

AJA Monthly Report - February 2022

Last Updated: February 26, 2022

Washington Update

With another continuing resolution funding the government through March 11th, the FY22 Appropriations process continues to drag on. The House and Senate have reached a framework agreement to pass a spending bill through September 30, 2022, but details have not been made public yet.

The President's State of the Union is scheduled for March 1st. The State of the Union address is generally an opportunity for the President to outline his budget proposals for the next fiscal year; we anticipate that this will provide some clarity on where key Biden Administration priorities stand and serve as a launching point for FY23 appropriations negotiations. The FY23 cycle will likely be a whirlwind as Congress works to make up for lost time, and the window to submit appropriations requests may be narrower than usual.

Current events will also impact the Congressional calendar. The conflict in Ukraine is likely to cause Congress and the Administration to consider aid and sanctions packages. Hearings and votes on the newly-named Supreme Court nominee will also suck up oxygen on Capitol Hill. All of this is to say, the available calendar time for consideration of legislative items is filling up quickly for the next several months.

Congressional Outreach

AJA and Lobbyit made the decision to increase the pace of AJA's congressional outreach. As such, we have begun to reach out to and meet with the offices of members of Congress who sit on committees relevant to the issues AJA is currently interested in. In February, Lobbyit and senior AJA leadership virtually met with three Senate offices. These meetings included:

- The office of Sen. Tim Scott (R-SC). Sen. Scott is an active member of the Senate Finance Committee. The Senate Finance Committee is working to develop bipartisan legislation to address the gaps in mental health care access. Sen. Scott's staff noted that the Finance Committee is still in the very early process of crafting legislation and that there is no specific legislative test. Due to this, he welcomed the input from AJA and noted that issues such as youth mental health and the implementation of telehealth are very important to Sen. Scott.
- The office of Sen. Rick Scott (R-FL). Sen. Scott is the junior senator (and former Governor) of the State of Florida. Chief Quinones and Director Sieger are constituents that operate significant corrections systems in his state and provided a home state perspective to AJA's issues. As a former prosecutor from south Florida, Sen. Scott's general counsel was generally aware of, familiar with, and sympathetic to the issues presented by AJA during the meeting.
- The office of Sen. Jon Ossoff (D-GA). Sen. Ossoff is the junior senator from Georgia. He is developing the Senate companion legislation to Rep. Karen Bass's Family Notification of Death, Injury, or Illness in Custody Act. His counsel was very appreciative of AJA's input on the legislation. In line with AJA's preference, Sen. Ossoff's counsel noted that if Sen. Ossoff proceeds to introduce the bill in the Senate, it will look different than the House bill and be more of promotion of "best practices" than granular instructions for states and localities. The staff noted that they are working with Sen. John Cornyn's office (R-TX) to make the legislation bipartisan and suggested that AJA meet with Sen. Cornyn's office.

AJA has maintained a regular annual cadence of visiting policy makers. However, AJA and Lobbyit would like to be more active and involved in policy debates and advocacy on behalf of our nation's jails and jail personnel. These meetings were the beginning of a series in which AJA's executive team and Lobbyit are checking in to remind policymakers of who AJA is, what AJA's general policy issues of interest and priority are, and to offer AJAs as a resource on any relevant legislative items or oversight they may be working on.

Mental Health

Both the House and Senate are taking concrete steps to move forward on mental health legislation. This month, we saw hearings in the Senate Health, Education, Labor, and Pensions Committee and Finance Committee, as well as in the House Ways and Means and Energy and Commerce Committees. From what we have been told, the Senate is further along than the House, but there is a clear interest from both chambers to take action on this. Common themes include youth mental health, Medicaid reimbursement, telehealth, opioid and substance use disorder treatment, and access to community-based health care. As of now, we anticipate that hearings and negotiations will extend into April, with a final draft released in May or June. This means that the window for organizations to weigh in is over the next 2-3 months. As AJA continues its Congressional outreach, we will ensure that the meetings include offices of members of these relevant committees.

Looking Forward

This coming month, Lobbyit is continuing to schedule meetings on Capitol Hill. We anticipate the next series of meetings will be with offices of members on the House Judiciary Committee. We will likely rotate back and forth between sets of House and Senate meetings in the coming weeks and months.

With AJA's legislative fly-in tentatively scheduled for the spring time, Lobbyit is continuing to assess the willingness of Congressional offices to meet in person. While no rules or restrictions regarding in-person meetings have been relaxed yet on Capitol Hill, COVID cases in Washington, DC are decreasing and requirements like masking and having to show vaccine cards are being slightly relaxed within the District.

Bills by Issue

American Jail Association (12)

Bill Number	Last Action	Status
HR 120	Referred To The Subcommittee On Crime Terrorism And Homeland Security 2021 03 01	In House
Title SIMARRA Act	Introduction Date: 2021-01-04	
Description Stop Infant Mortality And Recidivism Reduction Act of 2021 or the SIMARRA Act This bill directs the Bureau of Prisons to establish a pilot program for incarcerated women and their children born during incarceration to reside together in a separate prison housing unit. It sets forth inmate eligibility criteria and program participation requirements.		
Primary Sponsors Sheila Jackson Lee		
Bill Number	Last Action	Status
HR 176	Referred To The Subcommittee On Crime Terrorism And Homeland Security 2021 03 04	In House
Title Restricting the Use of Solitary Confinement Act	Bill Summary: Last edited by Jason Ortega at Feb 5, 2021, 7:32 PM This bill restricts the use of solitary confinement for inmates in federal custody, including by requiring hearings and other procedures for an inmate to contest placement in solitary confinement.	
Description Restricting the Use of Solitary Confinement Act This bill imposes restrictions on the use of solitary confinement for inmates in federal custody. Among the restrictions, the bill prohibits placement in solitary confinement for nondisciplinary reasons; it limits the duration of such placement; and it provides an administrative review process for inmates to contest such placement.	Introduction Date: 2021-01-04	
Primary Sponsors Bonnie Watson Coleman		

Bill Number

HR 955

Last Action

Referred To The Subcommittee On Health
2021 02 09

Status

In House

Title

Medicaid Reentry Act of 2021

Introduction Date: 2021-02-08

Description

Medicaid Reentry Act of 2021 This bill allows Medicaid payment for medical services furnished to an incarcerated individual during the 30-day period preceding the individual's release. The Medicaid and Children's Health Insurance Program (CHIP) Payment and Access Commission must report on specified information relating to the accessibility and quality of health care for incarcerated individuals, including the impact of the bill's changes.

Primary Sponsors

Paul Tonko

Bill Number

HR 994

Last Action

Referred To The Subcommittee On Crime
Terrorism And Homeland Security 2021 04 23

Status

In House

Title

Justice is Not For Sale Act of 2021

Introduction Date: 2021-02-11

Description

Justice is Not For Sale Act of 2021 This bill prohibits private for-profit entities from operating confinement facilities (e.g., prisons) or providing electronic monitoring of released persons at the federal, state, and local levels. The bill also establishes various requirements related to the standards of detention and availability of services at confinement facilities. The bill provides for the establishment of * limits on the fees and charges for financial services (e.g., money transfer services), * caps on the rates charged for communications services, * detention standards and oversight requirements related to the detention of noncitizens, and * community-based alternatives to the detention or separation of family units apprehended under immigration authorities.

Primary Sponsors

Raul Grijalva

Bill Number

HR 1480

Last Action

Received In The Senate And Read Twice And
Referred To The Committee On Health
Education Labor And Pensions 2021 05 13

Status

In Senate

Title

HERO Act

Introduction Date: 2021-03-02

Description

Helping Emergency Responders Overcome Act or the HERO Act
This bill establishes a series of programs relating to the behavioral health of law enforcement officers, first responders, 9-1-1 operators, and other public safety officers and health care providers. The programs include * a public safety officer suicide-reporting system at the Centers for Disease Control and Prevention, * a grant program for peer-support behavioral health and wellness programs within fire departments and emergency medical services agencies, and * a grant program for behavioral health and wellness programs for health care providers.

Primary Sponsors

Ami Bera

Bill Number

HR 1686

Last Action

Referred To The Subcommittee For Indigenous
Peoples Of The United States 2021 05 07

Status

In House

Title

Examining Opioid Treatment Infrastructure Act of 2021

Introduction Date: 2021-03-09

Description

Examining Opioid Treatment Infrastructure Act of 2021 This bill requires the Government Accountability Office to report on the availability of and unmet need for substance use disorder treatment and recovery services, including for specified populations. The report must also address barriers to real-time reporting of drug overdoses at the federal, state, and local levels.

Primary Sponsors

Bill Foster

Bill Number

HR 2489

Last Action

Referred To The Subcommittee On
Communications And Technology 2021 04 14

Status

In House

Title

Martha Wright Prison Phone Justice Act

Introduction Date: 2021-04-13

Description

Martha Wright Prison Phone Justice Act This bill establishes requirements related to certain charges, practices, classifications, or regulations in connection with confinement facility (i.e., jail or prison) communications services. Specifically, the bill requires the Federal Communications Commission (FCC) to establish maximum rates and charges that a provider of prison communications services may charge for such services. The bill provides interim rate caps until the FCC establishes such rates and charges. The bill requires a provider of prison communications services to assess all charges for communications on a per-minute basis for the actual duration of the communication, and it prohibits a provider from charging a per-communication or per-connection charge. A provider also may not charge an ancillary service charge except in certain circumstances. Further, the bill prohibits a provider from assessing a site commission, which is a payment or donation made to certain entities that operate or oversee a confinement facility.

Primary Sponsors

Bobby Rush

Bill Number

HR 3172

Last Action

Referred To The House Committee On
Financial Services 2021 05 13

Status

In House

Title

HELPER Act of 2021

Introduction Date: 2021-05-13

Description

Homes for Every Local Protector, Educator, and Responder Act of 2021 or the HELPER Act of 2021 This bill establishes a program administered by the Department of Housing and Urban Development to provide mortgage assistance to law enforcement officers, elementary and secondary school teachers, firefighters, or other first responders. Specifically, these individuals may be eligible for a one-time mortgage on a primary family residence with no down payment and no monthly mortgage insurance premium.

Primary Sponsors

John Rutherford

Bill Number

S 285

Last Action

Read Twice And Referred To The Committee
On Finance 2021 02 08

Status

In Senate

Title

Medicaid Reentry Act of 2021

Introduction Date: 2021-02-08

Description

Medicaid Reentry Act of 2021 This bill allows Medicaid payment for medical services furnished to an incarcerated individual during the 30-day period preceding the individual's release. The Medicaid and Children's Health Insurance Program (CHIP) Payment and Access Commission must report on specified information relating to the accessibility and quality of health care for incarcerated individuals, including the impact of the bill's changes.

Primary Sponsors

Tammy Baldwin

Bill Number

S 1046

Last Action

Held At The Desk 2021 08 03

Status

In House

Title

Residential Substance Use Disorder Treatment Act of 2021

Introduction Date: 2021-03-25

Description

Residential Substance Use Disorder Treatment Act of 2021 This bill revises and reauthorizes through FY2026 grants for residential substance use disorder treatment programs at state and local correctional and detention facilities. Among the revisions, the bill * replaces statutory references to substance abuse with substance use disorder, * specifies that the term residential substance use disorder treatment program includes a medication-assisted treatment program, * requires the chief medical officer or other staff overseeing a program to complete training on the science of addiction and the latest research and clinical guidance on treating substance use disorders in criminal justice settings, and * allows people who are awaiting trial or in pretrial detention to participate in the programs.

Primary Sponsors

John Cornyn

Bill Number

S 1821

Last Action

Read Twice And Referred To The Committee
On Finance 2021 05 25

Status

In Senate

Title

Humane Correctional Health Care Act

Introduction Date: 2021-05-25

Description

Humane Correctional Health Care Act This bill allows states to cover inmates of public institutions under Medicaid. The Government Accountability Office must report on specified information relating to the health of inmates and the effects of Medicaid coverage.

Primary Sponsors

Cory Booker

Bill Number

S 2592

Last Action

Read Twice And Referred To The Committee
On The Judiciary 2021 08 03

Status

In Senate

Title

Correctional Facility Disaster Preparedness Act of 2021

Introduction Date: 2021-08-03

Primary Sponsors

Tammy Duckworth

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