

Dear Senator Mitch McConnell;
Senator Chuck Schumer;
Senator Lamar Alexander;
Senator Patricia Murray;
Representative Paul Ryan;
Representative Nancy Pelosi;

As the new Congress moves to repeal the Affordable Care Act (ACA), there is a great deal of concern about the fate of several initiatives in the ACA that are completely unrelated to the primary provisions of the law. These initiatives are of critical importance to the Disability Community, and two of them underpin one of the most fundamental rights that Americans are guaranteed under the Declaration of Independence and Constitution: Liberty.

The undersigned organizations urge Congress to recognize and preserve these critically important policy initiatives as it moves forward this session with any legislation that reforms healthcare.

First, thank you for supporting the preservation of protections for people with pre-existing conditions.

We want to acknowledge the support from President-elect Trump and other conservatives for maintaining the protections for people with pre-existing conditions in healthcare. We are pleased that there has been significant agreement that these protections should remain in place. Prior to the ACA's ban on insurance companies refusing coverage or charging more to cover people with pre-existing conditions, many disabled people could not afford coverage. Those who could were often refused coverage even when they could afford it. For many, being locked out of the insurance marketplace meant taking on burdensome debt and was often a path to financial ruin and forcing them onto public benefits. We thank you for protecting this important safeguard, but urge you to carefully review the proposals to accomplish this to ensure that these protections are not inadvertently undercut when the law is changed.

Don't eliminate accessibility requirements for Diagnostic Medical Equipment.

Few people are aware that the ACA included provisions that authorize the U.S. Access Board to develop accessibility standards for medical diagnostic equipment. Inaccessibility of this equipment has deterred or prevented disabled individuals from getting appropriate diagnostic services which results in higher rates of secondary health issues – unrelated to an individual's primary disability. For example, studies have shown that women with chronic disabling conditions are less likely to receive breast cancer screenings. The inaccessibility of the diagnostic equipment – which contributes to this problem – was addressed in the ACA, but these accessibility requirements are at risk of being swept away in an across-the-board repeal of the ACA.

Don't Undercut the Constitutional Guarantee of Liberty.

The Constitution – in the Preamble – secures the blessings of liberty for Americans as a central principle of our government. The Constitution does not exclude disabled Americans who are equally entitled to freedom and liberty. Within the ACA, there are two program initiatives that advance the right of disabled Americans to live in freedom. Although they may not have been widely discussed by policy-makers, the importance of these programs cannot be overstated. The Money Follows the Person

Program and the Community First Choice Option, together, help assure that the constitutionally-guaranteed right to liberty is afforded for millions of us in the Disability Community.

The Money Follows the Person (MFP) program was initiated under President George W. Bush's administration as part of his New Freedom Initiative to integrate people with disabilities into the community. Through advocacy by the Disability Community, this initiative was extended through the ACA, and it has helped states ensure that countless disabled and older Americans are able to get out of institutions and nursing facilities. MFP has been adopted by at least 44 states, and has helped contain unnecessary and costly Medicaid for unwanted institutionalization. In so doing, MFP has allowed states to serve more people at the same or lower funding levels. Because of political gridlock, this program is sunseting. The 115th Congress can take immediate action to support the liberty of disabled Americans by implementing proposals from the National Council on Independent Living and ADAPT to extend this program.

The Community First Choice Option (CFCO) resulted from decades of advocacy by the Disability Community to ensure that disabled Americans are able to remain in their own homes rather than be forced into unwanted institutionalization and denied their basic liberty. A number of states, including Texas, have selected CFCO. CFCO creates a powerful incentive for these states to provide services and supports in the community, and advocates across the country are working with their states to select CFCO. Disabled people have fought long and hard for the opportunity to live in the community in a manner that virtually every other American takes for granted. In fact, CFCO was not included in the original legislation creating the ACA and was only added because of the work of disability advocates. We urge you to preserve CFCO as it has become one of the most effective tools for making community living a reality for all people with disabilities.

The Disability Community includes people of all political persuasions. These issues matter to us because they support our freedom, allow us to be contributing members of society, spend time with our families, and live our lives! These programs secure the Constitutional right to Liberty for People with Disabilities, and we urge you to preserve and advance these important programs as you make enact legislation to reform the healthcare.

Thank you.

Sincerely,