

ALISON N. BARKOFF

(b)(6)

PROFESSIONAL EXPERIENCE

CENTER FOR PUBLIC REPRESENTATION, Washington, D.C.

Director of Advocacy (September 2016 – present)

Lead public policy advocacy with federal agencies and Congress regarding healthcare, Medicaid, employment, housing, education, disability rights, wage laws, and other issues critical to people with disabilities. Lead precedent-setting disability rights, healthcare and education litigation nationally.

Participate as part of the Center's management team.

- Play a leading role in the disability community's advocacy with Congress to protect Medicaid and the Affordable Care Act (ACA), expand Home and Community Based Services (HCBS), reauthorize the Money Follows the Person program, end subminimum wages and expand employment opportunities, and pass COVID-19 relief
- Work with key Congressional offices to develop legislation related to healthcare reform and equity, Medicaid, HCBS, and disability employment
- Testified before Congress and before the U.S. Commission on Civil Rights
- Lead advocacy with the Centers for Medicare & Medicaid Services (CMS) and Administration for Community Living (ACL) on HCBS policies and with the Departments of Education and Labor to expand employment and end subminimum wages for people with disabilities
- Lead precedent-setting litigation under the Americans with Disabilities Act (ADA), Medicaid Act, and education laws. File amicus briefs in litigation in federal appellate and the Supreme Court regarding federal policies impacting people with disabilities, including the ACA, public charge rule, and Section 1557 non-discrimination regulations under the ACA
- Lead legal and policy initiative to fight discrimination in access to medical care during COVID-19 based on disability, age or race, including through advocacy with HHS Office for Civil Rights
- Serve as co-chair of the LTSS Task Force for the Consortium of Citizens with Disabilities and member of Task Force anti-racism working group; chair of the HCBS Advocacy Coalition; policy advisor to the Collaboration to Promote Self-Determination; and lead of the Coalition to Advance Competitive Integrated Employment. Participate in other coalitions with disability, aging, healthcare, racial justice, and labor advocates, including the Disability and Aging Collaborative, Leadership Conference on Civil and Human Rights, and Big Table
- Engage in extensive public speaking and writing on disability and healthcare policy
- Serve on the Center's management team; involved in hiring, fundraising, development of personnel policies, and development of the Center's budget
- Established the Center's D.C. office and its public policy practice, including developing a budget, fundraising, hiring staff, developing program priorities, implementing a communications strategy, and creating partnerships with other organizations. Manage D.C. office and direct the public policy practice. Manage numerous grants and consulting contracts for policy work
- Manage and supervise organization's policy staff; legal staff and paralegals on numerous litigation projects; and communications staff on policy-related projects
- Lead large litigation teams comprised of lawyers from multiple organizations in systemic class action litigation; develop and manage budgets for litigation costs

JUDGE DAVID L. BAZELON CENTER FOR MENTAL HEALTH LAW, Washington, D.C.

Director of Advocacy (September 2014 – August 2016)

Led system-reform litigation related to community integration, Medicaid, education, and criminal justice under the ADA, Medicaid Act, and education laws. Advocated with federal agencies and Congress on disability policies, including regarding healthcare, mental health services, HCBS, and employment.

Participated in organization's management team.

- Appointed by the Labor Secretary to Congressionally-created federal advisory committee on disability employment and served on Bipartisan Policy Center disability insurance work group
- Engaged stakeholders through public speaking and participation in coalitions
- Served on Bazelon Center's management team; involved in hiring, fundraising, and development of personnel policies and annual budget. Managed numerous grants and consulting contracts
- Supervised legal and policy staff
- Led large litigation teams comprised of lawyers from multiple organizations in systemic class action litigation; developed and managed budgets for litigation costs

U.S. DEPARTMENT OF JUSTICE, Washington, D.C.

Civil Rights Division, Special Counsel for Olmstead Enforcement (September 2010 – June 2014)

Worked for the Office of the Assistant Attorney General to establish an enforcement practice and policy priorities around the civil right to community living under the Americans with Disabilities Act and the Supreme Court's *Olmstead v. L.C.* decision. Coordinated with other federal agencies on policies impacting people with disabilities. Participated as part of Division's leadership team.

- Served as Civil Rights Division's lead counsel for *Olmstead* enforcement. Oversaw the development, investigation and litigation of *Olmstead* cases across the Division
- Served as a member of the Office of the Assistant Attorney General's leadership team. Charged with development of Division-wide priorities and coordination across the Division's litigating sections related to community living
- Led and supervised litigation teams in systemic reform litigation across multiple sections of the Division; collaborated with Section Chiefs on decisions about staffing
- Involved in the development of Division-wide guidance and training on a range of topics, including stakeholder engagement, ethics, and development of legal remedies
- Led interagency collaborations to ensure alignment of community living, housing and healthcare policies across the Division and with other agencies, including the Departments of Health and Human Services, Housing & Urban Development, Labor, Education, and U.S. Interagency Council on Homelessness
- Served as liaison to the disability community; engaged in extensive public speaking

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, Washington, D.C.

Center for Medicare & Medicaid Services, Special Policy Advisor (July 2013 – June 2014)

At the request of CMS leadership, detailed from DOJ to HHS to help finalize and lead the roll-out of ground-breaking Medicaid regulations defining Home and Community Based Services (HCBS).

- Participated as part of the leadership team of CMS' Disabled and Elderly Health Programs Group (DEHPG)
- Led policy discussions with CMS leadership and federal partners, including ACL, DOJ, OCR, HUD and DOL
- Helped develop sub-regulatory guidance and engaged in outreach to stakeholders
- Worked on policy initiatives related to disability employment and housing-related supports

U.S. DEPARTMENT OF LABOR, Washington, D.C.

Wage and Hour Division, Special Policy Advisor (November 2013 – June 2014)

At the request of the Secretary, detailed from DOJ to DOL to lead an interagency workgroup with DOL, HHS, and DOJ focused on implementation of new wage rules impacting Medicaid systems.

- Engaged in outreach to stakeholders, including disability and labor advocates
- Worked with the interagency workgroup to develop solutions to identified issues
- Helped develop and issue sub-regulatory guidance

JUDGE DAVID L. BAZELON CENTER FOR MENTAL HEALTH LAW, Washington, D.C.

Senior Staff Attorney (May 2005 – September 2010)

Litigated system-reform cases under the ADA, Medicaid Act and education laws. Engaged in disability policy advocacy with Congress and federal agencies. Participated in coalitions and public speaking.

U.S. DEPARTMENT OF JUSTICE, Washington, D.C.

Civil Rights Division, Disability Rights Section, Trial Attorney (Jan. 2004 – May 2005)

Enforced disability rights laws, including in the areas of employment, transportation, healthcare and physical access. Led investigations and negotiated settlement agreements.

Civil Division, Federal Programs Branch, Honors Program Attorney (Oct. 2001 – Jan. 2004)

Represented the United States in litigation about federal agencies' policies, including HHS and HUD. Participated in month-long trial and numerous oral arguments. Member of training committee.

TESTIMONY BEFORE CONGRESS AND FEDERAL AGENCIES

U.S. Commission on Civil Rights, Hearing on Subminimum Wages: Impacts on the Civil Rights of People with Disabilities (November 2019)

U.S. House of Representatives Judiciary Committee, Hearing on Class Actions Involving People with Intellectual Disabilities (February 2018)

PROFESSIONAL PUBLICATIONS AND SPEAKING ENGAGEMENTS

- Published more than 40 law review and journal articles, book chapters, and other publications and engaged in more than 200 speaking engagements and presentations related to disability policy, healthcare, employment, education and civil rights
- List of publications and speaking engagements available upon request

PROFESSIONAL AWARDS

- Honored in the National Historic Recognition Project for Significant Contribution in the Field of Intellectual and Developmental Disabilities Between 2000 and 2020 (Summer 2020)
- Received the Autistic Self Advocacy Network Ally of the Year Award (2017), Medicaid Battle Award from Chicago ADAPT (2017), ALLY Advocacy Award from the Arc of Virginia (2017), Special Recognition Award from the Association of University Centers on Disabilities (2014), and multiple Special Commendation Awards from DOJ (2003, 2011, 2012, 2013)

JUDICIAL CLERKSHIPS

JUDGE SONIA SOTOMAYOR, New York, New York

United States Court of Appeals for the Second Circuit, Law Clerk (Aug. 2000 – Aug. 2001)

Drafted opinions, summary orders and memoranda on a range of issues, including accommodation of individuals with disabilities under the ADA, special education, and employment discrimination.

Researched legal issues and wrote bench memoranda to prepare the judge for oral arguments.

JUDGE WILLIAM H. PAULEY, III, New York, New York

United States District Court for the Southern District of New York, Law Clerk (Aug. 1999 – Aug. 2000)

Drafted opinions, orders, bench memoranda and jury instructions. Assisted judge with all aspects of civil and criminal trials, hearings, oral arguments and conferences in cases involving a variety of issues, including privacy rights of institutionalized individuals, use of excessive force by law enforcement, special education, and employment discrimination.

EDUCATION

EMORY UNIVERSITY SCHOOL OF LAW, Atlanta, Georgia

Juris Doctor, with high honors, May 1999

Honors: Class Rank 1st of 211; Order of the Coif
Full-tuition scholarship
Paul Bryan Prize in Constitutional Law; West Publishing Award
President's Commission on the Status of Women Writing Award

Activities: Emory *Law Journal*, Notes and Comments Editor
Faculty Appointments Committee, *Student Member*
President's Commission on the Status of Women, *Representative*

CORNELL UNIVERSITY, Ithaca, New York

B.S. in Natural Resources, Dec. 1995

Honors: GPA 3.7, top 10%; Dean's List
Golden Key National Honor Society; Gamma Sigma Delta Honor Society

Activities: Study Abroad, Haifa University, Haifa, Israel (August 1994 – June 1995)
Students for Children Big Sister Program; Cornell Greens; Special Olympics