

2016 SOS Campaign In-District Advocacy Kit Easy Steps to Get Congress' Support for the Disability Community Act



Funding the Future of Disability Service

In Partnership With:





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Introduction: What is the SOS Campaign?

The Save Our Services (SOS) Campaign seeks to convince Congress to grant a temporary increase in federal Medicaid funding for providers of intellectual and developmental disability (IDD) community services, such as yourself. This funding will be directed to help you comply with changes in federal regulations that increased the costs of providing stable and quality services.

The most recent regulatory change we are seeking to address is the Department of Labor's (DOL) revision of the overtime exemption rule, which will increase the salary employees must receive in order to be exempt from overtime requirements by December 1, 2016; you can find more details on the rule in the next section. DOL does not have the authority to increase Medicaid rates. As you know, in many states Medicaid rates have remained either stagnant or decreased for the better part of the past decade, while demand for community services has increased. Because this places many providers in a precarious position, we are asking Congress to throw IDD community services a lifeline that will enable you to keep service quality stable while advocates seek to increase state Medicaid rates.

Our solution is the Disability Community Act of 2016 (H.R. 5902). It is currently supported by:

- U.S. Representative Paul Tonko (D-NY).
- U.S. Representative Steve Stivers (R-OH).
- U.S. Representative Jim Langevin (D-RI).
- U.S. Representative Greg Harper (R-MS).

Please reach out to your Members of Congress to grow support for the Disability Community Act this summer, so we increase the chances it will pass in the fall.

Your voices are important and make a difference – even if it does not feel that way at first. Advocacy is a long-term game about building relationships. Efforts you put in today will be remembered tomorrow, so it is critical that you start forming those connections now. We know doing advocacy work can be intimidating, which is why we created this toolkit that breaks down all the way you can reach out to Members of Congress in easy steps. Remember that as their constituent, you have every right to ask for their help – they cannot know what you need unless you tell them. As a Member of Congress recently told ANCOR staff:

“If you are not at the table, you are on the menu.”

While you are the best expert on what you do and need, do not feel pressure to have an answer to everything. You are not doing this alone - ANCOR staff are available to help you at every step of the way. If you do not know how to answer a question or need more help, please reach out to us. We are here as resources, and look forward to hearing about the impact you are having in your states!



Understanding the Issue:

The Department of Labor Overtime Exemption Rule – What Changed:

On May 23, 2016 the Department of Labor made significant changes to the way certain overtime exemptions to the Fair Labor Standards Act (FLSA) work. Included in these changes are the executive, administrative and professional (EAP) exemptions, which cover front line managers and supervisors in IDD service provider agencies. These changes, outlined below, will take effect on **December 1, 2016** and cause providers to make difficult decisions which could force them to scale back services or wages unless more funding is obtained.

- The salary threshold **increased** for the EAP exemptions from \$23,660/year (\$455/week) **to \$47,476/year (\$913/week)**.
 - This is the 40th percentile of wages for full-time non-hourly workers in the lowest-wage Census region (currently the South).
- There will be automatic adjustments to this minimum threshold every three years, starting on January 1, 2020, to the levels specified. The Department of Labor will announce the updated threshold 150 days prior to the effective date.
- **Up to 10 percent of the EAP salary level can come from incentive payments and nondiscretionary bonuses.** Such payments must be made at least quarterly.
 - Incentive payments may include commissions.
 - Nondiscretionary bonuses and incentive payments are forms of compensation that have pre-announced standards, so employees know how to meet them. For example, this would include giving bonuses to employees who meet certain performance goals or have stayed with the organization a certain amount of time.
 - In contrast, a discretionary bonus is one that depends entirely on the employer's discretion, such as a spontaneous Christmas bonus. A discretionary bonus **cannot** be applied to the EAP salary threshold.
- There were **no** changes to the duties tests for any of the exemptions.

Non-enforcement Policy:

As a result of ANCOR's efforts, the Department of Labor also issued **a standalone, non-binding, 3-year non-enforcement policy** targeted towards "Medicaid-funded services for individuals with intellectual or developmental disabilities in residential homes and facilities with 15 or fewer beds" at the same time as the rule.



What the non-enforcement policy means for you:

The policy will be in effect from December 1, 2016 to March 17, 2019, which corresponds to the deadline for states to complete transitioning of home and community based settings under the CMS final rule of January 2014.¹ DOL stated that the purpose of the policy is to support the federal government's efforts to encourage the use of these community-based providers. It believes the policy will help mitigate potential budgeting and implementation concerns for these providers.

While the guidance is an important acknowledgement of the unique funding challenges faced by Medicaid-funded IDD providers, the policy **is not the same thing as the delayed implementation time that ANCOR advocated strongly for during the rulemaking process.** Covered providers that are not in compliance with the new rule as of December 1, 2016 will not be subject to DOL enforcement activities, but **may be at significant risk of private or state enforcement.**

Finally, as a non-binding policy, the delayed enforcement may be revised, expanded, contracted, or revoked at any time without needing to go through the notice and comment process, which increases the risk of relying on the policy as a safe harbor from the FLSA.

If you missed our in-depth webinar on June 2, 2016 and want to understand the rule and non-enforcement policy better, you can access it by [clicking here](#).

While ANCOR is educating Congress so it agrees to introduce the “Disability Community Act of 2016,” H.R. 5902, it is critical for you to keep the pressure on your representation. Members of Congress need to hear from their constituents to get engaged on an issue. The following pages will give you everything you need to know in order to do so in a compelling and effective manner. You can also use this messaging to explain to your state officials that your services need more funding.

¹ [79 Fed. Reg. 2948](#) (January 16, 2014)



“The Ask”

What to Ask Your Members of Congress to Do:

“Please support the Disability Community Act of 2016, H.R. 5902. It offers a 3 year, targeted and temporary Medicaid funding increase to providers of disability services so they can comply with new federal rules not funded under current fixed Medicaid rates.”

Please memorize this message so that when you talk to your Congressional delegation about the Department of Labor Overtime Rule, you can show them that you have a proactive solution to propose to them. You will find talking points to explain the issue to them and their staff on the next page, and tools and templates for communicating this message throughout this document.

Where to Direct Members of Congress for More Information:

Representatives Tonko (D-NY) and Stivers (R-OH) introduced H.R. 5902 on July 14, 2016. Please ask Members of Congress interested in supporting the bill to contact Esme Grant Grewal, Senior Director of Government Relations, at egrant@ancor.org or (202) 579-7789 and she will direct them to the relevant staffers in the two lead sponsors' offices.



Developing Your Pitch

What We Are Asking Congress: We need Congress to pass H.R. 5902 to temporarily increase Medicaid funding for IDD providers. This will allow us to comply with the Department of Labor's revised overtime exemption rule when it takes effect December 1, 2016, while giving us time to work with states to procure permanent funding.

The Elevator Speech: We want to comply with the rule because higher staff wages have long been a priority for providers. It is the right thing to do and also an industry necessity given the importance and delicacy of providing quality, stable services to individuals with IDD. However, over 90 percent of our funding comes from fixed Medicaid rates that we cannot negotiate. Without additional funding the increased costs from the overtime exemption rule will force us to make difficult decisions which will likely result in scaling back on services or wages, or both, leading to disastrous consequences for the individuals we serve.

The Details:

Why we need more money:

- **We have frontline managers for whom overtime is unavoidable because they need to ensure the stability of life or death services for individuals.** Frontline managers are responsible for supporting individuals where they live, maintaining direct support professionals' schedules, and stepping in to offer services when other staff are not available (e.g. after-hours trips to hospital, during high-vacancy periods).
- **ANCOR has calculated that complying with the overtime exemption rule would cost providers \$1 billion nationally in the first year alone.** This is money the Medicaid program does not have, especially when the threshold increases automatically every three years.
- **We are price-takers, not price-setters.** We depend on Medicaid rates, which in most states were cut down to or remained stagnant at insufficient levels for many years because of the Great Recession, among other factors.

Why we need more time:

- The Department of Labor has recognized our unique situation and issued a standalone, 34 month delayed federal enforcement period for a limited subset of Medicaid IDD providers. **However, this is an incomplete solution because it does not exempt providers from state and private enforcement actions. As such, we expect to have to comply with the rule by December 1, 2016 when it takes effect.**
- **Having to comply by the end of the year does not give us enough time to make our case to the states** – setting the wheels in motion to increase state Medicaid funding takes time, especially in the 20 states with two-year budget cycles.

Conclusion – Hammer It In: If additional Medicaid funding is not in place before the rule takes effect, we will not be able to absorb the increased labor costs. This will result in scaled back services or wages, placing the individuals we serve in disastrous circumstances without increasing the livelihood of our staff. **We want to do right by all those who depend on us but cannot do so without Congressional help. Please support the Disability Community Act of 2016, H.R. 5902.**



Actions You Can Take In Your State

Schedule a meeting with your Members of Congress when they are home:

Members of Congress need to hear directly from their constituents to take interest in an issue, and a personal touch can go a very long way. Take the following steps to engage with your Senators and U.S. Representative:

- Consult the “Calendar of 2016 Congressional In-District Periods” on page 11 to see when your Members of Congress will be back in your state.
- Use the ANCOR [Amplifier](#) “Find Your Elected Official” tool to see which district office is nearest you, and contact them to schedule a meeting. Sample language to include in meeting requests is on page 12. Links to materials you can give the office are on page 19.
- Study the talking points we provided above so you can frame the message properly. If you have any questions about the content or need help scheduling a meeting, please contact Ms. Doris Parfaite-Claude, ANCOR Government Relations Manager, at dparfaite-claude@ancor.org.
- If you have good relations with other providers and other local advocates, please consider coordinating a group meeting. The message will be more powerful the more people a Congressional office hears it from.
- Follow-up – send a thank you note to the staffer or Member you met with after the meeting. If you promised additional information, include it with the note.
- Please take a photo with your Member and share it with ANCOR.

Ask your Members of Congress and state elected officials to visit your agencies:

Seeing is believing, and showing Members of Congress your facilities will help them better understand what you do – and why it is important to fund your services. Additionally, with election season in full swing Members of Congress will be interested in connecting with sympathetic constituents such as providers and the individuals they serve. You can also consider doubling up by asking your state elected officials, such as your State Senator or State Representative, to join these visits.

- The procedure for scheduling a visit is very similar to that of scheduling a meeting, except that the language you use to invite the Members will be slightly different.
- You will find a sample visit invitation for Congressional offices on page 14.

Additional tips to make your site visit successful: (goes onto next page)

- Plan ahead: Site visits usually last about an hour – how do you want to use that time to highlight your services? What are you most proud of that you could show in an hour? Will there be snacks? If you have handouts you want to share, make sure you have copies in advance.
- Schedule ahead: If you have staff or consumers whose voices you want heard, please make sure they will be available at the time of the visit.



- Make sure your colleagues and partners understand what you want to achieve: Share the goal of the visit, our messaging, and the visit itinerary with those you want to help you with the visit so they understand the situation fully.
- Keep a record of the visit: Ask someone in your organization to take notes of the meeting to help you follow up on any takeaways or questions. Please pay attention to the staff accompanying the elected officials – they are the ones who specialize in specific issues and will be learning the most about you. Finally, remember to take photos to share with ANCOR and the offices that visited you.
- Follow-up: Send a thank you note to the offices that visited you, along with any materials you promised them. In the coming weeks and months, if you receive awards or have events you want to share, send them to those offices to keep the relationship going.

Arrange a group call with providers, families and/or individuals served with the relevant Washington, D.C. office staff or the Member of Congress:

If you are going to an event where you know there will be other providers or members of the community, such as a conference or retreat, please consider taking advantage of having many peers together in one place. Ask colleagues and advocates to be part of a group call with you, and reach out to your Members of Congress' staff to see about finding a time when you can all talk. Remember to share our messaging with participants. This will allow one or more offices to hear from multiple people without having to arrange in-office visits.

- Using the [Amplifier](#) "Find Your Elected Official," find the main line for your Members' D.C. offices and call the front desk.
- Explain that you wish to set-up a phone conference with the health or labor staffers and ask for their emails, as well as the scheduler's email if you wish to invite the Member of Congress to join.
- Email the relevant staffers and scheduler to arrange a time.

Personally call their Washington, D.C. offices:

If you are not able to schedule an in-person meeting with the Member of Congress or his relevant staffers when they are in your state, please call their Washington, D.C. office. This is where the staffers with the most expertise on labor and health issues are, so they will be able to understand what you need.

- Using the [Amplifier](#) "Find Your Elected Official," find the main line for your Members' D.C. offices and call the front desk. Explain that you are a constituent, then ask to speak to the labor or health staffer.
- You will find specific messaging for conversations and a voicemail example on page 15.



Attend your Members of Congress' town halls and ask a question on this issue:

August, particularly this election year, will be when Members of Congress will actively seek out their constituents. One particular venue that will make it easy for you to interact with your Members of Congress will be the town hall. The typical town hall format is that a Member of Congress will start with a speech, then hold a question and answer session. This will give you an opportunity to interact directly with them and bring this issue to their attention.

- Members of Congress usually list their next town hall location on their websites (which the [Amplifier](#) can help you find). You may have to sign up for their newsletter to receive alerts on their next events.
- If the information the Congressional office shares on the town hall meeting does not make it clear how to ask questions, please either call their office to find out or arrive early to sign up to ask a question. If there is no sign-in sheet, please find a staff member to ask them how to ask a question. Make sure you follow all instructions.
- Think about your question in advance. We provide sample questions on page 17, but in general you will want to be succinct, polite, and make what you are asking for clear. If you can add a short sentence about why the topic is important to you, it will make your question more compelling.
- When asking your question, state your name and city of residence. Thank the Member for hosting the event, and once they have responded to you, thank them for answering your question.
- Members of Congress often stay on after their town halls have ended to talk further with their constituents. As such, consider bringing hand-outs. You can find one-pagers in the "Resources" section at www.disabilitySOS.org.
- Please let us know if you attended any town halls, and what your experience was. If you think you made a good connection with your Member of Congress, we will follow up with their office in Washington, D.C. to further the relationship. Please send this information to Ms. Doris Parfaite-Claude, Government Relations Manager, at dparfaite-claude@ancor.org.
- Finally, please send a thank you note to the office within a week. Mention your name and city, the time and place of the event you attended, and reiterate your key talking points. Make sure to include additional information if you promised them any at the town hall, such as statistics or one-pagers.



Engage with families and consumers:

This campaign will be all the stronger if different voices contribute. Consider educating families and consumers about the challenges posed by the Department of Labor's overtime rule, and urge them to use sample social media posts we have on page 17, our online tools, or call their Members of Congress. Here are some general talking points you can use with families and consumers:

- The Department of Labor is changing the rule that says who should receive overtime – the change is that more people who have managerial duties will be eligible for overtime.
- This new rule would cover our frontline managers, who oversee our direct service professionals, organize their schedules, and keep services stable by stepping in when a direct service professional cannot come in to work.
- While we want to pay our frontline managers more - they deserve it - the state and federal governments set our rates and that is the only funding we receive.
- We cannot afford an increase in overtime pay without reducing the frontline managers' hours; we want to avoid reducing their hours because we want our services to remain reliable and stable.
- To be able to pay our staff overtime we need more funding from Congress – please help us achieve that goal by contacting your Member of Congress and asking them for an increase in Medicaid funding for intellectual and developmental disability services.
- This will make sure that you or your loved ones will continue to receive steady care.

Write an op-ed or letter to the editor for your local paper:

Your direct advocacy will be more effective if your Member of Congress is not just hearing from you, but also seeing this issue in the media outlets they care about most: their hometown newspapers.

- When drafting an op-ed or LTE you should keep in mind the following best practices (a sample op-ed outline is on page 20):
 - **Focus your message on one key point** – Although there may be many elements of an issue you want to address, you will have more success if your editorial is focused, to the point, and easy to understand.
 - **Keep it short** – Typically newspapers will accept op-eds of 500-800 words. Magazines may accept slightly longer pieces, but check the publication's requirements before you submit your column. Newspapers generally limit LTEs to 200 words or fewer, so try to keep yours to 150-200 words
 - **Tell the readers upfront why they should care** – Opinion editors are looking for pieces that will grab readers and tell them why they should care.



- **Offer specific recommendations** - An op-ed is not a news story that simply describes a situation; it is your opinion about how to improve matters. Make your call to action something concrete and realistic.
- **Make your submission timely** – Editors will be looking for op-eds and letters that are compelling and which engage readers in the public debate about a timely issue. If you can respond directly to an editorial or article published in that outlet, you should make that reference directly.
- **Name your target** - If you have a particular elected official that you need to get your message to, make sure you name that elected official in the op-ed/letter.
- To place your op-ed/LTE, focus on targeting your local paper or a larger publication in your state.
 - **Submit your piece and be clear about why they should publish it** – To submit an op-ed, email the opinion editor with a brief note explaining who the author is, what the piece is about, why it matters to their readers, and why it's relevant now. Newspapers usually have one of two methods for submitting LTEs: through a form on their website (usually as part of the opinion section), or through an email address (e.g. letters@localpaper.com).
 - **Make it easy to read** – Copy your op-ed into the body of your email. Do not include anything as an attachment, or they're less likely to look at it.
 - **Follow up** – Opinion editors receive lots of submissions. Make sure to follow up with a phone call if you don't receive a response.

Short on Time? Send a Quick Email or Tweet!

If you are a bit shy or have a full schedule, you can also reach out to your Congressional delegation online. ANCOR has set up two tools which will allow you to engage in less than 15 minutes. Please actively ask your friends, colleagues and consumers to use these tools – they are most effective when a large amount of people use them.

Note that these are NOT petitions – they are more elaborate, actual correspondences that go directly to your Members of Congress. The tools seem like they ask for a lot of your information, but they need it all to: a) send your message to the right member of Congress, because sometimes a street can be divided between two districts; and b) reassure Congressional offices that you are a real person and not a spam robot.

- Our [email action tool](#) will allow you to send a pre-written email, which has directions for you to personalize it, to your Members of Congress.
 - Please make sure to personalize the designated areas, such as the name of your organization and city – this will make your message more human.

(Continued on next page.)



- Our [twitter action tool](#) will allow you to do the same with a tweet, though we request that you keep the hashtag #disabilitySOS in place when you personalize it.
 - When you open the tool, you will see a disclaimer that says the tool can access your followers list, add new followers, update your profile and post on your behalf. This is standard boiler plate language that Twitter requires all apps to use. That message overstates what the tool can do – it is not nearly that invasive and will not affect your privacy or spam your contacts.
 - The **only** thing this tool can do is post the pre-written message, that you approve by hitting “send”, on your behalf to your Member of Congress’ Twitter page. It will only post that message once.

If you prefer, you can post directly to your Member of Congress’ Facebook pages – we have provided sample posts on page 18.

Join us in Washington, D.C. September 19th – 20th:

ANCOR will be hosting its annual Leadership Summit from September 19-20, 2016 at the Dupont Circle Hotel, 1500 New Hampshire Avenue NW, Washington, D.C. 20036. We will discuss workforce challenges and devote the 20th to an advocacy day in the halls of Congress, giving our members an opportunity to advocate their Members directly on the Disability Community act. To obtain more information on or register for this instructive and productive opportunity, please click [here](#).



Calendar and Templates



Remaining 2016 Dates When Members of Congress Are In Their Districts

August – September:

- Senate and House: August 1st through September 5th

October:

- Senate: 10th through 31st.
- House: In district all month.

November:

- Election Day on the 8th.
- Senate and House: in-district 1st through 11th, then Thanksgiving week 21st through 26th.

December:

- Senate and House: in-district 19th through 31st.



Sample Congressional Meeting Request

Dear [District scheduler name – you can obtain that and their email address by calling your Congressman’s local office, our [Amplifier](#) “Find Your Elected Official” tool can help you with that]:

As a constituent of your district, I am writing to request a meeting with U.S. Representative/Senator [INSERT NAME] between [DAYS/TIMES YOU ARE AVAILABLE DURING IN-DISTRICT PERIOD] when [s]he is home. My organization provides services to individuals with intellectual and developmental disabilities and is a member of the American Network of Community Opportunities and Resources (ANCOR). For this meeting, we wish to speak to the Member about the Department of Labor Overtime Rule. We have unique compliance issues with the rule, due to our services’ almost exclusive reliance on non-negotiable Medicaid rates. While we support paying our employees more, the rule is challenging for us. As such we hope to discuss a legislative solution, The Disability Act of 2016 (H.R. 5902) with the Member, which we believe will allow us to do right by our employees and the individuals we serve, all the while making fiscal sense. I hope you will be able to accommodate this request and look forward to hearing back from you on the Representative’s/Senator’s availability.

Sincerely,

[Your Signature]



Sample Invitation to Visit

Dear [District scheduler name – you can obtain that and their email address by using our [Amplifier](#) “Find Your Elected Official”]:

On behalf of [YOUR ORGANIZATION], I would like to invite [ELECTED OFFICIAL TITLE AND NAME] to visit our program when (s)he is back in the district during the August recess. [IF THEY HAVE DONE ANYTHING TO HELP YOUR COMMUNITY, PLEASE THANK THE ELECTED OFFICIAL HERE.] We are very proud of the vital services we offer to individuals with intellectual and developmental disabilities in [AREA YOU ARE BASED IN] and would love to share them with the [ELECTED OFFICIAL].

We participate in the Home and Community Based Settings (HCBS) Medicaid program, which allows people with disabilities to live full lives in the community, instead of in institutions away from their families and friends. Currently, we serve [X] individuals by [DESCRIBE YOUR SERVICES.] We also employ [X] [name of people in your state, e.g. “Ohioans”]. [IF YOU HAVE MULTIPLE SERVICES, BRIEFLY DISCUSS THEM HERE.]

The HCBS program reflects changes in policies over several decades that have encouraged the inclusion of people with disabilities in all aspects of society. This includes the Americans with Disabilities Act and the *Olmstead* Supreme Court decision. Our society has become richer and more diverse thanks to these policy changes, but the HCBS program currently has waiting lists across the nation due to limited resources. We would love an opportunity to further exhibit our services to the [ELECTED OFFICIAL].

Thank you for your time and consideration of this request. We hope to see the [ELECTED OFFICIAL] and your colleagues this summer and look forward to hearing of any opportunities that might arise in [his/her] schedule.

Sincerely,

[Your Signature]



Sample Voicemail and Phone Conversation Script

Sample Voicemail:

“Hello. My name is [SAY NAME]. My organization [SAY ORGANIZATION AND CITY] provides services to individuals with intellectual and developmental disabilities. We are working to address concerns about the Department of Labor’s final changes to the overtime rule because our payments come only from Medicaid, we cannot negotiate rates, and will not be able to comply without help from Congress. Please ask [SAY MEMBER OF CONGRESS’ TITLE/NAME] to support more Medicaid funding for disability service providers through H.R. 5902. You can find more information at www.disabilitySOS.org.”

Script for Call (though you can also use the voicemail sample to start the call):

- [INTRODUCE YOURSELF, SAY WHICH CITY YOU LIVE IN, MENTION YOU ARE AN ANCOR MEMBER, AND DESCRIBE YOUR SERVICES (E.G. HELPING INDIVIDUALS WITH IDDS DRESS, BATH, PARTICIPATE IN THE WORKFORCE, ETC., ETC.).]
- I am calling to ask the Congressman to support legislation that would help providers such as myself comply with the Department of Labor overtime exemption rule.
- **SEE ELEVATOR PITCH/TALKING POINTS ON PAGE 5**
- Please contact Esme Grant Grewal, Senior Director of Government Relations (egrant@ancor.org), Katherine Berland, Director of Public Policy (kberland@ancor.org) or Doris Parfaite-Claude, Government Relations Manager (dparfaite-claude@ancor.org) for more information about the Disability Community Act, H.R. 5902.



Sample Town Hall Questions

For Democratic Members of Congress:

"My name is [SAY NAME] and I serve people in [SAY CITY] with intellectual and developmental disabilities. I appreciate you coming to speak to us, and thank you for taking my question. I want to ask you about the Department of Labor overtime rule, whose intention I support. The challenge my organization and many like it have is that while we want to pay our employees more, we are over 90 percent [OR YOUR NUMBER] funded by Medicaid, which gives us fixed rates. Because our hands are tied financially, we are very concerned that complying with the rule could affect the quality of our services or our staff's wages. Would you be willing to support legislation that would temporarily increase Medicaid so we can pay our staff and keep services intact for the people who depend on us?"

For Republican Members of Congress:

"My name is [SAY NAME] and I serve people in [SAY CITY] with intellectual and developmental disabilities. I appreciate you coming to speak to us, and thank you for taking my question. I want to ask you about the Department of Labor overtime rule. The challenge my organization and many like it have is that we need to recruit quality employees for our difficult work, but we are over 90 percent [OR YOUR NUMBER] funded by Medicaid. We operate on fixed rates, so the unfunded mandate from the overtime exemption rule concerns us very much. This could affect the quality of our services or our staff's wages, which will harm our ability to remain competitive employers and service providers. Would you be willing to support fiscally responsible legislation that would temporarily increase Medicaid so we can pay our staff and keep services intact for the people who depend on us?"



Sample Facebook Posts

For Providers:

“We provide critical services to people with intellectual and developmental disabilities in your district, helping them eat, bathe, take medications, go to work, and generally be active members of the community. We value our employees who help us accomplish this important mission and would love to pay them more – but we are almost entirely funded by fixed Medicaid rates that we cannot negotiate when our costs increase. We are expecting our costs to increase with the Department of Labor’s overtime exemption rule, which will take effect December 1, 2016. It could force us to make difficult decisions and likely scale back our wages or services – which could have disastrous consequences for the individuals we serve, and will not help our staff. While the Department of Labor has recognized our unique funding limitations and has delayed enforcement of a limited subset of Medicaid intellectual and developmental disability service providers, this is an incomplete solution because it leaves us open to other forms of enforcement. Please help us do right by our employees and the individuals we serve and support the Disability Community Act of 2016, H.R. 5902. It will give us a much needed temporary Medicaid funding bump. For more information, please go to www.disabilitySOS.org.”

For Consumers and Families Who Wish to Help:

“An unintended consequence of the Department of Labor’s overtime rule change is that it will affect the stability of critical intellectual and developmental disability services my [INSERT LOVED ONE, FOR EXAMPLE “son”, “daughter”, “wife”] relies on. We need these services, such as [GIVE EXAMPLE OF SERVICE, LIKE “help with preparing and eating food”] so our loved one can live a full life outside of institutions. Our provider wants to pay their staff more but cannot because they rely entirely on Medicaid funding – please help them with a temporary funding bump as described in the Disability Community Act of 2016, H.R. 5902.”

“[I have [INSERT CONDITION] and need [GIVE EXAMPLE OF SERVICE, LIKE – “help getting ready for work in the morning”] – for me to be successful these services have to be stable. However, the Department of Labor’s overtime rule will, not on purpose, make it harder for my provider to keep up the regularity of these services. The professionals who help me are dedicated and deserve higher salaries, their boss wants to pay them more so they stay, but the agency relies on Medicaid payments that are too small. Please help them by supporting the Disability Community Act of 2016, H.R. 5902.”

Sample Tweets

.[MOC’s HANDLE], please support Disability Community Act of 2016 HR5902 to help us comply with new overtime rule! #DisabilitySOS

.[MOC’s HANDLE] can protect people with disabilities by supporting the DCA, HR5902 #DisabilitySOS

Thank you [MOC’s HANDLE] for meeting with us to discuss legislation to protect [STATE] disability services #DisabilitySOS #HR5902



Sample Op-Ed Outline

This outline can serve as a starting point to help you hit the main points you want to be sure to cover in an opinion piece on this issue:

- Introduce the issue: What is the Overtime Rule and what is it changing?
- What's at stake: What do providers do and why is that so important to the community?
 - o Do you have a specific story about a DSP or patient you can talk about here to make it personal?
- Explain the problem: Why are providers different from other businesses? Why is it going to be so challenging for you to comply with the rule? What is going to happen if you don't get more Medicaid funding?
 - o What challenges does the industry already face? How many years has it been since your state increased Medicaid rates?
 - o What changes will you have to make in order to comply?
 - o Is there already a waiting list for services?
- Call to action: Who should act and what do you want them to do?
 - o Name your specific Congressional members by name.
 - o Urge them to support the Disability Community Act, H.R. 5902 to increase Medicaid funding support for providers so they can afford to comply with this rule without sacrificing critical services.

NOTE: A letter to the editor (~150-200 words) should hit these same points, just in a shorter format, i.e. 1-2 sentences per bullet.



“Leave Behinds”

A lot of Congressional staffers do not know a lot about Medicaid. In order to further help them understand our issues, here are links to documents you can print and “leave behind” in your meetings, visits and town halls or send by email as follow-up.

- [Disability Community Act One-Pager](#): This document gives an overview of how the DOL overtime exemption rule affects providers and outlines H.R. 5902.
- [The Disability Community Act](#): Here is a copy of H.R. 5902.
- [“By The Numbers”](#): This document explains how much the DOL overtime exemption rule will cost providers according to estimates by Avalere. It will help underscore the dire straits providers are in if Congress does not act.
- [Coalition Partners](#): Many Congressional offices will ask you if other community organizations support the bill. Here is a list of organizations that have official signed on as partners of the Save Our Services Campaign that you can give to them in response.



Thank you for your interest in our campaign, and the work you do.

If you have any questions on how to get involved or any of this content, please contact:

**Ms. Doris Parfaite-Claude
Government Relations Manager
American Network of Community Options and Resources (ANCOR)
dparfaite-claude@ancor.org**

**Or visit:
www.disabilitySOS.org**

Together, we can Save Our Services!