



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

**Disability Policy Recommendations for
The New Administration and
115th Congress**

December 2016

Message

from the Board

The Consortium for Citizens with Disabilities (CCD) is pleased to present these policy recommendations to the Trump Administration regarding critical federal programs for people with disabilities and their families.

CCD is the largest coalition of 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.

This transition document was written to convey to the Trump Administration the major issues facing people with disabilities and their families and CCD's recommended solutions. The CCD leadership and member organizations look forward to working with the Trump Administration to continue the progress made by people with disabilities toward community integration and independent living. CCD encourages consideration of individuals with disabilities and individuals with a disability perspective for Presidential appointments to agency positions critical to people with disabilities, as well as a disability community liaison on the White House Public Engagement staff and a disability advisor on the Domestic Policy Council.

This document is intended as a resource to the Trump transition team and policymakers. We encourage you to use it to understand the policy issues facing people with disabilities and their families. We also encourage you to contact the various issue area Task Forces and Co-Chairs listed to learn more about these issues. We are eager to work with the Administration to develop solutions to these critical issues.

We look forward to working with you.

Sincerely,

Kim Musheno

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CCD Transition Document Executive Summary

I. Background on CCD

CCD is the largest coalition of 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. Organizational members of CCD include self-advocacy groups, consumer, provider, advocacy, and professional organizations. CCD has advocated on behalf of people of all ages with physical, mental, and sensory disabilities and their families since 1973. CCD is headquartered in Washington, D.C. CCD works for the enactment of federal legislation and regulatory policy that assure that the 56.7 million children and adults with disabilities are fully integrated into the mainstream of society.

TASK FORCES: CCD's work addresses a broad range of issues that affect people with disabilities and their families. The vast majority of CCD's work is carried out by Task Forces which focus on specific areas of policy touching the lives of people with disabilities. Task Forces are established and reviewed annually at CCD's annual meeting. Throughout the rest of the year, the Task Forces are the locus of work on policy areas. Task Forces are led by volunteer Co-Chairs who work with their colleagues across Task Force lines to ensure consistency. The policy areas covered in this document are organized by Task Forces. Each topical page includes contact information for the 2016 Co-Chairs for the Task Force which has taken the lead on that issue. Additional information can be found on CCD's website (www.c-c-d.org) or by contacting the Co-Chairs. CCD Task Forces in 2016 are: Developmental Disabilities, Autism, and Family Support; Education; Employment & Training; Financial Security; Fiscal Policy; Health; Housing; Long Term Services & Supports; Rights; Social Security; Technology & Telecommunication; Transportation; and Veterans and Military Families.

II. CCD Values

CCD works to ensure that federal policy supports the goals of the Americans with Disabilities Act (ADA), which was signed into law in 1990 with strong bipartisan support: equality of opportunity, full participation, independent living, and economic self-sufficiency. CCD envisions a society in which people with disabilities exercise their full rights and responsibilities and are empowered to participate in and contribute to society to the full extent of their abilities.

For many people with disabilities, programs that provide economic security and individualized supports and services are vital to making this vision a reality. Community integration is not possible without affordable and accessible housing and transportation that enable people with disabilities to live independently instead of in nursing homes or other costly institutions. Education and job training are integral to assisting people with disabilities to learn the skills necessary to maintain and increase their economic self-sufficiency. Access to supported employment, habilitation, personal assistant, and other employment services and supports are essential to ensuring that people with disabilities can obtain and maintain employment and are empowered to take advantage of the career opportunities that arise. Federal and state programs form the bedrock of these essential supports and services.

The importance of affordable access to comprehensive health care, whether financed through private insurance, Medicaid, or Medicare (including robust durable medical equipment and rehabilitation benefits), cannot be overstated. Technology, both assistive technology and accessible commercially available technology, can be crucial to all of aspects of independent living. The availability of wage replacement and income support through Social Security and Supplemental Security Income is critical when a person's disability limits their employment or earnings. Strong enforcement of civil rights laws, including but not limited to the ADA, the Individuals with Disabilities Education Act and the Rehabilitation Act, must be a high priority to ensure that discrimination does not prevent people with disabilities from achieving the goals of the ADA.

Although each individual with a disability's needs for supports and services will vary and a particular person's needs might change over time, continued progress towards achieving the goals of the ADA for people with all types of disabilities at all ages requires a continued commitment to an adequately funded safety net that contains a full of the array of training, supports, and services discussed in this section.

III. CCD Priorities

CCD looks forward to working with the Trump Administration to maintain and advance the progress that the United States has made toward achieving the goals of the ADA. CCD will advocate with every tool available to it to ensure that federal policy and programs continue to play their integral role in supporting people with disabilities to fully participate in society. CCD's top 3 priorities for the transition are:

Priority 1: Maintain and expand vital programs for people with disabilities

CCD will vigorously oppose attempts to cut benefits, eligibility, insurance coverage, or supports and services under any of the vital programs that provide with disabilities and their families with access to the devices, supports, services, and benefits, including those discussed above. Adequate funding for these essential federal programs must also be ensured – any cuts to program funding levels could be devastating for people with disabilities and their families. CCD will also advocate against any attempts to weaken or undermine the laws and the infrastructure in place to enforce them that guarantee the civil rights of people with disabilities.

Priority 2: Maintain the current financing structures and federal requirements of vital programs for people with disabilities

CCD opposes making any changes to current financing and eligibility structures of programs for people with disabilities. Strong federal requirements are necessary to ensure that individuals with disabilities across the United States have equal access to the opportunities they need to live independently and maximize their economic security and self-sufficiency. Specifically, the current access to health care provided through the Affordable Care Act and the current financing structures of Medicaid and Medicare must be maintained (CCD strongly opposes block grants, per capita caps, and vouchers or premium support). No changes should be made to eligibility requirements for or current

financing structures of the Social Security Disability Insurance and Supplemental Security Income programs.

Priority 3: Presidential appointees should have a disability perspective, including in the Office of Public Engagement and Domestic Policy Council

As discussed in the previous section, programs administered by every federal agency are critical to assisting individuals with disabilities to live independently. As such, individuals selected for leadership positions in the Administration should embrace a disability perspective. Such individuals should embrace as guiding principles in the development of national policy the full inclusion, independence, empowerment, and integration of children and adults with disabilities into every sector of our society. In addition, individuals with disabilities should be actively recruited and considered for leadership positions across all sectors of government, including appointments to Cabinet, Secretarial, and judicial positions.

CCD also urges the Trump Administration to have a designated disability liaison in the White House Office of Public Engagement and to appoint a disability policy advisor to the Domestic Policy Council.

Developmental Disabilities, Autism, and Family Support

Task Force Mission:

The mission of the Task Force is to advocate for federal public policies that directly relate to individuals with developmental disabilities, autism spectrum disorders, family supports and the prevention of child abuse and neglect. These include, but are not limited to, the Developmental Disabilities Act, Autism CARES Act, Lifespan Respite Care Act, National Child Abuse Prevention and Treatment Act.

The Developmental Disabilities Assistance and Bill of Rights Act (DD Act, PL 106-442) - supports states to enhance the lives of people with developmental disabilities and their families through five main programs:

- State Councils on Developmental Disabilities – provide systems analyses, advocacy, and capacity development.
- Protection and Advocacy Systems (P&A) - provide legally based advocacy to protect civil and legal rights.
- University Centers of Excellence in Developmental Disabilities (UCEDD) - deliver interdisciplinary training and conduct research.
- Family Support - help states provide supports and services to families supporting members with disabilities.
- Projects of National Significance (PNS) - collect longitudinal data and provide technical assistance.

Autism Spectrum Disorder (ASD) - This neurologically based developmental disorder is marked by persistent deficits in social interaction and restricted, repetitive patterns of behavior or interests. Prevalence of ASD in children has increased from 1:150 in 2002 to 1:68 in 2012. The Autism CARES Act invests in research, training, and public education and the Medicaid program funds the vast majority of community based services for people with ASD. Other discretionary programs that are critical for independent living include early intervention, education, employment, housing, and transportation.

Family Caregiver Support. The vast majority of people with developmental disabilities live at home with their families who often receive few services and lose jobs and income as they try to keep them at home. Counseling, support groups, respite, training, cash assistance, and information and referral help family caregivers to avoiding placing their family member in costly and unwanted institutions. Medicaid home and community-based services waivers provide the vast majority of family support services. The Lifespan Respite Care Program and the National Family Caregiver Support Program are the only federal initiatives focused on the needs of family caregivers who provide \$470 billion in uncompensated care and function as the linchpin for long-term services and supports.

Prevention of Disability. Disability can often be prevented or lessened through prenatal health promotion and child development practices, among other things. Medicaid's Early Periodic

Treatment Screening Diagnosis (EPTSD) program is the nation's program to improve the health of low-income children in every state.

Child Abuse Prevention. Child maltreatment can cause or exacerbate disability and children with disabilities are at greater risk for maltreatment. 12.6 percent of child maltreatment victims had a reported disability in 2013. The Child Abuse Prevention and Treatment Act (CAPTA) is one of the key pieces of legislation that guides child protection and provides services to prevent abuse and avoid more costly foster care placements.

The Task Force urges the Trump Administration to support these priorities by:

- 1) Protecting the structure and funding of the Medicaid Program.
- 2) Ensuring the continuation of parity of defense and non-defense discretionary spending caps negotiated in the Budget Control Act of 2011.
- 3) Not allowing Administration priorities to be paid for by cuts in entitlement or discretionary programs that serve people with disabilities.
- 4) Protecting the ability of DD Act's P&A systems to engage in class action litigation.
- 5) Requiring the Secretary of Health and Human Services to develop, maintain and update an integrated national strategy to recognize and support family caregivers.

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Education

Task Force Mission:

The Education Task Force monitors federal legislation and regulations that address the educational needs of children with disabilities and their families, including the Individuals with Disabilities Education Act (IDEA) programs. The Education Task Force advocates for enhanced opportunities for children under these laws.

Providing students with disabilities inclusive educational opportunities with high expectations and access to rigorous coursework is directly linked to better employment outcomes, higher wages and lower unemployment that provide opportunities for community living. The Bureau of Labor Statistics reports that in 2013 someone without a high school diploma earned 27% less than a person with a diploma, and 57% less than a person with a bachelor's degree¹. In the 2013-2014 school-year, the graduation rate for all students reached an all-time, new high of 82 percent nationally. The graduation rate for students with disabilities, however, was 64 percent, far below this rate². The U.S. Department of Education, including the Office of Special Education and Rehabilitation Services, Office for Civil Rights (OCR), Office of Elementary and Secondary Education, and Office of Post-Secondary Education, has played a critical role in ensuring access, equity and opportunity for all students including with disabilities through their oversight, guidance, monitoring and technical assistance. The actions taken by OCR in districts and states over the past several years have helped ensure that thousands of students with disabilities have access to the general curriculum, are held to high achievement standards and provide teachers and school leaders with resources and tools so they can teach students with diverse needs. Additionally, the data provided by Civil Rights Data Collection through the Office of Civil Rights is critical in ensuring transparency about the status of students in our nation's schools and helping parents, educators and communities to improve public education for all students.

K-12 Education

Every Student Succeeds Act

To reach the goal of ensuring every student is taught to state standards, held to high expectations and given every chance to achieve a high school diploma, the Education Task Force urges the Trump Administration to provide oversight, guidance, and technical assistance to states on the newly

¹ U.S. Department of Labor. Bureau of Labor Statistics. Employment Projections. March 2014. (http://www.bls.gov/emp/ep_chart_001.htm)

² National Center for Education Statistics, Common Core of Data (CCD), Public high school 4-year adjusted cohort graduation rate (ACGR). (http://nces.ed.gov/ccd/tables/ACGR_RE_and_characteristics_2014-15.asp)

reauthorized Elementary and Secondary Education Act (ESEA), now known as the Every Student Succeeds Act (ESSA) and to support Congress' agreement to further align ESSA and the Individuals with Disabilities Education Act (IDEA). As ESSA is implemented, states must design strong accountability systems. States, districts and schools must raise achievement for all groups of students and must make more progress for groups of students who are behind, including students with disabilities. The accountability system must also be transparent so the outcomes for students with disabilities are clear thus making it possible for families, community members, teachers, and school leaders to determine the impact of educational practices and track their effectiveness. Universal Design for Learning (UDL) and digital accessibility and support for interoperability with assistive technology, now included in the new law, is a crucial educational framework to ensure that the promise of ESSA reaches the widest range of students, including those in all the student subgroups. The Administration must promote models of preK-12 inclusive educational practices and provide supports to states and districts to provide the best possible instruction for students with disabilities in the least restrictive educational placement that is most appropriate for each student. The Administration should ensure the use of alternate assessments are limited to only those students with the most significant cognitive disabilities, no more than 1% of the overall student population.

Unfortunately, the reality of digital assessment deployment has not delivered on that promise. Unless digital assessments are developed consistent with nationally recognized accessibility standards, like the Web Content Accessibility Guidelines (WCAG) 2.0, they will not be accessible and will not be compatible or interoperable with assistive technology (AT) devices that students with disabilities routinely use for instruction.

Special Education - IDEA

The Individuals with Disabilities Education Act (IDEA) was enacted in 1975 to ensure that all children with disabilities receive a free and appropriate public education (FAPE) in the *Least Restrictive Environment* (LRE) that emphasizes special education and related services (from Specialized Instructional Support Personnel (SISPs)), designed to meet their individual needs and prepare them for further education, employment, and independent living. Unfortunately, research shows that too many students are still not educated in LRE. This is especially true for students who take an alternate assessment (see [NCSC study](#)).

While Part B of IDEA is permanently authorized and, therefore, does not need to be reauthorized, significantly more federal funding is needed to assist students, teachers, and other educational professionals in meeting the needs of 5.8 million IDEA-eligible students. When IDEA was originally passed 41 years ago, the Federal government pledged to pay 40% of the "excess cost" of educating a student with a disability, often referred to as full funding. Unfortunately, in FY 2016, the Federal share of that cost was only 16%, leaving states and school districts to fill in this significant funding gap. Furthermore, it is critical that precious IDEA funds remain in the public school system. As noted above, not only are critical IDEA dollars scarce, but the fundamental protections of FAPE and LRE, which are granted through IDEA, do not transfer outside the public school system. The Education Task Force calls for full funding of all parts of IDEA as the most important issue related to special education.

In addition to K-12 special education, IDEA's Part C program served close to 1.5 million infants and toddlers and Part B Section 619 served approximately 735,000 three-five year olds. Over the past 20 years, both programs have increased the number of children served by approximately 50%. However, federal funding has failed to keep pace with the needs of these children.

The Education Task Force supports the highest standards for personnel who serve students with disabilities, including full preparation and certification before practicing with students. Despite the critical shortages of special education teachers, standards must not be lowered for students with disabilities.

The Education Task Force also recommends an increase in federal funding for all IDEA Part D programs and the IES National Center for Special Education Research to better equip educators and families to address the needs of children and youth with disabilities. There continues to be a critical need for special education personnel, faculty to prepare them, and research to continue to improve instruction for students with disabilities. The investment in these areas has historically proven to enhance the instruction of all educators and benefit all students.

Special Education Research

Special educators rely on evidence-based practices to address these challenges, and continued access to timely and relevant research is critical to improving academic and lifelong outcomes for students with disabilities. The Task Force urges the Administration to support the reauthorization of the Education Sciences Reform Act (ESRA), the research arm of the Department of Education, and restore funding to the National Center for Special Education Research (NCSER) within the Institute of Education Sciences. Funding for NCSER was cut by 30% in FY 2011, negatively affecting access to evidence-based strategies for students with disabilities. The Trump Administration should direct IES to increase research related to instruction and support of students with disabilities with a special focus on both early intervention and transition from school to postsecondary education and the workforce.

Mental Health

Providing access to high quality mental health treatment and prevention is essential to ensure those with mental health needs are able to access the support they need and ensure they are not discriminated against. Federal policies must provide school personnel with the resources to support students with mental health needs and to be able to promote prevention practices. The Task Force urges support for legislative policies that require an interdisciplinary approach that reinforces a partnership between education, juvenile justice, mental health, social welfare, and community engagement systems. These policies should promote evidence-based practices that acknowledge trauma and address prevention, including schoolwide positive behavioral supports and social-emotional learning strategies, while ameliorating the stigma associated with mental health.

School Climate

Finally, students must have safe environments in which they can learn. The Education Task Force supports legislation that provides schools and educators with the tools to use positive behavioral

interventions and supports, eliminate the use of seclusion and restraints, end bullying, and create positive learning environments.

Higher Education

Higher Education Act

For all youth, but especially for young people with disabilities, higher education levels lead to independent living and greater opportunities for economic self-sufficiency. The Task Force urges the Administration to work for a robust reauthorization of the Higher Education Act with provisions supporting access to higher education for all students with disabilities, including a continuation of the expansion of postsecondary education programs for students with intellectual and developmental disabilities. The Teacher Quality Partnership Grant Program under Title II of HEA, which is critical to the preparation of effective teachers for high need students, including students with disabilities, should be reauthorized and fully funded.

Career and Technical Education

With its focus on skill development in specific career sectors at both the secondary and postsecondary levels, programs made possible by the Carl D. Perkins Act Career and Technical Education Act can create great opportunities for young people with disabilities, putting them on the course toward postsecondary employment success and economic self-sufficiency. Despite these potentials, students with disabilities are significantly underrepresented in CTE programs. There is a need for outreach to students and their families and active recruitment by faculty to ensure students with disabilities have the opportunity to enroll in these programs. The Task Force urges a reauthorization of the Perkins CTE Act that aggressively includes students with disabilities in both the secondary and postsecondary Perkins programs. The Education Task Force provided [recommendations](#) to improve the law to better serve students with disabilities.

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Employment & Training

Task Force Mission:

The CCD Employment and Training Task Force works on issues relevant to the employment of people with disabilities, particularly issues related to the programs and projects funded under the Rehabilitation Act of 1973, as amended.

The Task Force has also been working with on recent proposals regarding the Social Security Administration's efforts to facilitate the employment of individuals receiving Social Security benefits, and the employment and training programs administered by the Department of Labor.

The Employment & Training (E&T) Taskforce of CCD is committed to expanding opportunities for all Americans with disabilities in our workforce. People with disabilities want to be able to work and become taxpayers to achieve the American dream just like anyone else but face many barriers in getting and keeping employment. Unfortunately, only two out of ten adults with a disability are currently employed in the United States. The E&T Taskforce brings together leading experts and advocates to identify real solutions that will remove the social and structural barrier's toward achieving greater opportunity and upward mobility.

At the core, E&T focuses on a series of principles rooted in sound policy with high potential outcomes. These outcomes serve as guidance and recommendations for the federal government. The following outlines the E&T Taskforce principles for the new Administration:

- Support, defend, and enforce the Americans with Disabilities Act.
- Educate, encourage, and assist employers to hire people with disabilities.
- Make the federal government a model employer of people with disabilities.
- Guarantee that education and training systems respond to the post-secondary needs of all youth with disabilities.
- Ensure that the employment supports, workforce development and vocational rehabilitation systems work so that all people with disabilities have opportunities to achieve competitive, integrated employment (CIE).

- Recognize the value of and promote opportunities in self-employment and entrepreneurship for people with disabilities.
- Ensure access to health care so that people with disabilities can work and live in their communities.
- Remove systemic barriers to employment for people with disabilities who rely on Social Security disability benefits.
- Improve employment opportunities for veterans with disabilities.
- Safeguard affordable and accessible housing and local and inter-city transportation solutions for people with disabilities.

To actualize these principles, policies and programs should enable employers to understand the business case for inclusion of people with disabilities through positive images, objective assessments, workplace accommodation resources, as well as tax incentives to support diverse hiring. Vocational rehabilitation counselors and workforce center staff must be trained in how best to serve individuals with significant disabilities by keeping abreast with best practices. Furthermore, program infrastructures and supports must be built to phase out the issuance of subminimum wage certificates, increase opportunities for CIE and put in place safeguards to protect the interests of persons with disabilities affected by this shift. If these systems are in place, people with disabilities will have the opportunity to become taxpayers and be less dependent on government benefits to support them.

Our country is strongest when everyone has an equal and fair shot to work. It not only strengthens our economy but also reaffirms the fundamental values embraced throughout our Nation’s history: that any person who puts forth the effort has a chance to obtain economic independence in the pursuit of happiness. To this end, E&T urges the Trump Administration to work with the Task Force to fulfill the promise of the American Dream for every individual, regardless of his or her ability. The Task Force stands committed to lift up these principles and provide a realistic and responsible pathway toward fulfilling their underlying values.

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Financial Security

Task Force Mission:

The CCD Financial Security Taskforce works to promote responsible public policy aimed at increasing the financial security of all individuals with disabilities and their families.

People with disabilities and their families face unique economic challenges. In 2014, people with disabilities were more likely to be unbanked, unable to cover monthly expenses, and dependent on nonbanks for borrowing that further increased their debt according to research by the National Disability Institute. Moreover, one in three Americans with a disability lives in poverty and many have difficulty navigating federal disability programs. Asset limits in programs such as Medicaid and Supplemental Security Income (SSI) further constrain people's ability to save and plan for the future, causing them to fall further and further behind their fellow Americans.

The Consortium for Citizens with Disabilities Financial Security Task Force urges the Administration to consider the following priorities:

Strengthen and improve Supplemental Security Income

Many people with disabilities rely on Supplemental Security Income (SSI) and Medicaid as their sole source of income and access to health care. The asset limits in these programs have not been updated in many years, artificially restricting people's ability to save for necessary expenses. We support: substantially increasing the resource limit for SSI to at least the level it would have been had it been indexed for inflation since inception and annually indexing the SSI resource limit for inflation. Furthermore, we support extending continued Medicaid eligibility for SSI/Medicaid beneficiaries who earn their way into the Title II Disability Insurance program so that they may continue to have the supports necessary to work; and ensuring that SSI beneficiaries can participate in appropriate Individual Development Accounts, retirement plans (such as 401(k) accounts), and other similar accounts without jeopardizing their eligibility for SSI.

Significantly increase the age of onset of disability for participation in ABLE accounts

We strongly support passing the ABLE Age Adjustment Act. The limitation on eligibility based on age of onset of disability did not exist in the original legislation and was added at the end of the ABLE Act's eight-year legislative history with the understanding that Congress would act to restore the broader eligibility criteria. This concession resulted in otherwise-eligible individuals with disabilities being prevented from realizing the benefits associated with the ABLE Act, based solely on the age at which they became disabled. Moreover, many of those individuals who are now prevented from participating in ABLE programs due to the age of onset of their disability had devoted years of advocacy to pass the law.

Increasing the age of onset can be done several ways: in stages through separate pieces of legislation, through stages established in one piece of legislation, through a statutory formula, or through a combination of those. Possible approaches for consideration include establishing an automatic formula in law that starts with an immediate bump in age to 35 and an increase in “x” years of onset every “y” fiscal years or increasing the age of onset to age 46 (halfway to full retirement) upon enactment.

We also support several other improvements to the ABLE Act after or along with increasing the age of disability onset. These include passing the ABLE to Work Act and the ABLE Financial Planning Act. Other critical improvements would include allowing one-time lump sum deposits, increasing the annual cap on contributions, and allowing a rollover at death to a family member who is also an eligible individual.

Support other programs that enable people with disabilities to obtain financial independence

We support several programs that are aimed at helping people with disabilities work toward greater financial independence. This includes passing the Special Needs Trust Fairness Act, the Stop Taxing Death and Disability Act, and expanding the Earned Income Tax Credit (EITC) to more people with disabilities.

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Fiscal Policy

Task Force Mission:

The Fiscal Policy Task Force is responsible for monitoring, analyzing and responding to the federal budget and appropriations process. The Task Force develops budget and appropriations documents and plans strategy for information dissemination.

Federal fiscal policy is a primary tool used by Congress and the Administration to address critical societal issues. In the past several years, fiscal policy has been focused on addressing annual federal deficits and long term debt.

Reductions in both mandatory programs (including “entitlement” programs) and discretionary programs threaten our constituents. Medicaid, Medicare, Social Security, and Supplemental Security Income (SSI) – lifelines for people with disabilities - are mandatory programs that have been major targets to secure deficit reduction. However, discretionary programs (such as those for education, housing, employment, and transportation) have been the ones that have been cut the most. The process created by the Budget Control Act of 2011 has resulted in significant reductions to many discretionary programs through the imposition of automatic spending cuts (sequestration) and spending caps. Funding reductions have not been matched by revenue increases, with 80% of deficit reduction since 2011 coming from spending cuts alone.

Further, deviation from the traditional process used to fund the federal government (passing a budget resolution that sets annual revenue and spending limits and annual appropriations bills for discretionary programs) due to a Congress that is deeply divided over the role and size of the federal government has resulted in a series of continuing resolutions. This level-funding approach has not only eroded funding by not keeping pace with inflation, but has not allowed for adjustments between funding lines to reflect actual demand.

Federal fiscal policy can and should be used to decisively address the crises facing people with disabilities and their families. Therefore:

- The federal budget should be balanced without detriment to people with disabilities, for whom government services and supports are vital to their ability to remain healthy, employed, educated and independent in their communities. We urge the Administration to oppose a Constitutional balanced budget amendment and other proposals that would adversely affect funding for programs for people with disabilities.
- Any modifications in the budget process to entitlement programs on which people with disabilities depend for their health, long-term supports and income security as their lifeline, such as Medicaid, Medicare, Social Security, Supplemental Security Income and veterans’

disability compensation and pension benefits, must not result in reduced access to needed services either directly, through eligibility restrictions or benefit cuts, or indirectly, through inadequate provider reimbursement rates.

- Deficit reduction strategies must reflect a thoughtful, balanced approach and include all aspects of the federal budget including raising sufficient revenues to reduce the deficit and finance the federal government's role in providing essential supports and services for people with disabilities and their families. Any plan must include an analysis of how it will impact people with disabilities of all ages and other vulnerable populations.

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Health

Task Force Mission:

The CCD Health Task Force works on all the issues encompassed in the very broad term "health". Specific emphasis is placed on private health insurance; public programs such as Medicaid and Medicare; managed care, as well as quality assurance and consumer education and protections.

Americans with disabilities have diverse, complex health care needs that make access to appropriate, adequate, and affordable health care imperative to their ability to live full lives in the community. Medicaid, Medicare, the Children's Health Insurance Program and private health insurance all play critical roles in meeting the health care needs of people with disabilities. The Affordable Care Act (ACA) expanded access to coverage and needed protections to people with disabilities. Disabilities can be acquired at any stage of life, and the wide racial, ethnic and other demographic heterogeneity among persons with disabilities make availability and maintenance of a full range of comprehensive coverage options for people with disabilities critical to all Americans. Our nation's health programs should also thoughtfully address the intersection of people with disabilities and racial and ethnic groups, women, low-income populations, LGBT populations, and other underserved demographic groups. As a Trump Administration begins, the CCD Health Task Force urges it to consider the following priorities:

Protect Medicaid from drastic cuts and structural changes, such as efforts to block grant or cap the program, and push for a full Medicaid expansion. Medicaid provides health care services and long term services and supports that maintain the health, function, independence and well-being of 10 million enrollees living with disabilities and, often, their families. The program should not be block granted or placed under a per capita cap, but maintained and expanded. Unfortunately, millions of people with disabilities in states that have not chosen to expand Medicaid do not have access to these services. The Trump Administration should protect the gains made in covering uninsured people with disabilities in the states that expanded Medicaid and push to expand Medicaid in all 50 states. As more states incorporate disability services into managed Medicaid, the Administration should also carefully monitor state implementation of the updated federal Medicaid Managed Care rule to ensure that Medicaid beneficiaries benefit fully from the rule's protections.

Protect Medicare from drastic cuts and harmful structural changes and expand the Medicare benefit to include all necessary services. Millions of individuals with disabilities utilize Medicare to access the services and devices they need to remain healthy, functional, and live independently in their homes and communities. There are necessary changes that would help this crucial program better serve individuals with disabilities, including: elimination of Medicare's 2-year waiting period under which people with disabilities only qualify for Medicare coverage 24 months after receipt of Social Security Disability Insurance (SSDI) benefits; elimination of Medicare's "in the home" restriction for coverage of mobility devices (e.g., wheelchairs and scooters) for those with expected long-term needs; ensuring that those with complex rehabilitation needs don't fall through the cracks of the

competitive bidding and “wheelchair rental” processes; elimination of the outpatient therapy caps; and improving the benefit package, affordability, and the notice and appeals process to expedite coverage decisions

Continue the Children’s Health Insurance Program (CHIP) and ensure full implementation of the mandated Medicaid Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) program. For children with disabilities, CHIP and the Medicaid EPSDT mandate are crucial to ensure access to affordable and comprehensive health care coverage. These programs ensure access to early intervention services that place all children, including those with disabilities, on a trajectory for lifelong success. CHIP is scheduled to expire at the end of fiscal year 2017 and its renewal is critically important. The federal agencies should also take steps to ensure that the services guaranteed by the EPSDT mandate are being provided to all children in all states.

Maintain and build on the success of the Affordable Care Act. The ACA includes historic coverage expansions, nondiscrimination and health insurance reforms, strengthened prevention provisions, data and disparities measures, and numerous enhancements to Medicare and Medicaid and other innovative provisions that significantly benefit people with disabilities. The Trump Administration should ensure that the ACA is not further diminished through partial or full repeal and inadequate funding. Instead, the ACA should be improved by building additional transparency into the health plan selection process and ensuring that health plans provide an adequate network of providers, access to medical and other specialists, and home and community-based services required by many people with disabilities. The Health Task Force strongly supports proposals to strengthen the marketplaces and ensure that enrollees have plan choices that are affordable and will meet their needs.

Ensure that payment reform models address the needs of people with disabilities. The Obama Administration set ambitious goals for health system transformation and health care payment reform, including moving significant numbers of beneficiaries to alternative payment models by the end of 2018. We generally support these efforts to provide high quality care using new payment models, but such changes cannot compromise access to the services and supports people with disabilities need, such as the appropriate level and intensity of medical rehabilitation, durable medical equipment, prosthetic limbs and orthotic braces, and a host of other disability-specific services. Such reforms should focus on creating payment structures that promote long-term health over short-term savings including ensuring that people with disabilities have access to the services they need to live in the community. These alternative payment models should also build on the years of innovation in Medicaid to better serve people with disabilities, such as health homes and other integrated and coordinated service models, intensive community-based mental health services, supportive services for employment, and cutting-edge, person-centered planning processes. The affordability of health insurance, including detrimental cost-sharing requirements and high premiums should also be addressed in future reforms.

Support and enforce the Americans with Disabilities Act, the Affordable Care Act, and other health care access laws. There are many legal protections that help people with disabilities physically and programmatically access the health care they need. However, many of these legal mandates are not sufficiently enforced and continue to be misunderstood within the healthcare systems. There should be active enforcement of the Americans with Disabilities Act’s integration mandate; the non-

discrimination provisions of the ACA, Section 1557, Section 1302(b) (which pertains to nondiscriminatory plan and benefit design), and other ACA protections, including network adequacy, mental health parity, and rehabilitation and habilitation services and devices as an essential health benefit category.

Continue to collect disability data in all major health surveys and support expanded data collection efforts. Data is needed to support policy development to meet the needs of children and adults with disabilities. The National Health Interview Survey (NHIS) and the American Community Survey should maintain the current set of disability questions and the federal government should collect or conduct analyses to ensure more robust data about people with disabilities.

Invest in prevention and public health. The Prevention and Public Health Fund is designed to increase the national investment in prevention and public health, improve health, and enhance the quality of health care. These goals are important for all populations that experience significant health disparities, including people with disabilities, and cannot be accomplished without thoughtfully addressing the intersection of people with disabilities and racial and ethnic groups, women, low-income populations, LGBT populations, and other underserved demographic groups.

Support and empower the Administration for Community Living. The Administration for Community Living (ACL) provides vital programmatic and policy support to millions of Americans living with disabilities. ACL should be continued and strengthened by appointing an Administrator with strong disability experience and strengthening ACL's role within the administration to ensure that all federal health care programs consider the needs of people with disabilities.

Develop and implement person-centered quality measures. The Task Force urges the Trump Administration to continue the development and implementation of goal directed, person-centered quality measurement including participant-directed services and supports and beneficiary reported experiences – the final report for the National Quality Forum's (NQF) Measuring Home and Community-Based Services Quality project provides an excellent starting point for developing measures that can guide regulators, program administrators, funders, measure developers and managed care organizations.

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Housing

Task Force Mission:

The CCD Housing Task Force works with Congress and the Department of Housing and Urban Development (HUD) to increase access to decent, safe and affordable housing for all people with disabilities and to protect the rights guaranteed under the Fair Housing Act.

The CCD Housing Task Force also works collaboratively with the Technical Assistance Collaborative (TAC) to produce *Priced Out*, a study of the severe housing affordability problems of people with disabilities.

Everyone wants to be part of their community life. This goal is shared by people with disabilities and their families. A home of one's own – either rented or owned – is the cornerstone of independence for most Americans, including people with disabilities. However, people with disabilities across the nation have historically faced a severe crisis in the availability of decent, safe, affordable, and accessible housing. Today many still live in large congregate facilities or other inappropriate, costly places like institutions or nursing homes. For people who use wheelchairs or other mobility devices, finding housing with even basic accessibility features (e.g. an entrance with no steps) ranges from daunting to impossible.

According to [*Priced Out in 2014*](#), the 4.9 million non-elderly, non-institutionalized Americans with disabilities who rely on monthly Supplemental Security Income (SSI) averaging \$750 for their basic needs would be required to pay up to 104 percent of their SSI benefit if they wanted to rent a modest one-bedroom unit. This finding confirms that, in 2014, it was virtually impossible for an adult receiving SSI to obtain decent and safe housing in the community without some type of rental assistance.

It is not only affordability that keeps people with disabilities from finding housing in the community. Other major problems include the ongoing construction of housing that does not comply with the accessibility requirements of the Fair Housing Amendments Act or other critical civil rights laws. Another issue related to ineffective implementation of fair housing laws is the continuing unavailability of reasonable accommodations.

All of these issues come together as a perfect storm to stymie the efforts of people with disabilities to live as independently as possible in the community and also thwart nationwide efforts to close down totally inappropriate institutions and allow people to live where they want to -- and where they should live – in their home communities.

The CCD Housing Task Force urges the Trump Administration to consider the following priorities:

- Support effective Department of Housing and Urban Development (HUD) and Department of Justice (DOJ) implementation and vigorous enforcement of all fair housing and civil rights laws. This includes the Fair Housing Amendments Act, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act. Issues of importance include basic non-discrimination, accessibility, and reasonable accommodations, and well as intervening/filing amicus briefs when necessary to ensure fair housing rights.
- Support full implementation of HUD's Affirmatively Furthering Fair Housing rule and oppose efforts to block or roll back implementation and enforcement of the rule.
- Support increased funding to allow full implementation of the Frank Melville Supportive Housing Investment Act of 2010. This bipartisan legislation modernized the Section 811 Supportive Housing for Persons with Disabilities program, most notably by authorizing the innovative, cost-effective Project Rental Assistance (PRA) program. The PRA program aligns Section 811 with trends in federal disability policy by creating integrated permanent supportive housing paired with voluntary supports and services. After two rounds of funding, the PRA program's success is already evident: nearly 3 in 5 states are rolling out the new model and will create a projected 7,500 units nationwide. Unfortunately, faced with significant pressures on T-HUD appropriations, Congress has failed to fund any new PRA units for the last two years. New investments of at least \$100 million annually are needed to sustain the PRA program's momentum to meet the urgent need for integrated, affordable housing for people with disabilities. HUD must also be mindful of the annual incremental increases in the cost of renewing the Project-based Rental Assistance Contracts (PRACs) associated with the existing 30,000+ units of permanent supportive housing associated with the 811 capital advance program. Failure to adequately fund 811 PRAC renewals would place current lease compliant tenants in these properties at grave risk of losing their housing.
- Ensure full and effective implementation of the National Housing Trust Fund as authorized in the Housing and Economic Recovery Act of 2008. The Trump Administration must ensure that Fannie Mae and Freddie Mac continue to contribute to the Trust Fund, and the Administration and Congress should work together to identify additional dedicated funding streams, including through mortgage interest deduction reform.
- Support continuation of the HUD Disability Task Force. The current Task Force, which has been chaired by the Assistant Secretary for Fair Housing and Equal Opportunity, has brought together key HUD staff and disability advocates and has been effective.
- Promote effective and accurate gathering and dissemination of data on the housing needs of people with disabilities through Census surveys and by requiring states, communities, public housing agencies (PHAs), and tax-credit developers to document the needs of people with disabilities in applications for federal housing funds and in reports to HUD.

- Support implementation the McKinney-Vento Homeless Assistance Act with a continued emphasis on the development of permanent housing for individuals with disabilities experiencing chronic homelessness. Oppose expansion of the McKinney-Vento definition of homelessness to the Department of Education's definition.
- Support increased funding for Section 8 Housing Choice Vouchers targeted to non-elderly individuals with disabilities.
- Support implementation of the Housing Opportunities Through Modernization Act of 2016 (HOTMA) to ensure that changes under the new law maximize opportunities for people with disabilities to secure affordable, accessible housing in the community.
- Monitor and insist on accountability for the effectiveness of housing programs administered by HUD, the Department of Agriculture, and the Department of Veterans Affairs, in addressing the needs of people with disabilities.
- Remove barriers and promote access to affordable, accessible housing for people with disabilities who have been involved in the criminal or juvenile justice systems

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Long-Term Services and Supports

Task Force Mission:

The Task Force on Long Term Services and Supports addresses the issues concerning non-acute health, community living, employment supports, recreational assistance, and other supports that enable individuals with disabilities of all ages to be independent and productive members of the community. We take an expansive view of long term supports, defining Personal Assistance as "One or more persons or devices that help an individual with a disability to perform everyday tasks that they would otherwise perform for themselves if they were not disabled."

Long-term services and supports (LTSS) – sometimes known as long-term care – encompass a broad range of medical care and assistance with activities of daily living for people with disabilities and older adults. The vast majority of people receiving LTSS in the U.S. prefer to receive care in the community rather than in institutions like nursing homes. Community-based LTSS, known as home and community-based services (HCBS), are a cost-effective alternative to institutional care and lead to improved outcomes. HCBS assists people with disabilities to live and work in the community, helps families care for their children with disabilities or aging parents, and allows seniors to age in place. Much of HCBS is provided by family and other caregivers, saving money for states and the federal government while allowing loved ones to remain at home.

Medicaid

Medicaid is the nation's largest public funder of LTSS for people with disabilities and older adults. Medicaid is a funding partnership where costs are shared between states and the federal government. States have flexibility in designing their Medicaid program to meet the needs and priorities of their communities. There are many optional services and programs and options for innovation.

Millions of individuals with disabilities and seniors rely on Medicaid for indispensable LTSS they could not otherwise afford. Medicaid's current financing structure is essential to ensure that states have the resources to continue to meet this crucial need. The Task Force strongly opposes block grants and per-capita-caps that would push costs onto the states and would result in drastic cuts to most disability and aging services. Medicaid is already a cost-effective and lean program, and further cuts will result in people with disabilities and seniors being forced into expensive institutions and increased use of emergency rooms at states' expense.

Home and Community-Based Services (HCBS)

The disability and aging communities have worked with states and the federal government for decades to develop states' Medicaid-funded HCBS systems to meet the growing demand of people with disabilities and seniors who want to receive services in their communities. HCBS is a cost-effective alternative to costly institutional placement and supports individuals with disabilities' right to participate fully in their communities, including by providing significant employment supports to help people get and keep jobs and participate in the economy. Full and equal access to HCBS for all people with disabilities is a top priority for the Task Force. The Task Force supports the continuation of Medicaid options that allow states to use existing innovation and rebalance resources from expensive institutional care into cost-effective community services, like the Money Follows the Person Program, Community First Choice, and the Balancing Incentive Program.

The Task Force also strongly supports the HCBS settings rule that was finalized in January of 2014. This rule creates accountability for Medicaid-funded HCBS service systems, focuses on improving quality and outcomes for HCBS, and ensures that HCBS offers opportunities to people with disabilities and seniors for full inclusion in the community. The Task Force would welcome the opportunity to work with the Administration on implementation of the rule.

Develop and implement person-centered quality measures

The Task Force urges the Trump Administration to continue the development and implementation of goal directed, person-centered quality measurement including participant-directed services and supports and beneficiary reported experiences – the final report for the National Quality Forum's (NQF) Measuring Home and Community-Based Services Quality project provides an excellent starting point for developing measures that can guide regulators, program administrators, funders, measure developers and managed care organizations.

Administration for Community Living

The Administration for Community Living (ACL) provides vital programmatic and policy support to the millions of Americans living with disabilities. The CCD LTTS Task Force encourages the Trump Administration to appoint an Administrator with strong disability expertise and to strengthen ACL's role within the Administration to ensure that all federal programs consider the needs of people with disabilities.

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Rights

Task Force Mission:

The CCD Rights Task Force focuses on advancing the civil rights and protections of people with disabilities and the enforcement of these rights by federal agencies. This includes, among other things, the protections of the Americans with Disabilities Act (ADA), Sections 501, 503 and 504 of the Rehabilitation Act, the Fair Housing Amendments Act, and the Individuals with Disabilities Education Act (IDEA).

The priorities of the Rights Task Force include promoting self-determination, independence, equality of opportunity, and the full integration and inclusion of children and adults with disabilities into all aspects of society. Ensuring that people with disabilities have access to legal representation to protect their rights is also critical. The federally mandated Protection and Advocacy (P&A) Systems and the Client Assistance Program (CAP) network are the largest providers of legal advocacy services to people with disabilities in the United States and must be preserved.

The Americans with Disabilities Act:

The Americans with Disabilities Act (ADA) is the most comprehensive civil rights law protecting people with disabilities. The ADA states that “the Nation’s proper goals regarding individuals with disabilities are to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for such individuals.” Consistent with those goals, the ADA’s protections play a critical role in creating opportunities for people with disabilities to participate fully in the mainstream of American life, including living and receiving services in their own homes rather than in institutional settings; working in competitive, integrated employment; receiving equal educational opportunities; participating equally in all public services, programs and activities; using public transportation; using places of public accommodation, including websites; voting; parenting; and engaging in many other activities.

The federal government plays an important role in enforcing the ADA, and the Justice Department as well as the civil rights offices within other agencies must engage in active enforcement to advance the rights of individuals with disabilities to be full and equal participants in society.

The Rights Task Force will actively oppose administrative and/or legislative efforts to limit the ability of people with disabilities to enforce the ADA’s protections. Similarly, the Task Force will oppose efforts to limit the role of Protection and Advocacy agencies in enforcing the ADA.

The Rehabilitation Act of 1973:

Section 504 of the Rehabilitation Act largely mirrors the ADA, and applies to federal executive branch agencies and recipients of federal financial assistance. In addition, other parts of the Rehabilitation Act require affirmative measures to employ people with disabilities – by the federal government and by large federal contractors. The federal government plays a key role in implementing and enforcing these obligations, which are critical to improving the employment rates for people with disabilities. Currently, the employment rate for people with disabilities is less than half of that for people without disabilities.

The Rights Task Force supports the continued vigorous enforcement of the Rehabilitation Act and its implementing regulations.

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Social Security

Task Force Mission:

The CCD Social Security Task Force focuses on disability policy issues in the Title II disability programs and the Title XVI Supplemental Security Income (SSI) program. The SSI and Title II cash benefits, along with the related Medicaid and Medicare benefits, are the means of survival for millions of individuals with severe disabilities. They rely on SSA to promptly and fairly adjudicate their applications for disability benefits and to handle many other actions critical to their well-being. The Social Security Task Force's policy agenda focuses on:

- Ensuring that the impact on people with disabilities is considered and their interests are protected in Social Security and SSI policy debates.
- Advocating that SSA's administrative budget be adequately funded so that SSA has sufficient resources for personnel and service needs.
- Monitoring proposed changes to the disability claims process.
- Advocating for legislation, regulations, and policy changes to improve, simplify, and update the Social Security and SSI disability programs, including work incentives.
- Maximizing employment opportunities for current and future disability beneficiaries while also doing no harm to existing critical income supports.

Social Security disability and Supplemental Security Income (SSI) cash benefits, along with the related Medicaid and Medicare benefits, are the means of survival for millions of people with severe disabilities. These are programs of last resort with extremely strict eligibility rules, but they allow people with the most significant impairments to live an independent life with a measure of economic security. They rely on the Social Security Administration (SSA) to promptly and fairly adjudicate their applications for disability benefits. They also rely on the agency to handle many other actions critical to their well-being including: timely payment of the monthly benefits to which they are entitled; accurate withholding of Medicare Parts B and D premiums; and timely determinations on post-entitlement issues that may arise, e.g., overpayments, income issues, and prompt recording of earnings.

Why are Social Security and SSI benefits so important to individuals with disabilities?

- **Millions of families face disability.** About 3 in 10 men and 1 in 4 women will experience a qualifying disability before reaching full retirement age, and 1.2 million children receive SSI childhood disability benefits.
- **Our Social Security system provides essential wage insurance.** Workers and their employers pay for Social Security through payroll taxes, and in return are insured for qualifying disabilities, retirement, and death. Benefits are paid not only to the wage-earner, but also to dependents:

roughly 6.5 million children receive Social Security or live in a household where someone does. Social Security benefits are modest, but play an important role in reducing poverty among people with disabilities and their families.

- **The Social Security and SSI disability programs include important incentives designed by Congress to help beneficiaries attempt to work.** These work incentives allow beneficiaries to explore work without immediate loss of Social Security, SSI, Medicare or Medicaid benefits.

The most significant problem facing SSA is the persistent under-funding of the agency's administrative budget, which has been cut by 10 percent since fiscal year 2010. Access to key services across SSA has diminished. Most notably, people with disabilities suffer hardships as the disability claims hearing backlog has reached record levels, with over 1.1 million people waiting an average of over 580 days for a hearing before an Administrative Law Judge. Behind the numbers are individuals with disabilities whose lives have unraveled while waiting for decisions – families are torn apart; homes are lost; medical conditions deteriorate; financial security crumbles; and many individuals die. Access to other key services, such as replacing a lost check or promptly recording earnings, has also diminished. Staffing levels throughout the agency are inadequate and likely to become more so if the agency remains under a hiring freeze. The situation will deteriorate even more without adequate appropriations.

In addition, while much has been done to improve policies to encourage work, there remain many areas in Social Security's programs where change is needed to remove barriers to work and to support people with disabilities who work or attempt work. Beneficiaries should receive every support and encouragement to work. Instead they often face the loss of benefits for their efforts in the current system, long before they have demonstrated ability for long-term survival without them.

The CCD Social Security Task Force urges the Trump Administration to consider the following priorities:

- Ensure that SSA has sufficient funding to make disability decisions in a timely manner and to carry out other critical workloads. SSA must have adequate funds for its administrative expenses to make significant strides in reducing the disability claims backlog, improve other services to the public, and conduct its program integrity activities. SSA's administrative budget authority should be separated from the Section 302(a) and (b) allocations for discretionary spending in other important programs. The budget would still be subject to the annual appropriations process and congressional oversight.
- Oppose proposals to cut Social Security or SSI benefits, to restrict eligibility, to narrow who is insured for Social Security, or to privatize, block grant or otherwise alter the basic structure of these essential systems. Any cuts or changes to the structure of these systems could have devastating effects on people with disabilities and their families for whom these programs provide an economic lifeline. The CCD Social Security Task Force has actively opposed benefit reduction proposals, including cuts to [concurrent Social Security disability and Unemployment Insurance benefits](#), the [CUFF Act](#), the "chained" Consumer Price Index, and raising the retirement age.

- Update key aspects of the SSI program, such as asset limits and income disregards, which have not been adjusted for inflation in many decades, leaving some of our country's most vulnerable citizens deeper in poverty today than they were when SSI was signed into law in 1972.
- Develop proposals to promote employment among beneficiaries and improve work incentives. However, any proposals should not make changes that would damage the economic security of Social Security and SSI disability beneficiaries. The CCD Social Security Task Force has developed a set of [principles](#) to guide the development of proposals and has made numerous recommendations, most recently summarized in [written testimony](#) submitted to the House Committee on Ways and Means. The Task Force has also developed [overarching principles](#) that include: no changes to the Social Security definition of disability; no work requirements or time limits in the Social Security and SSI disability programs; and no cutbacks to eligibility criteria for these programs.
- Ensure that any proposed changes to the disability claims process protect the rights and interests of people with disabilities and do not prioritize speed of adjudication at the expense of accuracy of decision-making. The disability determination process must remain non-adversarial. The CCD Social Security Task Force has numerous [recommendations](#) for improving the disability claims process for people with disabilities and many have already been initiated by SSA.
- Guarantee, if the debate on the solvency of the Social Security Trust Funds is revived, that the impact on people with disabilities is considered and that their interests are protected. CCD supports using modest premium contribution adjustments, rather than benefit cuts, to achieve long-term solvency and has urged that consideration of any proposal be required to include a beneficiary impact statement.

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Technology and Telecommunications

Task Force Mission:

The CCD Telecommunications and Technology Task Force deals with issues related to access to telecommunications and assistive technology in education, employment, and independent living.

Technology plays a significant and ever expanding role in everyday American life. Hardware and software technological innovations have allowed American society to access unprecedented opportunities, whether through the latest innovative mobility product or the vast gateway of the internet. As more of American civic and economic life is served online and through technological means, the broad mandate of the Americans with Disabilities Act (ADA) to provide an equal, effective, and meaningful opportunity for individuals with disabilities to participate in and benefit from all aspects of society becomes ever more important.

Technological solutions can offer people with disabilities the opportunity to more fully engage in society. Assistive technology, including devices and adaptations ranging from mobility devices, such as wheelchairs, to hardware and software solutions, facilitates functions and activities of daily living that might otherwise be difficult or impossible for individuals with disabilities. These important devices and adaptations can increase an individual's ability to access information and participate in their communities. While much progress has been made through technology to improve the inclusion in society of individuals with disabilities, accessibility challenges remain at all levels of society, including within technology and telecommunications media.

Numerous statutes that include technology provisions for people with disabilities have not been fully appropriated or implemented, or need revision and updating in light of new technologies or medical coding practices. To address these important issues, *the Task Force urges the Administration to act upon the following priorities within the categories of Assistive Technology, Federal Standards Regarding Information & Communication Technology, Complex Rehabilitation Technology & Therapies, and Education Standards.*

Assistive Technology

- Reauthorize the Assistive Technology (AT) Act and fully fund State AT Programs at \$38 million to offer quality services in the states and territories including:
 - Equipment loan, reuse, financing and other supports that enable people with disabilities to acquire AT as needed even during times of emergency.
 - Equipment demonstration and training to raise awareness of and ability to select and use AT to enable people with disabilities to participate fully in education, employment and community living.

- Ensure that the AT provisions in enacted legislation are fully implemented to the growing and expanding aging and disability populations the Act was meant to serve.
- Support additional federal investment in assistive technology and research and development activities.

Federal Rules Regarding Information & Communication Technology

- Issue the final revised standards and functional performance criteria included in Section 508 of the Rehabilitation Act that serve as a national standard for both government and industry.
- Issue final regulations implementing Title II and III of the ADA regarding Web accessibility. Ensure Department of Justice regulations account for effective communication needs, accessibility of both fixed and free-standing equipment by covered entities, and the accessibility and usability of Internet-only public accommodations (i.e., banks, retailers and other commercial concerns operating exclusively on-line) in the implementing regulations for the ADA.
- Support adequate appropriations to develop secure voting systems that are accessible to and usable by people with disabilities, as required by the Help America Vote Act (HAVA) to ensure full civic participation by people with disabilities.

Complex Rehabilitation Technology & Therapies

- Develop a new benefit category for complex rehabilitation technology that recognizes and reimburses for the skilled professional services provided by the rehabilitation technology supplier.
- Address barriers to accessing therapy services for required seating and mobility evaluations caused by home health consolidated billing and by lack of coverage codes for clinicians providing services.
- Conduct re-evaluation of complex rehabilitation codes and reimbursements for wheelchair accessories to ensure better product and service delivery.

Education Standards

- Ensure all websites affiliated with State Education Agencies (SEAs) and Local Education Agencies (LEAs) are fully accessible and conform to a set of national accessibility standards, such as WCAG 2.0 AA.
- Issue guidance that ensures effective and meaningful opportunity for students with disabilities to participate in assessments consistent with guidance issued by the Department of Justice regarding testing accommodations.

- Ensure that all educational assessments are accessible and properly assess students' abilities, and not their abilities to utilize assistive technology, and that all assessments conform to a set of nationally accepted accessibility standards such as WCAG 2.0 AA.

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Transportation

Task Force Mission:

The CCD Transportation Task Force advances the rights of individuals with disabilities in the area of transportation.

Transportation Task Force supports adequate funding for the federal formula grant programs that support transit accessibility for people with disabilities. Specifically, the Section 5310 formula grant program that provides services to promote the mobility and independence of people with disabilities.

The Task Force also supports continued funding for enhanced transit, which also allows many people with disabilities to be mobile and maintain their independence. Although all public transit programs are important, programs supporting rural and small communities are greatly needed to allow access to public transit for people with disabilities in rural areas. Other capital grants and Federal Transit Administration (FTA) programs allow local governments, many of whom are facing continuing budgetary challenges, to continue to provide public transit and paratransit services for people with disabilities.

Strong technical assistance support is needed to make all these critical systems work for people with disabilities. The Task Force supports continued funding for targeted technical assistance and training activities. The funding level for the Standards Development and Technical Assistance program that funds these important activities should be funded at the \$9 million included in the FAST Act

The Task Force supports continued efforts to assure that the emerging transportation network companies (TNC) are incentivized and required to provide equal access for riders with disabilities. This is particularly true as TNCs begin to get contracts from localities to provide paratransit and other services. Training and support for better customer service for people with disabilities are necessary as well as strategies to increase the number of wheelchair accessible vehicles that are part of these networks.

Disability advocates and Amtrak continue to work together to try to drive improvements to access to rail travel for people with disabilities. Amtrak needs both adequate funding and sufficient oversight to assure that they finally come into compliance with the Americans with Disabilities Act.

The Task Force is concerned with Safety and Emergency Management on all public transportation but in particular on the US train systems. There have been several horrible and fatal train accidents over the past few years on Amtrak and local trains systems in multiple states. It has come to our attention that there is a lack of emergency management planning for the safe removal and/or first aid care for persons with disabilities. The Task Force has concerns with the lack of preparation and plans for providing services for the Deaf or Hard of hearing passengers, persons with mobility disabilities as

well all disabilities during and after an incident. There is little to no training of first responders and their ability to work with persons with disabilities at these accidents.

The Task Force encourages the Trump Administration to develop plans for addressing the community of persons with disabilities and for training all personnel about working with this community during these types of emergencies on all forms of public transportation.

Bike Sharing:

The Task Force has concerns with the fact that most of the US Bike sharing programs are not accessible for all. Bike sharing is an innovative transportation program, ideal for short distance point-to-point trips providing users the ability to pick up a bicycle at any self-serve bike-station and return it to any other bike station located within the system's service area. These programs are usually funded either partially or completely by public funds and they exclude people with disabilities. This is in violation of Title II of the Americans with Disabilities Act (ADA). These programs could provide tricycles and/or hand bikes at the stations that could be rented by persons with disabilities.

Thousands of people with disabilities who are cyclists would like to use these programs but currently are excluded. Bike lanes that are being created across the country, also using public funds, are likewise not accessible for the bikes used by persons with disabilities. The lanes are not wide enough for the tricycles and hand bikes used by this community. So when they go to a city with bike lanes that are set up for the safety of cyclists they are left out of using these lanes and cycling safely. The Task Force encourages the Administration to make both of these programs more inclusive of persons with disabilities.

Automation of Vehicles:

Self-Driving Vehicles/ Artificial Intelligence (AI) are the future of some transportation programs. The Task Force has been involved in conversations with manufacturers, computer systems organizations, and (DOT) about the future of automated vehicles and provided groups of advocates in the states who attended round table conversations with DOT officials to discuss concerns and the process for this new form of transportation. The Task Force has worked closely with the current DOT staff in National Highway Traffic Safety Administration (NHTSA) about the future of these vehicles and forthcoming regulatory programs. The Task Force urges the Trump Administration to prioritize the focus elements set forth in this work which are: Operational guidance, model state policy, analysis of current NHTSA authorities and new tools and future authorities needed for deployment.

Although Automated Vehicles and Self Driving Cars present a significant opportunity to enhance mobility, the Task Force has concerns around safety, cultural change, and ensuring equity and access throughout the process of implementing them into US transportation. The Task Force would welcome the opportunity to continue this process of working together with all to ensure that the opportunity to enhance mobility is realized.

Travel by Air Carrier:

The Task Force urges the Trump Administration to ensure that the Transportation Security Administration (TSA) within the Department of Homeland Security (DHS), works with disability advocacy groups to improve TSA's policies, procedures and the provision of reasonable accommodations, regarding airport screening that respect the rights and dignity of people with disabilities and expand training of all airport security personnel to follow those policies and procedures.

Finally, the work at the Department of Transportation to develop improved guidance on compliance with the Air Carriers Access Act is critical. Guidance and oversight need to be in place to assure that people with disabilities can travel by air without incurring damage to their valuable and necessary equipment, being subject to unnecessary barriers to traveling with their service animals, being denied access to lavatories, and being excluded from accessing in-flight entertainment and safety information due to a lack of captioning.

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Veterans and Military Families

Task Force Mission:

The CCD Veterans and Military Families Task Force advocates for policies and follows issues of concern to veterans with disabilities and military family members with disabilities

The purpose of CCD's Veterans Task Force is to illuminate the issues and influence legislation and policies affecting veterans with disabilities.

Increase Employment Opportunities and Supports for Veterans with Disabilities

Veterans with disabilities can and do contribute to our nation as strong and productive employees within the public and private sectors. However, veterans with service-connected disabilities are less likely to participate in the labor market than veterans and individuals without disabilities. The Trump Administration can improve the employment picture of veterans with disabilities by enhancing military to civilian transition programs, encouraging federal contractor hiring of veterans with disabilities through existing laws and executive orders, and submitting annual federal budgets that invest in job training and supports for veterans with disabilities available through America's public workforce system.

Ensure High Quality Health Care for Veterans with Disabilities Inside a Strong VA System and Throughout the Nation's Health Infrastructure

The health care needs of veterans with disabilities require a strong, reliable Department of Veterans Affairs (VA) health care system as well as connections to public and private programs. The holistic system of care and specialized services that the VA offers is essential for veterans with disabilities, regardless of whether or not their disabilities are related to their military service. The Administration must maintain the integrity of the VA system and invest in VA infrastructure, research, and health care programs, including those that provide specialized access to community-based care and supports.

Improve Access to the Supports That Allow Veterans with Disabilities to Successfully Reintegrate into Their Families and Communities

Health care, employment opportunities, transportation, and housing are all vital to a successful return to home and family for veterans with disabilities. The Trump Administration can ensure federal military-to-civilian transition programs are available and address the needs of veterans with disabilities by supporting tax credits for housing

adaptations and investing in affordable housing, transportation services, and public-private partnerships, such as the Homeless Veterans' Reintegration Program.

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