

JUSTICE IN AGING

FIGHTING SENIOR POVERTY THROUGH LAW

Federal Policy Changes: Process

Amber Christ, Senior Staff Attorney

November 15, 2017

JUSTICE IN AGING

FIGHTING SENIOR POVERTY THROUGH LAW

Justice in Aging is a national organization that uses the power of law to fight senior poverty by securing access to affordable health care, economic security, and the courts for older adults with limited resources.

Since 1972 we've focused our efforts primarily on populations that have traditionally lacked legal protection such as women, people of color, LGBT individuals, and people with limited English proficiency.



Legislative

Regular Order versus Reconciliation

- Reconciliation = Budget Process (optional)
 - Requires only a majority to pass
 - No filibuster in the Senate
 - Process is much faster
 - No mark-ups or committee hearings required; limited amendments
 - Limited floor debate
 - Must impact (mandatory) spending, revenues, or debt ceiling
 - Changes to Social Security are not permitted

The Reconciliation Process

Budget
Resolution
Introduced &
Voted On

Each
committee
writes
legislation
and reports
back

Reconciliation
bill
introduced on
floor

Both houses
vote - only
majority
needed to
pass

If passed, sent
to President

Examples

- **Reconciliation**

- ACA Repeal and Replace - attempted through reconciliation (ACHA, BCRA, Graham Cassidy)
- Tax Reform

- **Regular Order**

- S. 1804 - Medicare for All (single payer)
- HR 2792 - prohibit the payment of Social Security or Supplemental Security Income (SSI) to people who are the subject of an arrest warrant for an alleged felony or for an alleged violation of probation or parole

Annual Budget October 1

1. President Submits Budget Request to Congress
2. House and Senate Submit and Vote on their own Budget Resolutions
3. House & Senate Subcommittees Markup Twelve Appropriation Bills
4. House & Senate Vote on & Reconcile Differences in Appropriation Bills
5. President Signs Each Appropriation Bill

Continuing Resolutions & Omnibus Bills

If Budget not passed by October 1

- **Continuing Resolution** - provides temporary funding to agencies until final budget is approved
- **Omnibus Bill** - if Congress can't agree on all 12 appropriation bills, will introduce an omnibus bill that funds all 12 areas
 - Current funding expires December 8
 - Currently in negotiations on an omnibus bill for FY 2018 - CR will likely be needed and government shutdown could occur

Administrative Action

- **Executive Orders**
 - Non-payment of Cost Sharing Reductions (CSRs)
 - Ending Deferred Action of Childhood Arrivals (DACA)
- **Regulatory Action**
 - Delaying or not implementing regulations
 - Nursing Facility Regulations
 - Medicaid Managed Care Regulations
 - Waivers - increased flexibility
 - Implementing work requirements for Medicaid
 - Eliminating retroactive coverage for Medicaid