordable Care Act exchanges,

#### \* Health care rules that insurance companies and care providers follow,

#### \* Community living

#### \* Other programs related to public health, drug approvals, health research, etc.

<https://www.hhs.gov/about/agencies/orgchart/index.html>



# \* Federal agencies important to people with disabilities

## \* U.S. Dept. of Education

### \* Functions include:

- \* civil rights enforcement against discrimination of students with disabilities,
- \* protection of rights under the Individuals with Disabilities Education Act (IDEA),
- \* implementation of the Workforce Opportunities Innovation Act (WIOA)
- \* and other laws related to improving education quality and access

<https://www2.ed.gov/policy/landing.jhtml?src=pn>



# \* Federal agencies important to people with disabilities

- \* U.S. Dept. of Justice



- \* Functions include:

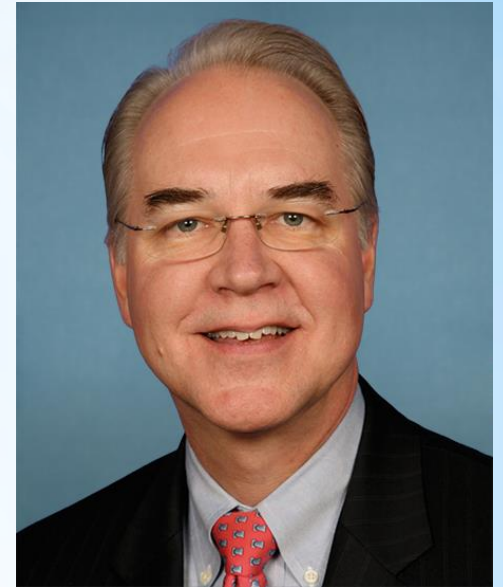
- \* Enforcement of Civil Rights including the Americans with Disabilities Act (ADA) and Supreme Court Olmstead decision. Disability Rights is a emphasis area.
    - \* Types of cases include accessibility, ensuring states are not unnecessarily institutionalizing people, ensuring states are providing community services, civil rights enforcement against disability discrimination.
    - \* <https://www.justice.gov/agencies/chart>

- \* Federal agencies important to people with disabilities

# \* U.S. Department of Health Services Secretary

\* U.S. Rep. Tom Price,

- \* Opponent of the Affordable Care Act.
- \* Has proposed policies that emphasize eliminating much of the federal government's role in health care in favor of a free-market framework built on privatization, state flexibility, and changes to the tax code.
- \* Wants to limit federal Medicaid spending, and give states a lump sum, or **block grant**, with fewer rules on how states can use the funding.



## \* Proposed appointee

## \* Highlights of Rep. Tom Price's January 18<sup>th</sup>, 2017 confirmation hearing:

- \* Watch confirmation hearing: <https://www.c-span.org/video/?421723-1/hhs-nominee-representative-tom-price-testifies-capitol-hill&live>
- \* Repeatedly focused on “access” to health care coverage over guarantees of coverage.
- \* Would not say that Medicare and Medicaid would not be cut.
- \* Said his health reform plan would “probably” turn Medicaid over to the states in the form of **block grants**.
- \* Agreed high prescription drug costs are a problem, but did not endorse the idea of government directly negotiating prices
- \* Stated repealing the Affordable Care Act (ACA or Obamacare) would not leave millions without health insurance, but did not have details on what a replacement plan would or would not contain.



**\* U.S. Department of Health Services**  
**Center for Medicaid Services (CMS) Director**

**\* Seema Verma,**

- \* Has advised Republican states on adding conservative elements such as health savings accounts, employment requirements, and lockout periods for failure to pay premiums to their Medicaid waiver programs.**
- \* Architect of Indiana's Medicaid waiver, which contains all of the above elements and was cited by Rep. Tom Price (nominated for US HHS Secretary) as a model for the nation.**



**\* Proposed appointee**

# \* U.S. Department of Education

\* Betsy DeVos,  
Department Secretary

- \* Proponent of school choice, which include expansion of charter schools and school vouchers (which give families public dollars to pay for private and religious schools).
- \* Has opposed legislation to improve oversight and quality of charter schools, implement performance measures, and mechanisms to improve or shut down failing charter schools
- \* No professional experience as an educator



## \* Proposed Appointee

## \* Highlights of Besty Devos's January 17<sup>th</sup>, 2017 Senate confirmation hearing

- \* Coverage of confirmation hearing <https://www.c-span.org/video/?421224-1/education-secretary-nominee-betsy-devos-testifies-confirmation-hearing>
- \* Acknowledged she was confused about the federal law called the [Individuals With Disabilities Education Act](#) (IDEA), which requires schools to provide students with disabilities the same educational opportunities that they provide students without disabilities.
- \* Would not commit to prohibiting schools from requiring families to relinquish their IDEA rights if a federal voucher program is instituted in the future
- \* Stated that she believes meeting the requirements of the Individuals with Disabilities Education Act (IDEA) was an issue "best left to the states";
- \* Would not commit to continuing to collect information from all schools regarding discipline practices, bullying, and harassment;
- \* Did not answer question on whether all public, public charter, and private schools that accept federal funds should be held to the same accountability standards;
- \* Would not commit to not privatizing public schools or cutting money from education.

# \*U.S. Department of Justice

## \*Sen. Jeff Sessions Attorney General

- \* Has said laws that protect and ensure education to special education students “may be the single most irritating problem for teachers throughout America today” and “very sincerely” suggested that accommodations for students with disabilities are “a big factor in accelerating the decline in civility and discipline in classrooms all over America.”



# \*Presidential Appointees



\* Highlights of Sen. Jeff Session's January 17<sup>th</sup>, 2017 Senate confirmation hearing:

\* Senate confirmation hearing, <https://www.c-span.org/video/?420932-1/attorney-general-nominee-jeff-sessions-testifies-confirmation-hearing>

\* Opposes the current Justice Department's specific policies on civil rights and its entire approach to civil rights.

\* Under the Obama administration, DOJ's Office of Civil Rights has vigorously pursued enforcement of the ADA, disability discrimination in schools and other disability related civil rights cases.

\* At this confirmation hearing, Mr. Sessions argued there is no need for the federal government to become involved in discrimination cases.



\* Action Steps you can take now

- \* The U.S. Senate must vote to approve each Presidential appointee.
- \* If you have concerns about any proposed Presidential appointee,
  - \* call Senator Baldwin and Johnson's offices
  - \* ask them to vote against confirming Rep. Price (Dept of Health & Human Services), Betsy Devos (Dept of Ed), Sen. Sessions (Dept of Justice) or another proposed appointee
  - \* Tell them you are a constituent, your connection to people with disabilities, and your specific opinions on how you feel an appointee's views/policies will affect people with disabilities.



Sen. Tammy Baldwin  
DC Office: (202) 224-5653



Sen. Ron Johnson  
DC Office: (202) 224-5323