



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

November 26, 2008

President-elect Barack Obama
c/o Change.gov

Dear President-elect Obama:

On behalf of the Consortium for Citizens with Disabilities (CCD), I thank you for your leadership in the United States Senate on behalf of all disenfranchised Americans, including children and adults with disabilities and their families. CCD looks forward to helping you advance our common goal of moving the country to be more responsive to the needs of this vulnerable population.

The Consortium for Citizens with Disabilities is a coalition of more than 100 national organizations working together to advocate for federal public policy that ensures the self determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

People with disabilities disproportionately rely on government programs to live, learn, work and play in their communities. As a group, people with disabilities have lower incomes, higher rates of unemployment and live more isolated lives than the general public.

Earlier this month, CCD transmitted a comprehensive set of recommendations for policies that would make it possible for millions of Americans to access the American Dream. Today, we seek to highlight several pressing issues that we hope can be resolved at the beginning of your Administration.

1. DISABILITY PROGRAM FISCAL 2009 FUNDING

Many programs administered by the Departments of Labor, Health and Human Services and Education are essential for people with disabilities to live with equality, dignity and independence. CCD urges Congress and your Administration to quickly adopt a spending bill for these agencies that provides the highest possible level of funding for the remaining months of Fiscal 2009.

2. FEDERAL MEDICAL ASSISTANCE PERCENTAGE FOR MEDICAID

Medicaid is the life line for people with disabilities by providing vital health care and long term services and supports. We strongly support the enactment of a significant and temporary increase to the federal share of Medicaid spending (FMAP) to counteract states' fiscal crises. Absent such an increase, vulnerable children and adults with disabilities will lose access to critical health and long term care services.

Over the past year, Congress has passed moratoria on six onerous Medicaid regulations that would have proved devastating to hospitals, state and local governments, and people with disabilities. All six of these regulations – Health Care Provider Tax, Targeted Case Management, Government Provider Cost Limit, Graduate Medical Education, Rehabilitation and School-based Services – received moratoria in the Iraq War Supplemental. However, an additional Medicaid regulation needs attention. A new regulation was finalized earlier this year that would cut Medicaid reimbursement to many types of outpatient services. We strongly urge your Administration to rescind the outpatient regulation along with the other six moratoria that expire in April.

3. SOCIAL SECURITY

The Social Security Administration (SSA) must be adequately funded so that it can reduce the tragic backlog in disability determinations. For Fiscal 2009, SSA should receive least \$10.427 billion for its administrative expenses. This amount is \$100 million over President Bush's budget request and was approved by the House Appropriations Subcommittee on Labor, HHS, Education and Related Agencies.

For millions of people with severe disabilities, Social Security and Supplemental Security Income disability benefits are the means for financial survival and for access to medical care. But many people wait years for SSA to determine if they are eligible. The consequences are dire: homes are lost, medical conditions deteriorate and many individuals die.

SSA has been persistently underfunded for years, with only slight relief received in Fiscal 2008. Despite SSA's earnest efforts and because more people are applying than expected, SSA's disability determination backlog has not been reduced – its rate of growth has merely slowed.

SSA must be provided with adequate funds for its administrative expenses in order to make a significant dent in the disability claims backlog, answer phones, respond to the retiring baby boomers and conduct its program integrity activities (which save \$10 for every \$1 expended). Without sufficient funds, the agency could face staffing furloughs of approximately 20 days between now and the end of Fiscal 2009. A furlough will worsen the backlog, with more dire consequences for people with severe disabilities.

4. EMPLOYMENT

Current data indicate that the workforce participation rate of people with disabilities is less than half of rate for working age population without disabilities. CCD urges your Administration to make the employment of people with disabilities a priority in all major

workforce initiatives. In addition, the federal government must be a significant employer of people with disabilities. Executive Order 13163, issued July 26, 2000, called for the federal government to hire 100,000 qualified individuals with disabilities over a ten-year period. We urge the federal government to establish and meet targets whereby individuals with disabilities account for at least five percent of all federal agency workforces.

5. HOUSING

For Fiscal 2008, Congress appropriated \$30 million for new Section 8 vouchers targeted to non-elderly people with disabilities. Unfortunately, the Department of Housing and Urban Development (HUD) has yet to issue a Notice of Funding Availability (NOFA) for these vouchers – despite the fact that Fiscal 2008 ended nearly two months ago! As of this writing, the NOFA appears to have gone through OMB clearance and may be issued soon. However, there is no indication that it is in any way linked to larger policy objectives such as Money Follows the Person or development of permanent supportive housing.

Your Administration can reverse this policy of neglect by withdrawing the NOFA for Fiscal 2008 and then coupling these funds with the additional \$30 million for new non-elderly disabled vouchers that is in the House T-HUD Appropriations bill for Fiscal 2009, and by developing a new NOFA that invests directly in development of new permanent supportive housing units. Such a policy should use incentives and reward state and local policies linked to:

- Money Follows the Person;
- Development of alternatives to board and care homes and other substandard housing options; and
- Formal relationships between public housing authorities and agencies serving people with disabilities.

6. STATE CHILDREN'S HEALTH INSURANCE PROGRAM

The State Children's Health Insurance Program (SCHIP) expires in March 2009. We urge you to champion SCHIP legislation that extends coverage to all eligible children, similar to the legislation that passed Congress last year. We also urge you to immediately rescind the Bush Administration's policy directive issued in August 2007 that restricts states from expanding SCHIP coverage to children in families with incomes greater than 250% of the federal poverty level until they can prove that 95% of eligible children in families with incomes lower than 200% of the poverty level are covered.

7. CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

CCD urges your Administration to sign the International Convention on the Rights of Persons with Disabilities and submit the treaty to the U.S. Senate for ratification.

8. VETERANS

The Department of Veterans Affairs health care system is perennially underfunded. CCD supports passage of advanced appropriation legislation for the Fiscal 2010 cycle.

Again, we look forward to working with you, your staff, and members of your Administration to strengthen our country and improve the lives of Americans with disabilities. Thank you for considering our views.

Sincerely,

A handwritten signature in black ink that reads "Marty Ford". The signature is written in a cursive, flowing style.

Marty Ford
Chairperson
Consortium for Citizens with Disabilities