

**OFFICE OF GOVERNMENT RELATIONS AND POLITICAL ACTION****JANUARY-MARCH 2006****109TH CONGRESS**

Ikeita Cantú Hinojosa, JD, MSW, LBSW, Associate Counsel Legislative Affairs
James K. Finley, MA, Lobbyist /Senior Government Relations Associate
Nancy McFall Jean, MSW, Lobbyist /Senior Government Relations Associate
Lawrence Moore, III, MPA, Lobbyist /Senior Government Relations Associate
Asua Ofosu, JD, Lobbyist /Senior Government Relations Associate
Julie Trute, Senior Political Action Associate
Dina L. Zarrella, MSS, MLSP, Senior Field Organizer
Rose Freeman, Administrative Assistant

TABLE OF CONTENTS

Action Network for Social Work Education and Research (ANSWER)	3
Child Care and Development Fund (CCDF)	3
Child Welfare	3
<i>Foster Care Administrative Claims</i>	3
<i>Eligibility for IV-E Foster Care Maintenance and Adoption Assistance</i>	3
<i>Promoting Safe and Stable Families</i>	3
<i>Court Improvement Section of Title IV-B</i>	3
<i>Administration's Efforts to Block Grant Title IV-E</i>	3
Civil Rights	3
<i>Border Protection, Anti-Terrorism, and Illegal Immigration Control Act of 2005</i>	3
<i>Employment Non-Discrimination Act (ENDA)</i>	3
<i>Local Law Enforcement Enhancement Act</i>	3
Economic Equity	3
<i>The Fair Minimum Wage Act</i>	3
<i>The Fair Pay Act</i>	3
Health	3
<i>Advance Directives</i>	3
<i>Patient Navigator Act</i>	3
<i>Health Professions Education Act</i>	3
<i>Federal Workers Compensation Claims</i>	3
Loan Forgiveness	3
Mental Health	3
<i>Small Employer Health Plans (AHPs and HIMMA Legislation)</i>	3
<i>Health Information Technology (HIT)</i>	3
<i>Clinical Social Work Medicare Equity Act (CSWMEA)</i>	3
<i>Mental Health Services Appropriations</i>	3
<i>Medicaid Funding</i>	3
<i>Mental Health and Substance Abuse Parity</i>	3
Temporary Assistance for Needy Families	3
Field Organizing	3
<i>Grassroots Activities</i>	3
<i>Presentations</i>	3
<i>Web Site Development</i>	3
Political Action for Candidate Election (PACE)	3
<i>2006 Congressional Endorsements and Contributions</i>	3
<i>Field Organizer Program</i>	3

**ACTION NETWORK FOR SOCIAL WORK EDUCATION AND RESEARCH (ANSWER)
LEGISLATIVE PRIORITIES**

ANSWER continues to focus on the National Center for Social Work Research Act, Title IV-E child welfare training program, loan forgiveness, appropriations report language, the reauthorization of the Health Professions Education Partnerships Act, and the National Institutes of Health.

On January 24, 2005, Sen. Daniel Inouye (D-HI) introduced the National Center for Social Work Research Act in the Senate, and ANSWER is working to secure a House sponsor. Negotiations with staff in Rep. Kay Granger's (TX-12-R) office did not lead to co-sponsorship. Current efforts are focused on the office of Rep. Barbara Lee (CA-9-D), a social worker. Both Reps. Granger and Lee have signed on as co-sponsors to this bill in the past.

ANSWER is working with Sen. Inouye's office to introduce appropriations report language for FY2007. The requested language includes commending both the National Institutes of Health (NIH) for implementing recommendations of the NIH Plan for Social Work Research and the Health Resources and Services Administration (HRSA) for the development of future maternal and child health leaders.

Additional language encourages the National Center for Minority Health and Health Disparities to strengthen its working relationship with social work researchers, social work education programs, and social work professional organizations. It also recommends that the National Institute on Aging increase social work research opportunities in aging and that HRSA increase the number of social work grants from three to the current number of nursing grants funded.

Language also directs the Department of Education to better publicize that this loan forgiveness program is open to individuals in fields beyond teaching and to encourage universities to include social work students in their programs promoting the Perkins Loan Forgiveness Program.

In the area of child welfare, language encourages the Administration of Children and Families (ACF) to continue to provide grants to schools of social work and traineeships to social work students training in the child welfare specialty and to provide funding for research into how specially trained social work personnel affect outcomes for children and families.

Information about ANSWER's work on the Title IV-E child welfare training program, loan forgiveness, and the reauthorization of the Health Professions Education Partnerships Act are discussed in other sections of this report.

CHILD CARE AND DEVELOPMENT FUND (CCDF)

President Bush signed the Deficit Reduction Omnibus Reconciliation Act of 2005 (DRA) Pub. L. No. 109-171 into law on February 8, 2006. DRA reauthorizes CCDF for five years and provides \$1 billion in new mandatory funding, in addition to the current level of \$4.8 billion (\$2.1 billion in discretionary funding and \$2.7 billion in mandatory funding). CCDF mandatory funding would be \$2.917 billion for each year of FY 2006 through 2010. The law contains no additional discretionary funding. This amount falls short of the Congressional Budget Office estimation that \$12.5 billion will be needed for child care as more people begin work activities.

The DRA adds a provision requiring states to review and adjust child support orders in TANF cases every three years. It also requires that passport denial, revocation, or restriction would be triggered by \$2,500 in past-due support owed, not the present level of \$5,000 (effective October 1, 2006). It authorizes use of the federal income tax refund offset program to collect arrearages on behalf of children who are no longer minors, effective October 1, 2007.

CHILD WELFARE

The DRA provides guidance for numerous programs in child welfare including foster care administrative claims, Title IV-E foster care maintenance and adoption assistance, Promoting Safe and Stable Families, and the court improvement section of Title IV-B.

Foster Care Administrative Claims

The DRA eliminates Title IV-E administrative claims for otherwise-federally eligible children in unlicensed foster homes. An exception allows claims to be made for up to 12 months (or the length of time it typically takes the state to license a foster family home, whichever is shorter) for a child in a relative home that is in the process of becoming licensed or approved. Claims are also eliminated for children in ineligible facilities such as detention centers, psychiatric and medical hospitals, and institutions with more than 25 beds, with the exception that claims can be retroactively made for one calendar month (but only if the child is returned to an eligible foster care setting). A new requirement is added to conduct foster care candidacy redeterminations every six months. This and all other child welfare provisions are effective October 1, 2005.

Eligibility for IV-E Foster Care Maintenance and Adoption Assistance

The DRA limits the determination of eligibility for IV-E foster care maintenance and adoption assistance. The language reverses the impact of the *Rosales v. Thompson* decision by restricting the determination of IV-E eligibility based on the broader criterion of a specified relative with whom a child may have resided within six months of removal.

Promoting Safe and Stable Families

The DRA increases the mandatory funding for the Promoting Safe and Stable Families (PSSF) program (Title IV-B, subpart 2) to \$345 million for FY 2006. This is an increase of \$40 million.

Court Improvement Section of Title IV-B

The DRA amends the Court Improvement section of Title IV-B to add that funds may be expended for ensuring that the safety, permanence, and well-being of children are met in a timely and complete manner. The funds may also be spent to provide training for judges, attorneys, and other legal personnel in child welfare cases. The language also specifies the information on collaboration and cross-training that must be submitted with an application for grants. Funds for improved data collection and training are appropriated at \$100 million, or \$20 million per year over five years. Language is included to add requirements to demonstrate meaningful collaboration between courts and child welfare agencies in the state plans for Title IV-E, Title IV-B, and Child and Family Services Reviews (CFSR) Program Improvements Plans. Finally, flexibility is provided for states to determine state policies relating to public access to child abuse and neglect court proceedings.

Administration's Efforts to Block Grant Title IV-E

For the third consecutive year, the President's FY 2007 budget includes a proposal to block grant the Title IV-E foster care program, including IV-E training. Although the Administration has released few details, it is clear that the proposal would jeopardize the Title IV-E training program and its agency-university partnerships by eliminating the program's entitlement funding and the enhanced 75 percent federal matching rate.

A key component of the plan would allow states to opt out of the entitlement and use administrative, training, Statewide Automated Child Welfare Information System (SACWIS), and maintenance of effort funds more flexibly. In addition, states would have to make a five-year commitment and receive a set amount of dollars per year, based on an inflation-adjusted projection. Adoption assistance would remain as an entitlement program. The formula for baseline calculations is still being explored.

Under current law, states are partially reimbursed for expenses incurred for children deemed eligible who are in legal custody of the state, or were adopted from the foster care system. Currently, each state is entitled to receive funds per each eligible child in their care, and there is no limit on the funds granted to states. Title IV-E also offers reimbursements to states for administration costs, training program costs, and information technology advancement and maintenance.

Currently, there is no legislation to implement the President's block grant plan in either the House or Senate.

NASW ACTION

The most recent update on the new TANF law can be found on the NASW Web site:
<http://socialworkers.org/advocacy/updates/2006/040606.asp>.

CIVIL RIGHTS

Border Protection, Anti-Terrorism, and Illegal Immigration Control Act of 2005

Despite fervent opposition, the House of Representatives passed the Border Protection, Anti-Terrorism, and Illegal Immigration Control Act of 2005 (H.R.4437) on December 16, 2005, by a vote of 239-182. With 35 co-sponsors, H.R.4437 was referred to the Senate Judiciary Committee on January 27, 2006. The Senate is snarled in a fierce debate concerning immigration policy and the result could be a major overhaul of America's troubled system. Currently, one faction wants to secure the borders tightly and perhaps declare undocumented immigrants and those who assist them in specified ways as criminals. Conversely, the other side wants to devise a guest worker program and provide undocumented immigrants with a legitimate opportunity to acquire citizenship. However, there is general agreement that American borders should be better protected in the interest of national security. On April 6, 2006, a bipartisan group of Senators reached accord on a dramatic reorganization of America's immigration laws that would offer most of the nation's approximately 12 million undocumented immigrants a work permit as well as an opportunity for citizenship. However, some conservative Republican Senators who favored the enforcement-only House measure killed the compromise proposal on the following day. Therefore, Senate, House, and White House brokers will have to craft a compromise that reconciles the strong discord within the two parties and among conflicting business, labor, religious, and civil rights groups.

NASW ACTION

NASW welcomes a reasoned and practical approach to comprehensive immigration reform. The Association is partnering with the National Immigration Law Center, People for the American Way, the Leadership Conference on Civil Rights, NAACP, Center for Community Change, and other entities to promote advocacy of a reform proposal that would protect national security interests, allow immigrants to work legally, provide pathways towards earned citizenship, unite families, ensure workplace protections for all, uphold the human rights and civil liberties of everyone living in America, and reflect other core values which equitably address the marginalization of immigrants. To this end, NASW will remain unwavering in pursuit of these vital principles.

NASW President Elvira Craig de Silva spoke at a press conference hosted by the National Capital Immigration Coalition on March 7, 2006, to demonstrate NASW's support for comprehensive immigration reform that does not criminalize professionals such as social workers who provide services to immigrants regardless of legal status.

NASW's latest alert on immigration is posted on the NASW Web site:
<http://www.socialworkers.org/advocacy/alerts/2006/041206.asp>.

Employment Non-Discrimination Act (ENDA)

ENDA is a critical piece of civil rights legislation because it would redress historical labor market discrimination against gays and lesbians based on their sexual orientation. In the 108th Congress, ENDA was not reintroduced in the House, but it was reintroduced in the Senate on January 7, 2003. At that time, ENDA had 27 Senate co-sponsors. NASW anticipates that ENDA will be reintroduced in the Senate in the coming months.

NASW ACTION

NASW continues to diligently pursue introduction and enactment of ENDA through progressive coalition efforts with the Human Rights Campaign, the National Urban League, People For the American Way, the AFL-CIO, and the Leadership Conference on Civil Rights. These partnerships advocate for reintroduction in the Senate and the House of Representatives. The Association continues to target previous Senate and House co-sponsors and supporters, including the Congressional Black Caucus, the Congressional Hispanic Caucus, the Congressional Women's Caucus, and the moderate Republicans.

Past alerts and updates can be found on NASW's Web site:

http://www.socialworkers.org/advocacy/issues/civil_rights.asp.

Local Law Enforcement Enhancement Act

Rep. John Conyers (D-MI) and Sen. Edward Kennedy (D-MA) introduced the Local Law Enforcement Act of 2005 (H.R.2662/S.1145) on May 26, 2005. In short, the Local Law Enforcement Enhancement Act would permit the federal government to work with state and local authorities to punish hate crimes to the fullest extent possible, and to expand the definition of hate crimes to include those motivated by disability, gender, or sexual orientation. Although NASW believes that states should continue to play a primary role in the prosecution of hate crime violence, federal law is essential to complement state statutes and to help states prosecute these complicated and expensive cases. Along with our coalition partners, NASW was able to secure a major victory on the measure. On September 14, 2005, the House of Representatives approved an amendment (544) which added the hate crime language of H.R.2662 to H.R.3132, the Children's Safety Act. The vote on the amendment was 223-199, with 192 Democrats, 30 Republicans, and one Independent supporting the amendment. Subsequently, H.R.3132 was approved 371-52. House passage indicated that hate crime legislation had strong bipartisan support in addition to exemplary outreach and education efforts by coalition members. However, on December 8, 2005, the hate crimes amendment was stripped from the reintroduction of the Children's Safety and Violent Crime Reduction Act of 2006 (H.R.4472). Hope remains in the Senate, where 44 co-sponsors are committed to alleviating bias-induced violence via passage of the Local Law Enforcement Enhancement Act.

NASW ACTION

NASW will continue to work with national coalitions such as the Leadership Conference on Civil Rights, People For the American Way, the Human Rights Campaign, the NAACP, the Asian American Justice Center, the YWCA, and other groups to ensure that hate crimes legislation is a 2006 public policy priority. The Association will focus its advocacy efforts on including the Local Law Enforcement Enhancement Act into the Senate version of the Children's Safety Act (S.1086). The Association will continue to make congressional visits throughout the legislative session to urge legislators to enact this vital piece of legislation.

ECONOMIC EQUITY

The Fair Minimum Wage Act

The Fair Minimum Wage Act of 2005 would increase the minimum wage to \$7.25 in three steps starting at \$5.85 on 60 days after enactment to \$6.55 one year later, and ultimately, to \$7.25 one year after that

period. Sen. Edward Kennedy (D-MA) introduced the legislation (S.1062) in the Senate on May 18, 2005, and Rep. George Miller (D-CA) sponsored the companion legislation in the House (H.R.2429).

Currently, 34 co-sponsors in the Senate and 120 in the House support a wage enhancement for American workers. The Association believes that the Fair Minimum Wage Act of 2005 will appreciably affect the quality of life for women, children, minorities, and families across the nation by providing meaningful wages that offset poverty levels.

NASW ACTION

NASW is working with the Campaign for a Fair Minimum Wage, the United Food and Commercial Workers Union, AFL-CIO, the American Psychological Association, and the United States Catholic Conference of Bishops to secure introduction and passage of this legislation. The Association continues to work with Sen. Kennedy's legislative staff on a political and coalition strategy, in addition to lobbying Senate and House members who have significant influence over this measure.

Past alerts and updates can be found on NASW's Web site:

http://www.socialworkers.org/advocacy/issues/civil_rights.asp.

The Fair Pay Act

Introduced on April 19, 2005, by Rep. Eleanor Holmes-Norton (D-DC) in the House and Sen. Thomas Harkin (D-IA) in the Senate, the Fair Pay Act (H.R.1697/S.840) attempts to amend the Fair Labor Standards Act of 1938 by eliminating sex and race discrimination in the wage-setting system. Most women and people of color are disproportionately segregated into a small number of jobs, such as clerical staff, service workers, nurses, social service providers, and teachers. Historically, these positions have been devalued and underpaid because of their occupants' gender and/or race. NASW believes that the Fair Pay Act would expand the protections of the Equal Pay Act by safeguarding women and racial and ethnic minorities against wage discrimination in jobs with similar skills and responsibilities equivalent to jobs predominantly held by white males. Currently, 100 co-sponsors in the House and 31 in the Senate believe in eliminating such wage disparities through passage of the Fair Pay Act.

NASW ACTION

NASW's legislative strategy consists of working with the foremost coalition on gender pay equity concerns, the National Committee on Pay Equity. NASW's advocacy efforts continue to focus on moderate Republicans and Democrats who serve on the House Committee on Education and the Workforce, as well as on Republican Senators on the Health, Education, Labor, and Pensions Committee.

Past alerts and updates can be found on NASW's Web site:

http://www.socialworkers.org/advocacy/issues/civil_rights.

HEALTH

Advance Directives

The Association has been working with the offices of Sen. Bill Nelson (D-FL) and Rep. Sander Levin (D-MI) on the Advance Directives Improvement and Education Act of 2005 (S.347/H.R.2058), in which Medicare recipients can consult with their physician on end-of-life and advanced care planning issues to become informed about potential decisions a person or a person's family members may face in life-threatening situations. This legislation would allow physicians to be reimbursed for a medical visit to discuss end-of-life care issues with patients and family members.

NASW supports this bipartisan bill as an important tool for all Americans to use in considering, communicating, and documenting their advance care planning wishes regarding end-of-life situations and

quality of life indicators for devastating illness or injury, from which there is little or no hope of recovery. The bill awaits both Senate and House committee hearings.

NASW ACTION

NASW has been working closely with the offices of Sen. Nelson and Rep. Levin to increase support, especially in the House. There are currently 33 co-sponsors on the House bill, and more are needed. The Senate bill has 14 co-sponsors.

Patient Navigator Act

In 2002 the National Cancer Institute (NCI) established a small research program to investigate the effectiveness of patient navigation services. The program provides 5-year funding to eight institutions to develop and assess the efficacy and cost-effectiveness of various interventions in communities with cancer disparities. The primary purpose of the NCI program is to develop innovative patient navigator interventions to reduce or eliminate cancer health disparities.

Advocates wish to increase funding for a similar demonstration initiative and have recently secured passage of the Patient Navigator Act of 2005 (H.R. 1812/ S.898), sponsored by Rep. Robert Menendez (D-NJ) and Sen. Kay Bailey Hutchison (R-TX). The bill passed the House and the Senate in the spring of 2005 and was signed by President Bush in June 2005 as Pub. L. No. 109-018. The new law establishes a small patient navigator demonstration program through the Health Resources Services Administration (HRSA), linked to the ongoing activities of the National Cancer Institute, which is also working with the Indian Health Service. Under the HRSA demonstration, patient navigators would help uninsured patients to evaluate their treatment options, obtain referrals, find clinical trials, and apply for financial assistance. The legislation authorizes \$25 million in grants over five years to establish patient navigator programs in low-income and rural communities nationwide. However, Congress did not provide funding for the first year of the program in the FY'06 DHHS appropriations bill. Advocates hope to obtain funds for the program in the FY'07 DHHS budget. This congressional decision is expected in the fall of this year. HRSA does not plan to begin implementation activities for the program until after it is funded.

NASW ACTION

NASW secured language in both the House and Senate committee reports strongly recommending that navigators be supervised and have oversight by licensed professionals. NASW, along with other stakeholder groups, developed guidelines to assist HRSA and the NCI in administering the demonstrations. NASW will continue to focus on patient navigator requirements, including education, prior work experience, appropriate background checks, and specified levels of expertise in community health care.

Health Professions Education Act

Title VII and Title VIII of the Public Health Service Act authorize a variety of grants for students, programs, and institutions to improve the racial and ethnic diversity, geographic distribution, and quality of the health professions workforce. These programs are designed to meet the nation's needs by increasing the supply of primary medical, dental, public health, and allied health professionals. Priority is given to training health professionals in fields experiencing shortages, improving the geographic distribution of health professionals, expanding access to health care in underserved areas, and enhancing minority representation in the pool of practicing health professionals.

This entire program is due for congressional reauthorization this year, and it may obtain increased attention as a result. One of the goals for NASW is for social workers to be designated as allied health professionals under this Act. This designation would have implications for training funding, particularly for graduate social work education programs and workforce data compilation. Title VII and VIII

programs are critical to help institutions and programs respond to current and emerging challenges and ensure that all Americans have access to appropriate and timely health services.

NASW ACTION

NASW, in partnership with several coalitions, has met with members of Congress, sent joint letters, assisted in testimony, and participated in Capitol Hill events to advocate for increased health professions funding. NASW is committed to working towards improving the recruitment and retention of social workers in the workforce.

Federal Workers Compensation Claims

NASW supports the introduction of the Clinical Social Workers' Recognition Act of 2005 (S.127/H.R. 234) by Sen. Daniel Inouye (D-HI) and Rep. Ed Towns (D-NY), a social worker. This legislation would authorize the use of clinical social workers to conduct evaluations to determine work-related emotional and mental illnesses for federal employees who have applied for Workers' Compensation coverage.

Currently, the law excludes social workers by restricting the types of mental health providers who can perform mental health evaluations for federal employees. The code was last amended in 1974, and much has changed since that time in the delivery of mental health services and the recognition of social workers as critical to mental health care in the United States.

NASW ACTION

NASW staff made a number of visits to the Hill to educate targeted staff and members of Congress on the advancement of social work over the past 30 years and to gain support for the legislation. This work will continue throughout 2006.

LOAN FORGIVENESS

On March 30, 2006, the House passed the first broad rewrite of federal higher education policy since 1998. H.R.609 reauthorizes the Higher Education Act (HEA) for five years and guides the distribution of about \$90 billion in financial aid for college students. Thanks to an amendment proposed by Rep. Raúl Grijalva (AZ-7-D), loan forgiveness would be available for child welfare workers and child or adolescent mental health professionals, including social workers.

The "national need" program would forgive up to \$5,000 of student loan debt after five years of employment. Eligible professionals include early childhood educators, nurses, foreign language specialists, and speech-language pathologists. In addition to professionals in child welfare and child or adolescent mental health, other professionals added by the Grijalva amendment are librarians, first responders, and bilingual education teachers. New appropriations would be needed to implement the program.

Senate Action

The Senate Health, Education, Labor, and Pensions Committee (HELP) approved its version of the HEA reauthorization bill, the Higher Education Amendments (S.1614), on September 8, 2005. As introduced, S.1614 did not include any new loan forgiveness provisions, and by prior agreement, no amendments were offered during committee consideration. The Committee approved the bill unanimously; the bill is awaiting floor action by the full Senate. No date has yet been set for its consideration.

Although the bill does not include any new loan forgiveness provisions, it does include a provision that could assist social workers in repaying loans. The provision, which is supported by NASW, amends the current Income Contingent Repayment (ICR) program. Under the ICR, graduates pay a percentage of their income (around 20 percent) for 25 years; after 25 years, any remaining balance is forgiven. The new provision, authored by Sen. Ted Kennedy (D-MA), would shorten the repayment period to 10 years for

borrowers with jobs in the "public sector." Public sector is defined as emergency management, government, public safety, law enforcement, public health, education (including early childhood education), and public interest legal services.

NASW is promoting loan forgiveness for social workers as part of its ongoing work to improve working conditions, salaries, and other benefits for members of the profession and to ensure that consumers have access to qualified professional social workers.

NASW ACTION

NASW continues to explore ways to build support for loan forgiveness for social workers and is working to increase the number of co-sponsors of Sen. Mike DeWine's (R-OH) Child Protective Services Student Loan Forgiveness Act (S.1430). The Association also continues to work with other national organizations, including the National Child Abuse Coalition and the National Alliance of Pupil Services Organizations (NAPSO), to promote loan forgiveness for social workers in child welfare and education, and to continue to seek opportunities for providing loan debt relief for social workers in other fields of practice. In addition, the Association shared information on the need for social worker loan forgiveness with key members of the Republican Main Street Partnership (RMSP), an organization of moderate Republicans.

As a result of letters to each of the social work members of Congress, NASW met with the office of Rep. Barbara Lee (CA-9-D), a social worker, to discuss loan forgiveness legislation. During the meeting, staff were able to thank Rep. Lee for introducing an amendment to the Higher Education Act that would make school counselors, school social workers, and school psychologists eligible for the student loan forgiveness program. Unfortunately, the amendment did not pass.

The latest action alert urging members of the Senate Health, Education, Labor and Pensions (HELP) Committee to include social workers in any loan forgiveness provisions in the final bill is posted on the NASW Web site: <https://www.socialworkers.org/advocacy/alerts/2006/041206b.asp>.

MENTAL HEALTH

Small Employer Health Plans (AHPs and HIMMA Legislation)

The Small Business Health Fairness Act of 2005 (H.R.525) would allow small businesses to buy health insurance through business and trade associations and allow Association Health Plans (AHPs) to operate without state oversight. This bill is steadily moving through Congress. It passed the House at the end of July; however, the House bill has never been popular in the Senate, which recently developed a GOP alternative. The Senate alternative, S.1955 (Health Insurance Marketplace Modernization Act, or HIMMA), moved swiftly in March through the Committee on Health, Education, Labor, and Pensions, and is scheduled for Senate Floor consideration in early May.

NASW ACTION

NASW opposes the creation of Small Business Health Plans as proposed in both the House and Senate bills because they would repeal state insurance mandates and vendorship laws and because they would drive up costs for higher risk and older workers. The Association has joined with key national health advocacy groups to lobby against the legislation. NASW and its coalition partners are flooding the Hill with calls and letters of opposition, particularly in the Senate.

The latest action alert on HIMMA is on the NASW Web site at http://www.socialworkers.org/advocacy/issues/mental_health.asp.

Health Information Technology (HIT)

Health IT legislation made significant gains in the Senate during 2005 and passed the floor in mid-November. The Senate-passed bill (S.1418) is sponsored by Senators Mike Enzi (R-WY) and Ted Kennedy (D-MA) and promotes information technology as a tool for bringing about fundamental change in the health care system. The legislation establishes an aggressive federal role in promoting the development and use of health information technology. Among the HHS Secretary's roles would be to establish the public-private American Health Information Collaborative to make recommendations on setting national policies for supporting the widespread adoption of health information technology. A major Senate floor amendment was sponsored by Sen. Debbie Stabenow (D-MI), a social worker, and strongly supported by NASW to protect existing state laws concerning medical records privacy. Thanks to the efforts of Sen. Stabenow and the lobbying efforts of NASW, the bill now specifies that it would not affect privacy-related provisions in the Social Security Act or the Health Insurance Portability and Accountability Act (HIPAA).

In the House, Rep. Nancy Johnson (CT-5-R) is promoting a similar HIT bill (H.R.4157). Her bill, which was introduced in December 2005, does not protect existing state medical records privacy laws. In particular, it sets up a process to preempt the HIPAA protections of state privacy laws that are more protective than existing HIPAA requirements. H.R.4157 is entirely unacceptable to NASW.

NASW ACTION

NASW is working with other behavioral health professional groups to ensure the restoration of medical records privacy in any federal HIT legislation. Currently, NASW is engaged in protracted dialogue with Rep. Johnson on this issue. It is unclear whether we will be successful in securing major changes in the House bill. Rep. Johnson hopes to bring her bill up for committee consideration during May. Further House action is also expected, but privacy has emerged as a major controversy in the House. Until NASW obtains commitments to remedy problems in the House bill, we will continue to advocate strongly for changes in its language. We expect this issue to remain a major priority for NASW for the rest of the year.

Clinical Social Work Medicare Equity Act (CSWMEA)

Due to a provision in the Balanced Budget Act of 1997, clinical social workers may no longer bill Medicare directly for psychotherapy services to clients residing in skilled nursing facilities. The situation is complicated by the severely inadequate national policy on the provision of mental health services under Medicare. On May 26, 2005, Sen. Barbara Mikulski (D-MD), a social worker, and Reps. Fortney "Pete" Stark (CA-13-D) and James Leach (IA-2-R) reintroduced the Clinical Social Work Medicare Equity Act of 2005 (S.1148/H.R.2736), to address this issue. The Senate Finance Committee briefly considered the bill in 2003, but it did not pass.

NASW ACTION

The Association has been working with key Senators and Representatives to gain support for the legislation and is now seeking co-sponsors in the House and Senate. NASW is also building grassroots membership support for the measure in target states and Congressional districts.

For more information, see NASW's Web site: <http://www.naswdc.org/advocacy/alerts/060305.asp>.

Mental Health Services Appropriations

Congress finished the Labor-HHS appropriations bill, funding the Substance Abuse and Mental Health Services Administration (SAMHSA) for FY2006 in late December. The President's budget for SAMHSA and the Center for Mental Health Services (CMHS) included small cuts, and the final bill generally level-funded most programs. Congress targeted the domestic appropriations bill for across-the-board cuts to reach total spending targets. It is increasingly likely that funding levels for FY07 may dip below FY06

levels for many domestic discretionary programs and NASW will need to be very active in support of adequate funding this year.

NASW ACTION

NASW is working with its coalition partners in the Mental Health Liaison Group to support increased funding levels for mental health and other SAMHSA programs. NASW staff made a number of visits to the Hill to support appropriations for the agency over the past month and expects to do so throughout 2006.

Medicaid Funding

Earlier this year, the Bush Administration and GOP Congressional leaders yet again sought more large cuts in federal expenditures for Medicaid. The Administration's FY07 budget again proposed dramatic cuts in Targeted Case Management services, which NASW vigorously opposed. NASW and the Medicaid coalition continued to resist these overly broad grants of authority to the states to reduce program requirements. In response to both our coalition demands and election year pressures, GOP Congressional leaders appear to have dropped Medicaid cuts from their still incomplete budget plan for this year. Meanwhile, states continue to grapple with record-high Medicaid expenditures, resulting in tremendous federal and state interest in capping program expenditures.

NASW ACTION

NASW has strongly advocated against more federal Medicaid cuts in 2006 and we have already witnessed a great deal of success in this election year environment. NASW works closely with a national coalition of health care advocates to vigorously oppose Medicaid cuts. In addition, NASW has worked to educate key members of Congress about the vital role of Medicaid in financing public mental health services.

Mental Health and Substance Abuse Parity

Political opposition from business and House GOP leaders has stymied NASW and its coalition partners' support for passage of the Paul Wellstone Equitable Mental Health Treatment Act (HR.1402). Senate Republican leadership promised lead sponsors Sens. Peter Domenici (R-NM) and Edward Kennedy (D-MA) to consider the bill early in 2004, but this did not happen. Lead House sponsor Rep. Patrick Kennedy (RI-1-D) told NASW staff in 2005 that the overwhelming need is to boost political support for mental health parity as all of the factual arguments asserted by opponents have been answered.

NASW ACTION

In conjunction with the Mental Health Liaison Group, NASW supports passage of full mental and behavioral health parity. Given the increased influence of conservatives in Congress, prospects for the legislation weakened in 2005 and increasing support for the bill will be difficult in 2006.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

The Deficit Reduction Omnibus Reconciliation Act of 2005 (DRA) P.L. 109-171 was signed into law by the President on February 8, 2006. It provides guidance for numerous programs including the reauthorization of Temporary Assistance for Needy Families (TANF), Food Stamps, Child Support, and many others. Social workers should be aware of the changes to the TANF program as it provides important resources and services to low-income families and children. We have let Congress know that these services must be preserved and expanded when one considers that 16 percent of American children—more than 11 million—are living in households in which their parents' income is at or below the federal poverty level. These parents are typically unable to provide their families with necessities like stable housing and reliable child care.

Although the measures advanced in this law do not go far enough to serve these financially fragile families, there will be opportunities to share your input with your state child welfare and TANF directors once Health and Human Services (HHS) Secretary Michael Leavitt completes the regulatory process for final implementation, which is expected sometime this fall. This document highlights the major changes to the TANF program and child welfare programs. For more details on the other programs affected by this law, go to <http://thomas.loc.gov>.

Highlights of provisions contained in the DRA include the following:

Authorizations

The DRA authorizes: TANF through September 30, 2010; the TANF Emergency Response and Recovery Act through September 30, 2010; the High Performance Bonus and the Out-of-Wedlock Bonus through September 30, 2006; the Supplemental Grants through FY 2008; and Transitional Medical Assistance through FY 2006. Both the High Performance and Out-of-Wedlock bonuses are eliminated after September 30, 2006, and all bonus awards have already been released to states.

Funding

The DRA provides funding for the TANF block grant at the current level, \$16.5 billion through FY 2010. The amount states can transfer from TANF to the Social Services Block Grant (SSBG) is maintained at 10 percent. Funding for the TANF supplemental grants to states is provided at current funding levels through FY 2008. The measure also continues the \$2 billion contingency fund through FY 2010.

The law also provides an additional \$150 million a year from FY 2006 to FY 2010 for marriage promotion grants to states, territories, tribal governments, tribal organizations, faith-based organizations, and community groups. Of the \$150 million, up to \$50 million can fund new fatherhood grants. The DRA also allows up to \$2 million per year for demonstration projects for coordination of child welfare and TANF services to tribal families.

Participation Rates

The DRA permits the Secretary of HHS to define work activities and hours in federal regulation. Also, states must establish work participation verification procedures by September 30, 2006.

Verification and Oversight Procedures

The DRA establishes a new penalty for states by allowing the Secretary of HHS to assess a penalty for states' failure to establish and maintain work participation verification procedures. The penalty would be a minimum of 1 percent and not more than 5 percent of the state's TANF block grant. The penalty would be based on severity of failure. The DRA also requires the Secretary of HHS to promulgate regulations no later than June 30, 2006, to ensure consistent measures of work rates for programs funded with federal and state TANF funds. The regulations are to address: what activities may be treated as work; uniform methods for reporting hours of work; circumstances under which a parent who resides with a child-only TANF recipient should be included in the work participation rate calculation; and the type of documentation needed to report the number of hours worked.

National Random Sample Study

The DRA extends the authority to conduct the National Random Sample Study of Child Welfare through September 30, 2010. HHS has used this authority to conduct the National Survey of Child and Adolescent Well-Being (NSCAW).

FIELD ORGANIZING

Grassroots Activities

During January 1-March 31, 944 individuals sent 5,713 letters and/or e-mails through Congress Web to their Congressional and state representatives. The federal issues that generated the most grassroots efforts included appropriations/budget, loan forgiveness, the Title IV-E child welfare training program, and TANF.

Federal issues generated a total of 2,158 responses, and a table showing activity levels in various federal issues follows.

Subject Area	Number of Letters/E-mails
Loan Forgiveness: Child Welfare	519
Federal Budget	410
Mental Health Parity	182
Education: Support the Elementary and Secondary School Counseling Program	178
Support Medicare Clinical Social Work	171
Child Welfare: CAPTA Appropriations	140
TANF Reauthorization	94
Health Care: Oppose Association Health Plans (S.406)	84
Child Welfare: Title IV-E Training	83
Social Worker Safety	83
Aging: Advance Directives	64
Support the National Center for Social Work Research Act (S.90)	44
Faith-Based Initiative: Oppose the Job Training and Improvement Act (H.R.27)	39
Judicial Nominations	24
Oppose Religious Discrimination in the Head Start Reauthorization Bill	24
Health: Support the Genetic Information Nondiscrimination Act of 2005	19

Presentations

Staff provided keynote speeches at two chapter lobby days in Nashville, TN and Tallahassee, FL. Combined, these presentations reached more than 950 social workers.

Staff also presented a continuing education program on legislative advocacy in advance of the Florida lobby day. Almost 300 social workers participated.

Two social work programs visited the NASW offices to learn about legislative advocacy: the University of Alabama in Tuscaloosa and Shepherd University in Shepherdstown, WV.

Staff visited the social work graduate schools at Howard University, George Mason University, and the University of Michigan to talk with students about NASW's legislative efforts and to encourage their involvement.

Web Site Development

Six action alerts and four updates were posted on the Association's Web site this quarter. You can view the alerts and updates on NASW's Web site: www.socialworkers.org/advocacy.

POLITICAL ACTION FOR CANDIDATE ELECTION (PACE)

2006 Congressional Endorsements and Contributions

During NASW-PACE meetings in January and March, PACE Trustees authorized endorsements and contributions for 37 House candidates and eight Senate candidates. During the 2006 election cycle, endorsements and contributions have been authorized for four social worker incumbents, two social worker challengers, 27 Democratic House incumbents, seven Democratic House challengers, two Republican House incumbents, one Republican House challenger, seven Democratic Senate incumbents, and one Republican Senate incumbent. One Republican House incumbent received an endorsement without a financial contribution.

In addition to the above-mentioned races, the Trustees also authorized financial resources for the Democratic Congressional Campaign Committee (DCCC), the Democratic Senatorial Campaign Committee (DSCC), and the Republican Main Street Partnership, as well as funds to allow NASW-PACE to co-host candidate fundraisers for increased political visibility.

Field Organizer Program

Hiring is underway for field organizers in Arizona, Florida, Missouri, New Jersey, Pennsylvania, and Tennessee for the 2006 election. The six field organizers will come to Washington, DC in early June for a three-day training.