



**CWDA**

Advancing Human Services  
for the Welfare of All Californians

# Federal Update

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**TO:** County Welfare Directors Association

**FROM:** Tom Joseph, Director, CWDA Washington, D.C. Office

**DATE:** February 2017

**RE:** Federal Update

Congress, federal agencies, and Washington as a whole are reeling over the fat-paced and often unclear and radical pronouncements made by President Trump during his first weeks in office. With little to no policy input or advance notice, federal agencies and congressional Republican leaders have found themselves deciphering and defending multiple executive orders, including an Inauguration Day order to delay implementation of the Affordable Care Act and a sweeping immigration order denying admission to the U.S. of immigrants from a number of countries and stopping refugee admissions for at least 120 days. And, most recently, a leaked draft executive order would extend the reach and power of the U.S. to deny admission to the U.S. if the individual is likely to become a “public charge,” by using federally supported programs, including health care and social services.

**Affordable Care Act (ACA) Repeal:** President Trump has gone from urging that the ACA be repealed on his first day in office to now stating that it may not get done until 2018. His remarks reflect the uncertainty emerging in Congress on the process to repeal the ACA. Republican leaders now indicate that they believe that pieces of a replacement bill must be enacted at the same time or shortly thereafter. A number of them are also now using the word ‘repair’ when asked about the law.

Instead of meetings to debate and pass repeal or replacement bills, House and Senate committees conducted five ACA hearings last week to cite the law’s failures. Statements by the two parties demonstrate that a wide policy and political gulf remains.

CWDA will be supporting a resolution on the ACA at the upcoming NACo legislative conference. The resolution was drafted by CSAC and Cook County, IL which operates a large public hospital. The policy will urge Congress to forestall an ACA repeal until a replacement

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can be passed simultaneously which contains the fundamental financial and eligibility underpinnings of Medicaid. The resolution also opposes the block granting of Medicaid.

On a related note, Secretary-designate and ACA vocal opponent Tom Price (R-GA) awaits a final vote on the Senate floor where he is expected to be confirmed. He will need to begin naming his team, including the Assistant Secretary for the Administration for Children and Families. During the Obama administration, subcabinet heads were not in place until summer.

**Draft Executive Order on Public Charge:** In late January, the press obtained a leaked draft of an executive order which would expand significantly the number of federal programs falling under the definition of “public charge” which is used by immigration officials to either deny admission of an individual into the U.S. or to deport them. The draft order goes far beyond the list of federal programs that have been added over the 100-plus years of the public charge provision. While the draft is left open to interpretation, it likely would include most, if not all, receipt of services under any federal health care and public health care programs. The draft even includes tracking whether an immigrant received services funded by the Social Services Block Grant. The order would also allow much more aggressive measures for federal agencies to sue sponsors of immigrants for reimbursement if an immigrant received a federal benefit. And, the draft directs the President’s Office of Management and Budget to report how savings from the order “can be invested in programs and services designed to benefit impoverished American communities, including inner-city communities and disadvantaged youth”.

On the national level, CWDA is working to draft a NACo resolution on the matter is currently working with Hennepin County (Minneapolis) who reached out to the CWDA Washington Office. Hennepin County has a very large population of Somali and Hmong immigrants.

**Family First Prevention Services Act (FFPSA):** CWDA’s Washington staff met recently with staff to Representative Karen Bass (D-Los Angeles) to review last year’s lack of transparency and ability to amend the bill to address California’s concerns. The bill sailed through the House within a week after introduction and then remained stalled for six months in the Senate, due to the refusal of the Senate Finance Chair and Ranking Member to consider amendments. As Co-Chair of Congressional Foster Youth Caucus, Representative Bass was vocal about her support for the FFPSA.

The staff were open to a ‘fresh start’ on the bill, if it moves legislatively this year. CWDA is working with a number of California stakeholders to arrange a meeting with Representative Bass in her district in mid-April to discuss the bill.

While last year’s un-amended bill was reintroduced in the House (H.R. 253), House Ways and Means Majority staff have indicated that they would wait for the Senate to act first this year,

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if indeed there is any action. There has been no Senate bill to date and the Senate Finance Committee which has jurisdiction over child welfare is also tasked with Medicaid, Medicare and the ACA – all items that will demand a great deal of attention from Committee members.

This federal budget update was created by CWDA Staff. Direct questions to the contact at right.

For more information, visit:  
[cwda.org](http://cwda.org)

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