



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

November 29, 2017

Dear Senator:

The undersigned members of the Consortium for Citizens with Disabilities (CCD) write to strongly oppose the Tax Cuts and Jobs Act as passed out of the Senate Finance and Budget Committees. 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.

The Tax Cuts and Jobs Act is a dangerous proposal that will significantly reduce federal revenue. With federal revenues decreasing by more than a trillion dollars over the next ten years, there is little doubt that pressure will build to deeply cut crucial programs for people with disabilities, like Medicaid and Medicare. We cannot support a bill that places those programs in jeopardy.

CCD released [principles](#) earlier this year to guide the consideration of any significant changes to the tax code.¹ Unfortunately, the Senate tax plan violates virtually all of CCD's principles, including:

Process: We are disappointed the sponsors of this bill have not pursued a transparent bipartisan process. Leadership decided to vote the bill out of Committee and move forward to consideration on the floor without legislative language or a full score from the nonpartisan Congressional Budget Office. The Finance Committee held no hearings on the legislation, which prevents a full vetting of the potential consequences of this substantial change to our revenue structure and contravenes the tradition of thoughtful debate and deliberation in the Senate. Given the significant complexity of the issues and the numbers of people affected, this opaque and rushed process increases the chances of unintended consequences and negative policy outcomes.

Paying for Tax Reform: As discussed above, the massive loss of federal revenue proposed in this bill endangers federal programs that promote health, independence, inclusion, and community living for people with disabilities, including Medicaid, Medicare, and Social Security. But people with disabilities are not merely passive recipients of these supports. Rather, they leverage these supports to work, run businesses, contribute to their families and communities, and, ultimately, pay taxes themselves. In short, these programs, along with supports such as housing and transportation, enable people with disabilities to actively participate as valued community members. Changes in the tax code should not undercut these goals by jeopardizing critical supports.

¹ See <https://c-c-d.org/fichiers/CCD-Principles-and-Recommendations-for-Tax-Reform.pdf>.

Impact on Health Care: The Senate version of the Tax Cuts and Jobs Act also proposes to offset tax cuts by repealing the individual mandate that requires all Americans take personal responsibility for their health care by maintaining health insurance or paying a penalty. We strongly oppose the Senate bill's proposal to nullify this key component of the Affordable Care Act that forms part of a carefully balanced incentive structure. Having some mechanism like the individual mandate to encourage everyone to maintain coverage makes feasible other ACA consumer protections, like preventing insurers from charging more for people with pre-existing conditions and banning annual and lifetime limits on benefits. The mandate, the consumer protections, and federal subsidies to purchase insurance combine to make coverage and care accessible and affordable across the country and across the income spectrum, including for people with disabilities.

The Congressional Budget Office projects that repealing the mandate would increase premiums 10% above current projections, leaving many people unable to pay for coverage. It would further destabilize the individual market and could lead insurers to abandon the individual market altogether. CBO estimates that 13 million Americans would become uninsured over the next ten years. This would reduce access to cost-effective preventative care and essential health benefits, increase the risk of catastrophic medical debt, and boost uncompensated care costs for the health care system and tax payers. People with disabilities and other chronic conditions who cannot go without healthcare would face much higher out-of-pocket costs. Many would face increased risk of institutionalization due to reduced access to care.

We generally support the bipartisan individual market reform package introduced by Senators Lamar Alexander and Patty Murray to help stabilize the individual market. However, the Alexander-Murray bill is designed to stabilize a market *with* an individual mandate and will not stem the coverage losses or prevent the premium increases created by repeal of the mandate. The destabilization resulting from the repeal of the individual mandate would overwhelm any benefit from the Alexander-Murray bill.

In addition, the Senate tax plan cannot be considered in a vacuum. The House version of the tax plan repeals tax provisions vitally important to people with disabilities, such as the medical expense deduction and other provisions mentioned in our principles for tax reform. Since the Senate and House must reconcile their bills, these provisions remain on the table.

Impact on People with Disabilities: Having a disability or a family member with a disability is strongly associated with significant financial hardships and economic challenges. More specifically, people with disabilities are twice as likely to experience poverty, and people with low-incomes are more likely to have personal or family experience with disability. Certain groups – including African Americans, Native Americans, women, seniors, and veterans – are even more likely to experience both disability and poverty.

The nonpartisan Joint Committee on Taxation shows that taxes on American families earning \$10,000 to \$75,000 would actually increase by 2027, while tax revenue from corporations, estate taxes, and individuals with high incomes would decline substantially. These tax increases on low-income Americans will disproportionately impact people with disabilities, who are overrepresented in those income categories.

The Senate tax plan would jeopardize the fundamental promise of equal opportunity made to Americans with disabilities and leave millions of Americans uninsured. We oppose this bill because the loss of key revenue sources would inevitably increase pressure to cut programs like Medicaid and Medicare that people with disabilities rely on to live and work in their communities. We urge you to reject this tax bill and work on bipartisan solutions that will address our nation's priorities without harming people with disabilities and chronic conditions.

Sincerely,

American Association of People with Disabilities
American Network of Community Options and Resources
American Physical Therapy Association
Association of People Supporting Employment First
Autistic Self Advocacy Network
Bazelon Center for Mental Health Law
Brain Injury Association of America
Center for Public Representation
Christopher & Dana Reeve Foundation
Community Legal Services of Philadelphia
Justice in Aging
National Association of State Directors of Special Education
National Association of Councils on Developmental Disabilities
National Down Syndrome Congress
National Health Law Program
National Multiple Sclerosis Society
National Organization of Social Security Claimants' Representatives
National Respite Coalition
Parent to Parent USA
SourceAmerica
The Advocacy Institute
The Arc of the United States
United Spinal Association