

## Direct Support Professionals Fairness and Security Act of 2005 (H.R. 1264) Introduced in U.S. House of Representatives

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WE NEED YOUR REPRESENTATIVE TO SIGN ON AS A COSPONSOR

### Bipartisan Direct Support Professional Bill (H.R. 1264) Introduced in House

Urge Your Representative to Cosponsor the Terry-Capps Bill

**March 19, 2005:** U.S. Representatives Lee Terry (R-NE) and Lois Capps (D-CA) introduced the *Direct Support Professionals Fairness and Security Act of 2005* (H.R. 1264) on March 10, 2005. Introduction of this bill is the latest major endeavor of ANCOR's National Advocacy Campaign and continues momentum begun last fall on legislation introduced in the 108th Congress. H.R. 1264 is identical to the legislation these lawmakers introduced last year that laid the foundation to begin the serious national discussion that this issue warrants.

ANCOR worked directly with Representatives Terry and Capps last year to develop bipartisan legislation designed to help ANCOR providers, and other private employers of supports to people with disabilities, address one of our most pressing issues—recruitment and retention of direct support professionals.

H.R. 1264 would amend Title XIX of the Social Security Act (Medicaid statute) to provide funds to states to enable them to include additional federal funding to providers to increase the wages paid to direct support professionals who support certain individuals with disabilities through targeted state Medicaid services.

ANCOR is grateful to Representatives Terry and Capps for taking the lead in bringing this issue to the forefront. The Arc, United Cerebral Palsy, Lutheran Services in America and the Association of University Centers on Disability joined with ANCOR in supporting this legislation at the press conference announcing introduction of the bill. In fulfilling ANCOR's promise to Representatives Terry and Capps, ANCOR will reach out to other national organizations and expand our collaborative efforts on this bill.

Before leaving for the Congressional recess, Representatives Terry and Capps distributed to all Representatives a *Dear Colleague* letter titled, *Help Ensure Adequate Wages for Those Who Support Individuals with Disabilities in Their Communities*. They urge their *colleagues* in the House of Representatives to join with them in cosponsoring H.R. 1264. Now, we need to do our part and help them gain support with you contacting your Representative.

### Highlights of Terry-Capps Bipartisan Legislation

While it is acknowledged that there is a national recruitment and retention crisis and the wages of direct support workers across all long-term care options are inadequate, the *Direct Support Professionals Fairness and Security Act of 2005* is designed to eliminate wage inequities for those who provide **private supports to targeted individuals with disabilities**—those individuals with disabilities, regardless of age, who are eligible for and receiving Medicaid funded services through a state's

- 1915(c) home and community-based waiver services;

- 1115 waiver services;
- personal care services;
- rehabilitative services;
- home health care services; or
- intermediate care services for persons with mental retardation and related conditions services.

H.R. 1264 is designed to provide a financial incentive (additional temporary federal funding) to states to reimburse private providers for increased wages and mandated wage-related costs for specific direct support professionals. It is an option to states—that is, a state chooses whether it wishes to participate and receive additional federal Medicaid funds. If a state wants to participate, it must develop a wage enhancement plan outlining how the state would increase wages for private DSPs over five years to the level paid to DSPs in state-operated programs. The plan must be developed together with providers, direct support professionals, people with disabilities and families. The state would submit its plan for approval to the Department of Health and Human Services. Click for [background on DSPs](#), [highlights of H.R. 1264](#), [Q & A](#) and [talking points](#).

**TAKE ACTION NOW:  
Use Easy [ANCOR Action Center](#)**

ANCOR is asking its members to take the following steps in gaining additional House support for the *Direct Support Professionals Fairness and Security Act of 2005*.

**Use the Congressional recess to contact your Representative by email or in person while they are in the home districts. The recess provides a real opportunity for face-to-face contact with your Representative and their staff—an opportunity to better inform them at length of the recruitment and retention crisis. Advise ANCOR of your efforts at [sgalbraith@ancor.org](mailto:sgalbraith@ancor.org).**

Now, it's time to take the following two steps: **1) Send a thank-you letter to our sponsors and 2) ask your Representative to cosponsor H.R. 1264. Together that will take 10 minutes of your time!**

**1. Thank you letter.** First, take a few moments to send a letter of appreciation (see sample attached at the end of this alert) to Representatives Terry and Capps. What if their offices received hundreds of *thank you letters* during the next week? They would know that their work makes a difference to you! Email your Terry letter to [jennifer.roberts@mail.house.gov](mailto:jennifer.roberts@mail.house.gov) and to Representative Capps [jeremy.sharp@mail.house.gov](mailto:jeremy.sharp@mail.house.gov).

**2. General targets.** All ANCOR members should contact their member Representative immediately using ANCOR message and sample letter on the [ANCOR Action Center](#). Urge your Representative to respond to the Terry/Capps Dear Colleague letter and cosponsor the *Direct Support Professionals Fairness and Security Act of 2005* (H.R. 1264). Remember, all you have to do is go online and type in your zip code. Everything else will be automatic for you from there. It takes only five minutes! And, the message in the letter can be personalized by you.

**3. Key targets.** There are two groups of current House members that ANCOR needs help in gaining their support on H.R. 1264: all Republican Representatives and all Representatives on the [House Energy and Commerce Committee](#). If your Representative is a Republican and/or is on the [House Energy and Commerce Committee](#), please take action on this alert.

**4. Cast a wide net!** Be sure to include direct support professionals and individuals with disabilities and their families know about H.R. 1264 and what they can do to help!

**5. Now, pass it along!** Send this email alert to three of your friends. Go online to the [ANCOR Action Center](#) and locate the *email friend* icon at the end of the alert.

**For more information:** If you have a question or wish to report on the response by your Representative on the *Direct Support Professionals Fairness and Security Act of 2005*, provide your name, agency, state and phone number in an email to Suellen Galbraith ([sgalbraith@ancor.org](mailto:sgalbraith@ancor.org)), ANCOR's Director for Government Relations.

**Please use the following sample letter to thank Representatives Lee Terry ([jennifer.roberts@mail.house.gov](mailto:jennifer.roberts@mail.house.gov)) and Lois Capps ([jeremy.sharp@mail.house.gov](mailto:jeremy.sharp@mail.house.gov)):**

The Honorable Lee Terry  
1524 Longworth House Office Building  
United States House of Representatives  
Washington, D.C. 20515-2702

Dear Representative Terry:

The Honorable Lois Capps  
1707 Longworth House Office Building  
United States House of Representatives  
Washington, D.C. 20515-0523

Dear Representative Capps:

I would like to extend my heartfelt thank you for your leadership in introducing HR 1264, the Direct Support Professionals Fairness and Security Act of 2005. I would like you to know how much I appreciate your passion and commitment on this important issue. Please rest assured I will do all that I can to secure the passage of this bill in order that direct support professionals can achieve the fairness and equity they so richly deserve. Your legislation will assure that people with disabilities receive the continuity and consistency of care they require to live in the community.

Sincerely,