

Special Needs Alliance:

Public Policy News You Can Use



December 15, 2025

Center for American Progress Releases Report on Guardianship and the Right to Vote

Today, the Center for American Progress (CAP) released a [report](#) outlining how guardianships of disabled adults restrict the voting rights of people with disabilities. Depending on their state of residence, CAP found that individuals under guardianship can be stripped of their voting rights automatically, subject to individual determinations in a court, or remain unaffected. Additionally, the report notes that few states have converted legislative interest into action by promoting bills that protect the voting rights of individuals under guardianship. CAP provides 7 focus areas with discrete policy proposals that would preserve the voting rights of individuals under guardianship. The report is the latest edition of CAP's work on [disabled people's access to democracy](#).

Department of Education Recalls Staff to Manage Civil Rights Complaints

On December 11th, the Department of Education [asked](#) hundreds employees in the Office for Civil Rights (OCR) to return to work to manage a backlog of cases. More than 200 OCR employees were placed on administrative leave for most of the year as a part of the Administration's reduction in force efforts; however, it is unclear how many of the staffers were requested to return. Today, recalled staff will be expected to return to work to address the existing complaint caseload. Discrimination complaints from families of children with disabilities comprise the majority of OCR's caseload.

Last month, The Arc and other education stakeholders [filed a lawsuit](#) against the Department alleging that the agency was not meeting their obligations to respond to OCR complaints. AFGE Local 252, a union representing many Department of Education employees, President Rachel Gittleman claims that had the administration not placed the staff on leave, the backlog of civil rights cases would have been avoided, and taxpayer dollars could have been saved. In a statement to the press, Department of Education's press secretary Julie Hartman reaffirmed the agency's intention to fire the workers.

Supreme Court Hears Case on Death Sentence for Intellectually Disabled Defendant

Last week, the Supreme Court [heard oral arguments](#) in *Hamm v. Smith*, a case where Alabama officials are pursuing the execution of a person who was convicted of a 1997 murder and is on the borderline of intellectual disability tests. In *Atkins v. Virginia* (2002), the Supreme Court ruled that executing a person with an intellectual disability violates the 8th Amendment prohibition on cruel and unusual punishment. In 2014 and 2017, the Supreme Court ruled that states should consider other evidence of intellectual disability in cases with borderline intelligence quotient (IQ) scores due to the margin of error of the test.

With support from President Trump, Alabama argued that because at least some of Smith's five IQ tests are above the upper threshold for intellectual disability, Smith is not intellectually disabled; therefore, he can be executed. In line with [criteria](#) from the American Association on Intellectual and Developmental Disabilities, Smith's team argues that since his IQ tests are borderline and his adaptive behavior is indicative of intellectual disability, Smith is intellectually disabled; thus, he cannot be executed.

The Death Penalty Information Center [estimates](#) that up to 20 percent, or 2,100 people of the people on death row in the United States may have some form of intellectual disability while only 7.7% [raised](#) intellectual disability claims. The Supreme Court's ruling [will determine](#) how individuals who are on the borderline of intellectual disability are treated when facing execution and is expected to release their ruling in June 2026.

Partisan Health Care Bills Fail Senate Vote

Earlier this year, the One Big Beautiful Bill Act (OBBBA) did not extend the Affordable Care Act (ACA) health insurance subsidies, or Premium Tax Credits (APTCs), allowing the subsidies to expire at the end of the calendar year. On Monday December 8th, Senate Democratic Leader Chuck Schumer (D-NY) introduced the Lower Health Care Costs Act ([S.3385](#)) which would extend the APTCs through 2028. The next day, U.S. Senators Bill Cassidy (R-LA) and Mike Crapo (R-ID) [unveiled](#) the Republican proposal. The Health Care Freedom For Patients Act ([S.3386](#)) would replace the expiring APTCs with federally funded health savings accounts (HSAs) to cover out-of-pocket expenses, expand eligibility for Catastrophic plans, and exclude abortion and transgender services as essential health benefits for plans sold on the exchanges.

On Thursday, December 11th, the Senate [failed to pass](#) both the Democratic and Republican health care proposals. With no clear agreement in sight, millions of beneficiaries remain in limbo as Congress continues to discuss potential solutions. The House is set to adjourn for the year on December 18 and the Senate on the 19th. Most observers expect both chambers to recess without a negotiated compromise; however, lawmakers signaled interest in bipartisan talks that would continue past the deadline and into the new year.

President Trump Calls for Re-Evaluation of Childhood Vaccine Schedule

On Friday December 5th, President Trump released a [Presidential Memoranda \(Fact Sheet\)](#) calling for a review of vaccines that are currently recommended for all children. In the Memoranda, President Trump states that the U.S. recommends children receive vaccinations for 18 diseases, which is higher than other peer nations. He directed Department of Health and Human Services (HHS) Secretary Robert F. Kennedy Jr. and Centers for Disease Control and Prevention (CDC) Acting Director Jim O'Neil to review and update the core childhood vaccine schedule to align with scientific evidence and best practices from other peer, developed nations while maintaining access to vaccines that are currently available.

The call for review followed the CDC's Advisory Committee on Immunization Practices (ACIP)'s [vote](#) to significantly change the hepatitis B vaccination policy for newborns. On Truth Social, President Trump [commended](#) ACIP's decision while questioning the efficacy of the current childhood vaccine schedule. Since the start of the President's second term, Republican voters' confidence in the [childhood vaccine schedule](#) and support for [vaccine requirements](#) to attend public school have been declining. The Presidential Memoranda aligns with the administration's Make America Healthy Again (MAHA) policies including Secretary Kennedy's [removal](#) of the COVID-19 vaccine from the list of recommended vaccinations for healthy children and pregnant women.

What's on Tap

Last week, the Senate [failed to pass](#) either partisan bill that would address the Affordable Care Act (ACA) enhanced premium tax credits (APTCs) which are set to expire at the end of this month. Given the lack of progress made in the upper chamber, the lack of an extension in the recently released House GOP health package, and the short runway before lawmakers adjourn for the holiday recess, it is widely expected that the APTCs will expire at the end of this calendar year [causing](#) over 20 million individuals to experience a 4% jump in marketplace premiums. Additionally, the expiration is expected to increase the number of uninsured people by 3.8 million between 2026 and 2034.

Following the failure of the Senate to advance either partisan package last week, House GOP leadership released [bill text](#) on Friday for a broad health care package outlining the caucus' health priorities – which notably excludes any extension of the APTCs. Despite broad support amongst House Republicans for the policies included in this bill throughout the past several years, it remains unclear if Speaker Johnson will be able to whip his razor-thin majority into unifying behind his health plan this week.

Senators are already preparing for their return to upper chamber after the holiday break, where they will once again be met with a [looming deadline](#) to fund the federal government by the end of January. After the longest government shutdown in US history this past fall, a group of Democratic Senators voted with Republicans to briefly reopen the government as long as Republicans ensured there would be a vote to extend ACA APTCs. After neither the

Republican nor Democratic proposal passed the Senate last week, some Democrats have pushed for leveraging the upcoming government funding deadline as an opportunity to pass favorable legislation.

Upon their return to session in the new year, Senate Republicans are expected to introduce their appropriations package to fund the departments of Defense, Health and Human Services, Labor, Commerce, Justice, and Interior, amounting to approximately 85% of total government funding. If Republicans can advance their funding package and support most functions of the federal government, Democrat's threat of a shutdown will be substantially minimized. If the spending bills stall, the likelihood of another shutdown greatly increases, providing Democrats with the opportunity to extract concessions from their Republican counterparts.

Upcoming Events

Senate

- In Session: December 15-18

House

- In Session: December 15-19
- Tuesday, December 16th, 2:00pm | House Committee on Rules [meeting](#) on H.R.498 – Do No Harm in Medicaid Act; H.R.3492 – Protect Children's Innocence Act; H.R. – Lower Health Care Premiums for All American Act | H-313 U.S. Capital