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Inside This Issue

<i>Senate panel approves level fiscal year 2018 funding for LSC</i>	1
<i>House-passed bill would preempt state medical liability laws</i>	3
<i>Voting rights panel explores current state of voting in the United States</i>	3
<i>House Judiciary Committee explores impact of attorney advertising on patients taking medications</i>	4
<i>House passes series of bills to reform child welfare systems</i>	5
<i>ABA opposes national reciprocity for concealed carry gun permits</i>	5
<i>Human trafficking bills move through House and Senate Judiciary Committees</i>	6
<i>ABA urges Senate to maintain support for Medicaid as health care bills are considered</i>	8

Regular Features

<i>Legislative Boxscore</i>	2
<i>Judicial Vacancies/Confirmations</i>	6
<i>Washington News Briefs</i>	7



ABA highlights importance of LSC funding

Senate Appropriations Committee okays \$385 million for LSC in fiscal year 2018

The Senate Appropriations Committee voted July 27 to maintain Legal Services Corporation (LSC) funding at its current level of \$385 million for fiscal year 2018 – rejecting the administration’s call to eliminate LSC.

The committee accepted the amount approved two days earlier by its Subcommittee on Commerce, Justice, Science, and Related Agencies.

The Senate committee’s action followed approval July 13 by the House Appropriations Committee of reduced funding of \$300 million for the corporation, which would result in a 24 percent reduction in the program’s basic field grants. Despite the proposed reduction in LSC funding, members of the House committee indicated strong support for legal services during the markup session.

“The ABA is especially grateful for the cooperation and support of Chairman Richard Shelby and Ranking Member Jeanne Shaheen in maintaining level funding despite the White House’s recommendation that all federal funding for the LSC be eliminated,” ABA President Linda A. Klein said following the Senate subcommittee’s July 25 action. She said she looked forward to the House matching the Senate funding level in the final bill later this year.

Klein emphasized that LSC is “an essential part of our American justice system” and “ensures equal access to civil justice for all Americans, regardless of income.” She noted that a recent study conducted for the LSC by the University of Chicago found that 71 percent of low-income families experienced at least one civil legal problem last year, but 86 percent of those problems received inadequate or no legal help. “Much of this justice gap is due to insufficient funding,” she said.

During House committee consideration, Rep. Mike Quigley (D-Ill.) offered an amendment to continue the LSC at its current level of \$385 million but withdrew the amendment following assurances from Rep. John Culberson (R-Texas) that LSC would be a top priority as the bill moves through the legislative process. Culberson – who chairs the House Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies – said the work of the LSC is “vitaly important...particularly for battered women who need help in court.”

In a [July 20 letter](#) to Culberson, ABA President Linda A. Klein expressed the ABA’s gratitude for his comments and emphasized that the LSC, which helps nearly 2 million people a year, also is critical for low-income veterans, rural residents and survivors of federally declared natural disasters.

see “LSC,” page 4

LEGISLATIVE BOXSCORE

LEGISLATIVE ISSUE	HOUSE	SENATE	FINAL	ABA POSITION
<p>Criminal Justice. S. 330 and H.R. 969 would establish a federal Defender Office for Supreme Court Advocacy to ensure right to counsel. H.R. 1809 and S. 860 would revise and reauthorize the Juvenile Justice and Delinquency Prevention Act (JJDP). H.R. 2480, H.R. 2473, S. 1311 and S. 1312 are aimed at combating human trafficking.</p>	<p>H.R. 969 was referred to the Judiciary Cmte. on 2/7/17. House passed H.R. 1809 on 5/23/17. House passed H.R. 2473 on 5/23/17. Judiciary Cmte. approved H.R. 2480 on 6/28/17.</p>	<p>S. 330 was referred to the Judiciary Cmte. on 2/7/17. S. 860 was referred to the Judiciary Cmte. on 4/5/17. Judiciary Cmte. approved S. 1311 and S. 1312 on 6/29/17.</p>		<p>Supports JJDP and Second Chance Act reauthorization. Supports funding for federal and state indigent defense programs. Supports certain civil asset forfeiture reforms. Supports bills to combat human trafficking. See page 6.</p>
<p>Federal Courts. H.R. 720 and S. 237 would amend federal rules to require mandatory imposition of sanctions for lawyers who file non-meritorious lawsuits. H.R. 985 would amend federal rules regarding class actions. Numerous proposals would split the Ninth Circuit Court of Appeals. H.R. 2266 would convert 14 temporary bankruptcy judgeships to permanent status and authorize four new permanent bankruptcy judgeships.</p>	<p>House passed H.R. 985 on 3/9/17 and H.R. 720 on 3/10/17. A Judiciary subcommittee held a hearing on splitting the Ninth Circuit on 3/16/17. House passed H.R. 2266 on 5/17/17.</p>	<p>S. 237 was referred to the Senate Judiciary Cmte. on 1/30/17.</p>	<p>President signed P.L. 114-113 (H.R. 2029) on 12/18/15. President signed P.L. 114-254 (H.R. 2028) on 12/10/16.</p>	<p>Supports adequate judicial resources and opposes efforts to infringe on separation of powers or undermine the judiciary.</p>
<p>Immigration. The president issued executive orders on 1/25/17, and 1/27/17 followed by a revised executive order 3/6/17 on border security, immigration enforcement, and visa and refugee programs. Federal judges temporarily blocked the orders nationwide that suspended entry from majority-Muslim countries, but Supreme Court allowed refugee ban to go forward with certain exceptions.</p>				<p>Supports improvements in the immigration court and adjudication system. Opposes mandatory detention and supports alternatives to detention. Supports access to counsel and due process safeguards.</p>
<p>Legal Services Corporation (LSC). President's FY 2018 budget issued on 5/23/17 included no funding for LSC, which is currently funded at \$385 million under P.L. 115-31 (H.R. 244).</p>	<p>Approps. Cmte. approved \$300 million for LSC on 7/13/17.</p>	<p>Senate Approps. subc. approved \$385 million for LSC on 7/25/17.</p>	<p>President signed P.L. 115-31 (H.R. 244) on 5/5/17.</p>	<p>Supports an independent, well-funded LSC. See front page.</p>

House-passed legislation would preempt state medical liability laws

The House narrowly passed an ABA-opposed bill last month that would preempt state laws to impose caps of \$250,000 on non-economic damages and place limits on contingency fees that lawyers can charge in medical liability cases.

In a [letter](#) to House leadership prior to the June 28 vote, ABA Governmental Affairs Director Thomas M. Susman emphasized that the authority to determine medical liability law has rested with the states for over 200 years.

“This system, which grants each state the autonomy to regulate the resolution of medical liability actions within its own borders, is a hallmark of our American justice system,” Susman wrote. He added that the states also regulate the insurance industry and are the repositories of experience and expertise in these matters, and that Congress should not substitute its judgment for the systems that have evolved in each state over time.

Susman said the bill, H.R. 1215, violates a principle from the Republican platform that calls for returning to the people and the states the control that belongs to them to make their own decisions about what’s best for themselves and their families and communities.

Susman cited three major areas of concerns with the bill:

Damages. The ABA believes that compensatory damages should not be capped at either the state or federal level, pointing out that research has shown that caps diminish access to the courts for low-wage earners such as the elderly, children and women. The courts already possess and exercise their power of remittitur to set aside excessive jury verdicts, which is the appropriate solution rather than an arbitrary cap.

Proportionate Liability. A fair share rule created by the bill would provide that each party would be

liable only for its share of any damages, a step that would preempt existing state law that provides for joint and several liability in medical liability cases. Although the ABA believes that some improvements could be made in this area at the state level, the association opposes the exemption of existing state laws and provisions that would apply a proportionate liability rule to all damages, not just the plaintiff’s noneconomic damages.

Contingent Fees. The ABA sees no justification for provisions in H.R. 1215 that would empower courts to reduce the contingent fees paid from a plaintiff’s damage awards to an attorney, redirect damages to the plaintiff, and further reduce contingent fees in cases in-

volving minors and incompetent persons. After studying the issues, the ABA concluded that sliding scales and other restrictions on contingency fees in medical liability may reduce total awards for patient-victims and deprive them of representation by the most highly skilled trial lawyers.

“The American Bar Association remains committed to maintaining a fair and efficient justice system where victims of medical malpractice can obtain redress based on state law, without arbitrary or harmful restrictions,” Susman concluded, urging House leaders to request hearings by the relevant House committees to examine the factors contributing to rising health care costs. ■

ABA panel addresses the current state of voting rights



The ABA Section of Civil Rights and Social Justice (CRSJ) held the second annual State of Voting Rights Panel in Washington, D.C., on June 28. The panel covered numerous topics ranging from on-the-ground polling place issues to broader political debates about voting. The panel was moderated (at right) by Jason Abel, chair, CRSJ Civil Rights and Equal Opportunity Committee, and featured (from left): Todd A. Cox, director of Policy, NAACP Legal Defense and Educational Fund Inc; Kristen Clarke, president and executive director, Lawyers’ Committee for Civil Rights Under Law; and Robert F. “Bob” Bauer, former White House counsel to President Obama.

House panel examines potential impact of attorney advertising on patients

The House Judiciary Subcommittee on the Constitution and Civil Liberties held a hearing June 23 to examine the issues raised by attorney advertising that is alleged to harm patients by leading them to discontinue their prescribed medications.

The hearing followed a request from House Judiciary Committee Chairman Bob Goodlatte (R-Va.) seeking comments from the ABA and 51 state bars regarding lawyer commercials.

During the hearing, Goodlatte acknowledged that based on the responses received by the committee so far, “it appears that there are few if any reported complaints of lawyer misconduct regarding their commercials.”

He added, however, that the lack of complaints “does not diminish the fact that severe injury and death resulting from these commercials are being reported to the Food and Drug Administration.”

Lynda C. Shely, immediate past president of the Association of Professional Responsibility Lawyers (APRL), testified that she agreed

with the ABA and the state bars that existing rules regulating lawyer advertising are sufficient to protect the public from false and misleading claims.

“In brief, further regulation of lawyer advertising will not prevent misunderstanding by a few members of the public about advertisements that are neither false nor misleading,” she said.

Shely noted that APRL – a national organization of lawyers, judges, professors and in-house counsel – advises lawyers on legal ethics matters and recently made recommendations to the ABA for updating the *ABA Model Rules of Professional Conduct*.

Her testimony focused on state regulation of lawyer advertising, under which each jurisdiction has a rule prohibiting lawyer advertising that is “false or misleading.” A 2015 survey of all state lawyer regulation agencies found that the vast majority of the 34 responding jurisdictions confirmed that virtually all of the complaints about lawyer advertising were from other lawyers – not consumers.

Shely also pointed out that the 1977 Supreme Court decision in *Bates v. State Bar of Arizona*, 433 U.S. 350 (1977), held that lawyer advertising is commercial speech protected by the First Amendment.

The House Judiciary Committee began examining the lawyer advertising issue after the American Medical Association adopted a resolution calling for new legislation or regulations requiring “...attorney commercials which may cause patients to discontinue medically necessary medications to have appropriate warnings that patients should not discontinue medications without seeking the advice of their physician...”

In the ABA’s [earlier response](#) to the committee in March, ABA President Linda A. Klein said that a working group of the ABA Standing Committee on Ethics & Professional Responsibility is reviewing the issue of lawyer advertising, including the APRL recommendations to make state rules more uniform. As part of that process, the ABA working group is considering possible revision of the ABA Model Rules of Professional Conduct governing lawyer advertising. In her letter, Klein also assured Chairman Goodlatte that the ABA “... does not sanction misleading or untruthful advertising – by lawyers, doctors, pharmaceutical companies or anyone else.”

Other witnesses at the hearing, including several physicians, called for more restrictions on lawyer advertising and cited instances where patients were harmed when they discontinued medications after seeing attorney advertisements about pharmaceutical side effects. Members of the subcommittee also discussed whether more oversight is needed over lawyer advertising and how advertisements could be improved to avoid consumer confusion, but so far no legislation has been introduced. ■

LSC funding

continued from front page

“Money spent for legal aid is money well spent,” Klein wrote. She pointed out that over 30 studies show substantial return on money expended for legal services, including defending individuals against wrongful conduct, and helping families remain in their homes or maintain the ability to earn a living.

In a statement issued in late June when the proposed LSC cut was first announced by the House Appropriations Committee, Klein called on the Senate to increase LSC funding. She emphasized that LSC is the single largest funder of civil legal aid programs in the United States and supports 133 organizations serving every congressional district.

In testimony submitted earlier this year to both the [House](#) and [Senate](#), the ABA urged Congress to appropriate fiscal year 2018 funding of \$450 million for the corporation.

House passes series of bills to reform child welfare systems

The House passed a series of bills June 20 that highlight important provisions that were part of the Family First Prevention Services Act, bipartisan legislation that was unanimously passed by the House during the 114th Congress but failed to garner final approval.

The five bills, which are cost-neutral and bipartisan, include language identical or similar to portions of the Family First legislation, including provisions to reduce wait times for foster care placements, reauthorize grants to aid families affected by parental substance abuse, address inappropriate barriers to licensing relatives as foster parents, and improve services to older youth in foster care.

The bills, passed by voice vote, are:

- H.R. 2742, the Modernizing the Interstate Placement of Children in Foster Care Act;

- H.R. 2857, the Supporting Families in Substance Abuse Treatment Act;

- H.R. 2834, the Partnership Grants to Strengthen Families Affected by Parental Substance Abuse Act;

- H.R. 2847, the Improving Services for Older Youth in Foster Care Act; and

- H.R. 2866, the Reducing Barriers for Relative Foster Parents Act.

The ABA has consistently advocated for policies that address key services and support for families involved in the child welfare system and strongly supported the Family First legislation, which would have taken crucial steps toward reforming the federal child welfare financing structure to support keeping children safely with their families.

The Family First legislation was expected to be enacted last Congress as part of a major medical research and mental health bill enti-

led the 21st Century Cures Act. The Family First provisions were dropped from the Cures bill after a group of senators blocked consideration of the legislation in response to concerns from group homes in North Carolina about the child welfare provisions.

During consideration of the Family First legislation, ABA President Linda A. Klein said the provisions “would improve the lives of many children” by ending fiscal incentives to place children in foster care rather than providing services that could preserve families. ■

ABA opposes national reciprocity for concealed carry gun permits

ABA President Linda A. Klein urged Congress July 20 to reject legislation, H.R. 38 and S. 446, that would require states to allow individuals to carry concealed weapons within their borders if the individuals are legally permitted to carry concealed weapons in their home state.

“We should not tie states’ hands when it comes to deciding who can carry guns within their borders,” Klein wrote to the chairs and ranking members of the [House](#) Judiciary Subcommittee on Crime, Terrorism, Homeland Security and Investigations and the [Senate](#) Judiciary Committee, which have jurisdiction over the legislation.

Klein maintained that the bills’ mandate of reciprocity for concealed carry permits issued by state law “offends deeply rooted principles of federalism where public safety is traditionally the concern of state and local government.” She explained that a state’s ability to consider safety factors – such as age, evidence of dangerousness, live firearm training, or criminal records – would give way to other states’ less stringent requirements.

She expressed concern that under the bills’ provisions a person with a history of domestic disturbances, who might be denied a concealed-carry permit in his or her own state, could simply obtain a permit in another state. In addition, there is little means for law enforcement or other officials to verify an out-of-state permit when permits are revoked, counterfeited or otherwise invalidated.

For these reasons, the ABA adopted policy in 2011 expressly opposing “federal legislation that would force states to recognize permits or licenses to carry concealed weapons issued in other states.” More recently, the U.S. Conference of Mayors also adopted a policy resolution June 27 opposing the current legislation or any similar proposals.

Human trafficking bills move through Judiciary Committees

The Senate Judiciary Committee approved two bipartisan bills by voice vote June 29 that are aimed at combating human trafficking.

S. 1312, the Trafficking Victims Protection Act of 2017 – sponsored by committee Chairman Charles E. Grassley (R-Iowa), Ranking Member Dianne Feinstein (D-Calif.), and Sens. John Cornyn (R-Texas) and Amy Klobuchar (D-Minn.) – includes provisions to improve training for school personnel, enhance the justice system response to human trafficking, and establish an Office of Victims Assistance.

S. 1311, the Abolish Human Trafficking Act of 2017, was introduced by Cornyn and Klobuchar and would reauthorize the Domestic Trafficking Victims' Fund under the Department of Justice. The bill also would institute mandatory restitution for victims, holistic training for federal law enforcement officers, a victim-centered approach to human trafficking, and an end to government partnerships with the commercial sex industry.

Introducing S. 1312, Grassley explained: “Victims of human trafficking are too often hidden in plain sight, in need of help, because we don’t know how to identify them or address their needs. This bill takes the urgently needed steps to support victims in their pursuit of justice and their search for normal lives.”

Klobuchar emphasized that S. 1312 “will help us take important steps towards finding victims and getting them the critical support they need.”

“Human trafficking is modern-day slavery, and one of the most pressing human rights issues of our time.

We have a solemn responsibility to support victims of human trafficking as they recover and to help law enforcement bring justice to the criminals who exploit them,” Cornyn said in a press release.

In related action June 28, the House Judiciary Committee approved H.R. 2480, the Empowering Law Enforcement to Fight Sex Trafficking Demand Act of 2017, sponsored by Rep. Vicky Hartzler (R-Mo.). The bill, approved by voice vote, would ensure that state and local governments can obtain and use federal law enforcement grants under the Edward Byrne Memorial Justice Assistance Grant (JAG) program to fund efforts to combat human trafficking, including programs to reduce demand for commercial sex. In addition, on May 23 the House passed H.R. 2473, the Put Trafficking Victims First Act of 2017, a bill sponsored by Rep. Ann Wagner (R-Mo.) to direct the attorney general to study issues relating to human trafficking, including safe harbor laws and barriers hampering data collection, and to provide training for prosecutions of traffickers and support for state services for trafficking victims.

The ABA House of Delegates has adopted numerous policies targeting human trafficking, including a 2011 policy urging state, local, tribal and territorial legislatures to aid minors who are victims of human trafficking. Another policy, adopted in 2013, supports enactment of laws and regulations and development of policies that set standards for treatment of individuals who have been identified as adult or minor victims of human trafficking. ■

Judicial Vacancies/Confirmations—115th Congress* (as of 7/26/17)

<u>Court</u>	<u>Vacancies</u>	<u>Pending Nominations</u>	<u>Confirmations</u>
US Supreme Court (9 judgeships)	0	0	1
US Courts of Appeals (179 judgeships)	20	7	2
US District Courts (678 judgeships)	107	16	1
Court of International Trade (9 judgeships)	2	0	0
Totals	129	23	4

*Includes territorial judgeships

WASHINGTON NEWS BRIEFS

BORDER SEARCHES: ABA President Linda A. Klein and Governmental Affairs Office staff met with Department of Homeland Security (DHS) officials June 29 to discuss the association's concerns about DHS policies that allow U.S. Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) officers to search and review the content of U.S. lawyers' laptop computers, cell phones, and other electronic devices without any showing of reasonable suspicion or probable cause. During the meeting with DHS Acting General Counsel Joseph Maher and John Havarnek, Associate General Counsel for the DHS Operations and Enforcement Law Division, Klein noted that because lawyers' electronic devices typically contain client information that is inherently privileged or otherwise confidential, the DHS policies threaten to undermine the confidential lawyer-client relationship and the clients' right to effective counsel. Klein also reiterated a request from her [May 5 letter](#) to DHS that the department modify the CBP and ICE directives to state that when a lawyer crosses the border with a laptop or other electronic device and the lawyer states that the device contains privileged or client confidential files, the border officer may only conduct a physical inspection of the device and cannot read, copy or share the documents and files on the device unless the officer first obtains a subpoena based on reasonable suspicion or a warrant supported by probable cause. She also repeated her earlier request that DHS clarify the specific procedures that border officers must follow in these circumstances, including a requirement that they consult with the CBP or ICE chief counsel's office before attempting to access any files on a lawyer's electronic devices that the lawyer asserts are privileged or confidential. This change would be consistent with language in the National Security Agency's (NSA) minimization procedures that requires consultation with NSA's Office of General Counsel before disseminating privileged materials obtained during signals intelligence operations. DHS continues to study the association's concerns and recommendations, and further discussions regarding the department's border search policies and the attorney-client privilege are expected to continue between the ABA and DHS.

VIRGINIA DEATH PENALTY: Virginia death row inmate William Morva was executed on July 6 despite the efforts of the ABA and other groups who urged Virginia Gov. Terry McAuliffe to reconsider the death sentence due to Morva's mental health. ABA President Linda A. Klein explained in a [June 28 letter](#) that while there is no question that Morva committed the murders for which he was sentenced, he had a "long and significant history of severe mental illness" that casts doubt on whether the death penalty was appropriate in his case. A thorough post-conviction investigation that included Morva's psychiatric history led a clinical expert to declare that he suffered from a delusional disorder and likely believed that people were trying to kill him at the time of his crimes. Klein urged McAuliffe "to give full consideration" to the issue of Morva's severe mental illness and "how it may have impacted his understanding of reality and ability to control his actions before deciding

whether to grant or deny his clemency petition." Klein said that while the ABA does not oppose or support capital punishment on its merits, the organization has a long history of speaking against the death penalty for "individuals who do not have the highest culpability for the most serious crimes," such as juveniles or persons with intellectual disabilities. The ABA opposes the death penalty for those who exhibit severe mental illness either at the time of the crime or the time of execution. McAuliffe, in denying clemency for Morva, said that, after extensive review and deliberation, he "did not find sufficient cause to justify overturning the will of the jury that convicted and sentenced him."

LAW LIBRARY OF CONGRESS FUNDING: The ABA expressed strong support June 19 for the fiscal year 2018 budget of \$738 million requested by the Library of Congress, a 7.8 percent increase that includes adequate funding for the activities of the Law Library of Congress. "The informational resources provided by the Library of Congress and its Law Library support business development, job creation, and international relations," ABA Governmental Affairs Director Thomas M. Susman wrote in a [letter](#) to Sens. James Lankford (R-Okla.), chairman, and Chris Murphy (D-Ct.), ranking member, of the Senate Appropriations Subcommittee on the Legislative Branch. Susman noted that the ABA, with its 85-year relationship with the library through its Standing Committee on the Law Library of Congress, is aware of the challenges of meeting the enormous and complex demands faced by the Law Library. In addition to thousands of requests and inquiries, the Law Library has a critical role in restoring world governments through repatriation of legal materials following wars and natural disasters. The collection also includes numerous historical documents that are important to understanding and administering legal systems. "The priorities identified by the Law Library for next year are important to fulfilling its mission to serve Congress and the nation effectively," Susman wrote. Fiscal year 2018 appropriations legislation approved June 29 by the House Appropriations Committee includes \$648 million for the Library of Congress, and the Senate Appropriations Committee included \$638.9 million in the funding bill it approved July 27.



ABA urges the Senate to maintain support for Medicaid; cites adverse impact on the most vulnerable populations

Calling Medicaid a “lifeline” for millions of the nation’s most vulnerable populations who cannot afford health care, the ABA urged Senate leaders to maintain support for the program as they consider legislation to repeal the Affordable Care Act (ACA).

On July 25, the Senate narrowly voted 51-50, with Vice President Mike Pence breaking a tie vote, to proceed to consideration of legislation to repeal and replace the ACA. The Senate began immediately considering various proposals, including a bill passed in June by the House, H.R. 1628, and a proposal drafted by Senate Republicans. Both House and Senate bills include major changes in the Medicaid program, which was expanded under the ACA to allow states to provide for health care coverage for millions of low-income Americans.

“ACA repeal could have a devastating effect on our senior population and struggling families, as well as adults and children with disabilities,” ABA Governmental Affairs Director Thomas M. Susman [wrote July 24](#) to Senate Majority Leader Mitch McConnell (R-Ky.). He explained that the Senate proposal to repeal the ACA is expected to increase the number of uninsured Americans by 22 million over the next 10 years and increase health care costs – especially for older adults with low incomes and pre-existing conditions and children, who comprise 43 percent of all Medicaid enrollees.

Susman expressed the ABA’s opposition to structural or financial changes in the Medicaid program that would weaken the entitlement nature of the program or the shared legal obligation that the federal and state governments have to provide comprehensive benefits to all individuals who meet eligibility requirements.

Significant cuts in the program also could impact a large swath of vulnerable Americans across the country who have already spent down their resources to pay for long-term care and now rely on Medicaid for critical home- and community-based services, nursing home

care, or other services for a family member with disabilities. Two out of every three nursing home residents are covered by Medicaid, Susman wrote.

Susman emphasized the ABA’s opposition to placing per capita caps on federal contributions to Medicaid or to converting federal funding for Medicaid into block grants to the states.

“While a per capita cap structure would make it easy for the federal government to dial down Medicaid growth rates to achieve savings, this in turn will shift added burdens onto the states,” he said. “The burden shift would likely lead states to ration care by reducing services and provider payments,” he added.

The ABA also is concerned about the impact of ACA repeal and Medicaid cuts on home- and community-based services (HCBS), which are cost effective and enable older Americans and people with disabilities to stay in their homes. The association believes that Congress should expand the availability of HCBS by making it mandatory under Medicaid and available to anyone who would otherwise qualify for institutional long-term care.

Susman also pointed out that cutting Medicaid could “devastatingly” diminish health care coverage for children and survivors of violence. He said that one out of four women in the United States has experienced severe physical violence by an intimate partner during her lifetime, and many survivors struggle with mental and behavioral health consequences stemming from their abuse.

“In summary, if implemented, proposals to repeal the Medicaid expansion will harm the most vulnerable portions of our population, including parents and children, the elderly, victims of violence, and people with disabilities,” Susman concluded, “The expansion of Medicaid under the ACA provides health security to 11 million previously uninsured Americans in 31 states, including 1.6 million older adults aged 50-64 who struggle to find affordable coverage.” ■

The monthly *Washington Letter* reports news of national public interest to the legal profession, including congressional, executive branch and ABA activities concerning the association’s legislative priorities. The newsletter is published by the Governmental Affairs Office as a service to ABA members and national, state and local bar associations. Full text is available on the Internet at http://www.americanbar.org/advocacy/governmental_legislative_work/publications.html. ©2017

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