

What Older Adults Need From Congress

JULY 15, 2020

As Congress negotiates a fourth package of COVID-19 response bills, Justice in Aging is demanding that lawmakers include the following top priorities that are critical to support low-income older adults and people with disabilities. This legislative package must address systemic racism that is resulting in disproportionate harms to older adults of color, fund Medicaid home and community-based services (HCBS) and housing supports, ensure that stimulus payments are expanded and available to everyone, increase SNAP, and enhance funding for senior legal services.

Make Racial Equity An Affirmative Goal

Black, Latinx, Indigenous, and older adults of color in general are contracting and dying from COVID-19 at disproportionate rates due to historic and present-day systemic racism. Congress must ensure that all responses, recovery programs, and funding center those most harshly impacted and correct the systems that produce racial disparities. This includes passing Section 30701 of the HEROES Act (H.R. 6800), as well as addressing testing deserts and other testing inequities and putting systems in place to ensure equitable and culturally competent vaccine distribution when available.

Require the CDC to Collect Comprehensive and Intersectional Data

Data on who is most impacted by COVID-19 and its economic harms is essential to an effective response—both in the short and long term. Data collection and resulting policy solutions must recognize that the virus attacks the whole person, including their age, race and ethnicity, sex, sexual orientation, gender identity, disability, primary language, and zip code. Data must be collected in all congregate settings and communities where older adults and people with disabilities live.

Provide Targeted Support for Medicaid Home & Community-Based Services and Increase the FMAP

Low-income older adults and people with disabilities—especially people of color—are most at risk of serious illness and death during this pandemic. This risk is highest for people living in nursing homes and other congregate settings, where over 40% of COVID-19 deaths have occurred. As states face massive budget shortfalls, they will first cut Medicaid Home & Community-Based Services (HCBS), which are necessary to keep older adults and people with disabilities out of institutions, and other “optional” services like adult dental. To prevent these cuts and ensure Medicaid can respond to existing and increased need, Congress must pass:

- Section 30103 of the HEROES Act to provide an additional 10% FMAP (federal medical assistance percentage) bump to HCBS programs.

- Section 30101 of the HEROES Act to increase the overall FMAP to 14%.
- The Coronavirus Medicaid Response Act (S. 4108) to tie increases in the FMAP to state unemployment levels during economic downturns, creating an automatic stabilizing mechanism for state budgets and our national economy.

Expand and Ease Access to Stimulus Payments

Congress should pass the COVID-19 Tax Relief Act of 2020 (Section 20101 et seq. of the HEROES Act) to provide for a second round of stimulus payments and ensure that both the new payments and the CARES Act Economic Impact Payments are paid to taxpayers who file taxes using an Individual Taxpayer Identification Numbers (ITIN), as well as dependents age 17 and older. These provisions also make sure that all SSI and VA benefits recipients can automatically receive the payments, protect the payments from attachment or garnishment by creditors, and clarify that representative payees and fiduciaries are only to use the payments for the benefit of the person for whom the payment was intended.

Expand Housing and Homelessness Prevention

Congress should pass the Emergency Housing Resources and Protection Act (H.R. 7301) that would provide funding to prevent evictions, foreclosures, and unsafe housing conditions that have resulted from the COVID-19 pandemic. This bill would provide crucial emergency rental assistance so that tenants have a means to pay back rent when the eviction moratoriums are lifted. Congress should also enact the Emergency Housing Assistance for Older Adults Act of 2020 (H.R. 6873), which would provide \$1.2 Billion in needed rental assistance and protections for seniors living in federally assisted housing, and housing providers who have incurred extra costs during the COVID-19 pandemic.

Increase SNAP Benefits

Pass the HEROES Act provisions that help older adults meet their nutrition and other basic needs by increasing the SNAP benefit level by 15% and raising the minimum monthly benefit from \$16 to \$30.

Enhance Funding for Senior Legal Services

As older adults are navigating new benefits and are at higher risk of abuse and neglect due to sheltering in place and isolation, Congress should provide additional funding for Older Americans Act Title IIIB senior legal services and the Legal Services Corporation, as well as funding for elder rights protections including long-term care ombudsmen.