

Passionate Advice and
Advocacy for all
Stages of Life

December 2017



Merry Christmas

Justice in Aging

CMS Temporarily Suspends Improvements in QMB Notices

On October 2, 2017, the Centers for Medicare and Medicaid Services (CMS) initiated changes in the Provider Remittance Advice and the Medicare Summary Notice (MSN) to show more clearly that Qualified Medicare Beneficiaries (QMBs) may not be charged for Medicare deductibles and co-insurance. Unfortunately, **CMS will be temporarily suspending these system changes as of December 8** because of significant unforeseen issues affecting provider payments. CMS is working to address the problem and reinstate the new systems sometime in 2018.

The temporary suspension of the system improvements does not affect the rights of QMBs. ***QMBs do not owe deductibles and co-insurance for any Medicare Part A or Part B services.***

The suspension also does not affect another change, instituted in November, that enables providers to confirm QMB eligibility before serving individuals, using the same systems through which they check other insurance coverage.

To learn more about these developments, [read our fact sheet](#).

For more information on QMB protections, see the [CMS QMB Program webpage](#). For tools that advocates can use to assist QMB clients who have been improperly billed, go to [Justice in Aging's Improper Billing page](#).

A law that would segregate disabled people? We must all fight to stop it.

Right now a proposed new law is on its way through Congress that stands to put hard-won disability rights enshrined in the 1990 [Americans with Disabilities Act \(ADA\)](#) into reverse. The ADA Education and Reform Act could be on the floor of the House of Representatives any day now – yet this “[quiet attack](#)” on [disability rights](#), as the Center for American Progress (CAP) calls it, would directly undermine protections against discrimination.

This latest policy assault is symptomatic of a wider unease surrounding the rights of people with disabilities. The [Affordable Care Act](#) (usually called Obamacare) is being undermined in the US to the detriment of millions of people with a disability, and in the UK the fevered culture of cuts and dismantling of protections continues [under the guise of austerity](#).

—> [Click Here to Read the Full Article](#)



Family Members of Older Adults with Serious Illness Are More Confident That They Know Their Medical Wishes When They Have Written Documents

National Survey Examines the Challenges Facing Americans with Serious Illness Late in Life and How the Public is Preparing for Them.

Seniors with serious illness and their families are more likely to feel their wishes for medical care are being followed when they have written them down, finds a [new Kaiser Family Foundation survey](#) on the public's views and experiences with illness in late life.

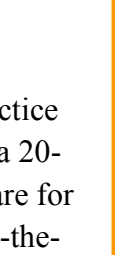
As America grows older and more people face serious illness late in life that can limit their ability to function, this new nationally representative survey provides an in-depth look at how Americans prepare for and deal with such illness.

—> [Click Here to Continue Reading](#)

Neglected for Too Long: Dental Care for People with Intellectual and Developmental Disabilities

This short NCD issue brief provides insights into the lack of dental care many people with intellectual and developmental disabilities (I/DD) continue to experience due to a shortage of properly trained dental care providers. The brief examines the American Dental Association's *Principles of Ethics and Code of Professional Conduct*; surveys dental training and dental school curricula requirements; provides examples of programs that do train dental students in the care of patients with I/DD; explores the impact of Medicaid on the issue; and discusses the concept of medically underserved populations. The issue brief concludes with recommendations to federal and state policymakers; the Commission on Dental Accreditation; and the American Dental Association.

—> [Click Here to get the Brief](#)



Social Security Beneficiaries Will Receive a 2 Percent Increase in 2018

In 2018, Social Security recipients will get their largest cost of living increase in benefits since 2012, but the additional income will likely be largely eaten up by higher Medicare Part B premiums.

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Whistleblower: Medicaid Managed-Care Firm Improperly Denied Care To Thousands

In early October, an executive at one of the nation's largest physician-practice management firms handed her bosses the equivalent of a live grenade — a 20-page report that blew up the company and shook the world of managed care for poor patients across California. For years, she wrote, SynerMed, a behind-the-scenes administrator of medical groups and managed-care contracts, had improperly denied care to thousands of patients — most of them on Medicaid — and falsified documents to hide it.

The violations were “widespread, systemic in nature,” according to the confidential Oct. 5 report by the company's senior director of compliance, Christine Babu. And they posed a “serious threat to members' health and safety,” according to the report, which was obtained by Kaiser Health News.

—> [Click Here for the Full Article](#)



Government's Duty to Accommodate People with Disabilities in Natural Disasters

Hurricanes, floods and wildfires have ravaged large swaths of the U.S. this year. Every major natural disaster disproportionately harms society's most vulnerable populations, particularly people with disabilities.

The Department of Justice is the federal agency that enforces Title II of the Americans with Disabilities Act (ADA), which prohibits discrimination on the basis of disability. The Department has never issued regulations specifically addressing the government's ADA obligations toward disaster relief. However, in recent years, courts have interpreted the ADA's sweeping non-discrimination and reasonable accommodation mandates to encompass emergency preparedness planning.

In the wake of 2012's Hurricane Sandy, the U.S. District Court for the Southern District of New York issued a 119-page decision in 2013 finding New York City's hurricane preparedness efforts to be noncompliant with the ADA. The City subsequently entered into a comprehensive settlement agreement with a coalition of disability rights groups.

As documented extensively in the decision, thousands of people with disabilities were stranded in high-rise buildings during Hurricane Sandy. The settlement gave the City a four-year timeline to inventory and assess its accessible vehicles to ensure swifter evacuations for those needing additional assistance.

—> [Click Here for Entire Article](#)



In Many Localities, Parents Must Pay When Their Children With Disabilities End Up in Jail

Unexpected expenses are a regular fact of life for many parents of children with disabilities, but for parents with children entangled in juvenile jail systems, the additional costs can be exorbitant.

According to a March 2017 report from the Marshall Project and The Washington Post, 19 state juvenile jail systems regularly bill parents for costs associated with their children's stays in juvenile jail facilities. Twenty-eight other states allow individuals counties to do the same.

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Senate Sets Hearing Date for Nominee to Federal Special Education Post

The Senate has set Dec. 5 as the hearing date on the nomination of Johnny Collett, a former special education director for Kentucky, who was selected by the Trump administration to lead the federal office of special education and rehabilitative services. Collett's nomination was released by the White House Nov. 15. But Congress would have to move quickly if it wants to get Collett installed before the end of this year. Including the day of his nomination hearing, there would be only nine working days left on the Senate calendar in 2017.

—> [Click Here for Entire Article](#)

What To Do When a Loved One Passes Away

Whether your spouse has just passed away or you have lost your mom or dad, the emotional trauma of losing a loved one often comes with a bewildering array of financial and legal issues demanding attention. It can be difficult enough for family members to handle the emotional trauma of a death, let alone taking the steps necessary to get these matters in order.

—> [Click Here to Read Further](#)



Why Everyone Needs to See This Photo of a Girl With Disabilities on the Bathroom Floor

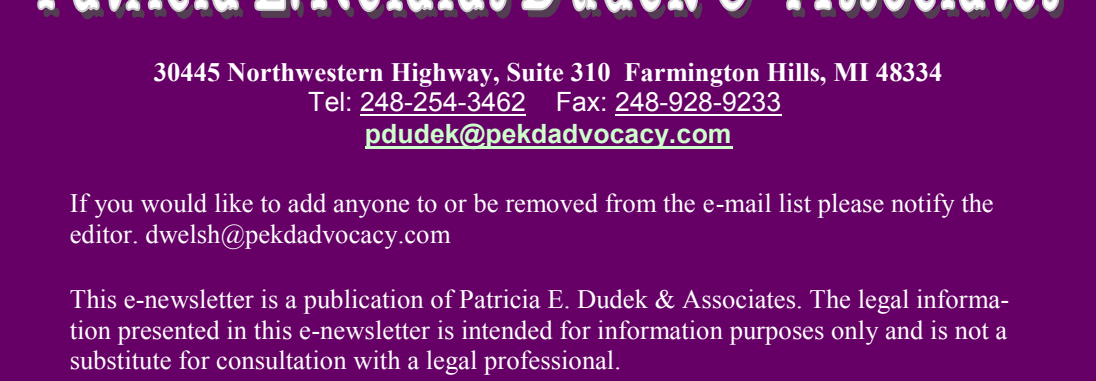
Although the start of the holiday season can be an exciting time to begin shopping for the loved ones in your life, one mom is reminding others not only how difficult this seasonal task can be for some families, but also to think twice about where you're deciding to spend your money. As a mom of a little boy with disabilities, Laura Moore couldn't remain silent after seeing people swoon over one store's holiday campaigns, especially after coming across a photo of her friend's child struggling on a dirty bathroom floor -- because that same retailer doesn't have any handicap-friendly options.

—> [Click Here for Full Article](#)

Report to the President and Congress The Money Follows the Person (MFP) Rebalancing Demonstration

As Required by the Deficit Reduction Act of 2005 (P.L. 109-171) and Amended by the Patient Protection and Affordable Care Act of 2010 (P.L. 111-148) from the Department of Health and Human Services Office of the Secretary

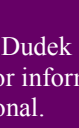
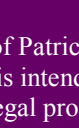
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