



CCD Social Security Task Force Report January 2009

ISSUES/ACTIVITIES IN 2008

The Social Security Task Force continued its work on the Social Security and the Supplemental Security Income programs on behalf of people with disabilities. To prepare for the new Obama Administration, Task Force co-chairs met with one of the SSA Team Leaders, Susan Daniels, in December 2008.

Areas of focus during 2008 included the following:

- **Meeting and working with the Commissioner of Social Security.**

The Task Force met with the Commissioner and his staff on a number of occasions throughout the year (some meetings described below) regarding issues of concern for individuals who are applying for benefits and who are beneficiaries.

- **Advocating that SSA has adequate resources for its administrative budget.**

A major issue in 2008 continued to be the backlog and extreme delays in the disability claims process and deterioration of other critical services, primarily caused by the under-funding of SSA for many years. Significant efforts were taken to ensure that SSA received adequate funding for its FY 2009 administrative budget. Several Congressional hearings in the House and Senate highlighted the problem. During 2008, the Task Force was invited to testify on several occasions before the House Ways and Means Committee and its Social Security Subcommittee and, for the first time, before the relevant House Appropriations Subcommittee. The Task Force was involved in sending letters to the House and Senate Budget and Appropriations Committees throughout the year and we worked closely with other stakeholder organizations and Congressional staff to advocate that SSA receive adequate funding. We also submitted comments regarding legislation that would add new workloads on SSA without providing additional appropriations. Efforts have already started for the SSA FY 2010 budget as the Task Force was involved in a September 2008 meeting with OMB.

- **Ensuring that proposed changes to the disability claims process protect the rights and interests of people with disabilities.**

The Task Force submitted extensive comments regarding our serious concerns with proposed changes published in October 2007. In light of the hundreds of

public comments and Congressional comments critical of most of the proposed changes, the Commissioner announced in January 2008 that he would suspend further rulemaking on the more controversial provisions. In February 2008, the Task Force and other advocates met with the Commissioner and key members of his staff to review the proposed changes for areas of agreement. The Task Force also met with key SSA staff about our concerns regarding an agency proposal to expedite medical records requests. We also submitted comments to a September 2007 proposed rule regarding the representation of parties. The Task Force has developed a number of suggestions to improve the process, including better development of evidence at the beginning of the process.

- **Monitoring proposals to promote employment and advocating to improve disability work incentives.**

The Statement of Principles and Recommendations, a CCD consensus document developed with other CCD Task Forces, was finalized in January 2008 and is posted on the CCD website,

www.c-c-d.org. It will be revised and updated as needed. The principles 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. The Statement includes a comprehensive discussion of improvements to the disability programs and work incentives that CCD has supported over the years. We also participated in a meeting with SSA officials to discuss regulatory and legislative recommendations to improve the work incentives program. We also met with the GAO to discuss SSA's demonstration authority.

- **Monitoring implementation of provisions in Pub. L. No. 108-203, the Social Security Protection Act of 2004.**

- **Monitoring proposals to update the SSI program and implementation of the SSI childhood disability program.**

With other advocates, we met with SSA in October 2008 regarding the agency's implementation of Pub. L. No. 110-328, which extends SSI benefits for two years to refugees and other humanitarian immigrants. We also participated in a review of draft policy Rulings that will improve the SSI childhood disability program. The Task Force is working on a list of recommendations to simplify and update the SSI program.

- **Monitoring SSA efforts to prevent fraud and advocating that the due process and privacy rights of individuals are protected.**

- **Proactively meeting with SSA officials and Congressional staff on a broad range of topics affecting people with disabilities.**

GOALS FOR 2009

The Task Force expects to continue to work on all of the issues described above. Specifically:

- 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.
- If the debate on the solvency of the Social Security Trust Funds is revived, participating as fully as possible to ensure that the impact on people with disabilities is considered and their interests are protected.
- Advocating for legislation, regulations, and policy changes to improve, simplify, and update the Social Security and SSI disability programs, including work incentives.
- Continuing to work with other CCD Task Forces to monitor proposals to promote employment among disability beneficiaries and potential beneficiaries. In particular, we will seek to influence the development of these proposals to ensure that they are directed toward maximizing employment opportunities while also doing no harm to existing critical income supports. The Statement of Principles will be used as the basis for our work.
- Monitoring of the implementation of provisions in Pub. L. No. 108-203, the Social Security Protection Act of 2004, including permanent authority for (1) the withholding and direct payment of fees in SSI cases and (2) applying the SSI and Title II fee withholding and direct payment provisions to eligible non-attorneys.
- Monitoring the implementation of the disability programs in the Old Age, Survivors, and Disability Insurance program and the SSI program; presenting testimony as requested to Congress; responding to notices of proposed rulemaking; and raising issues of concern to people with disabilities to SSA officials and Congressional staff.

CO-CHAIRS:

Marty Ford, The Arc and United Cerebral Palsy Public Policy Collaboration
Peggy Hathaway, United Spinal Association
Susan Prokop, Paralyzed Veterans of America
Paul Seifert, Council of State Administrators of Vocational Rehabilitation
Ethel Zelenske, National Organization of Social Security Claimants'
Representatives

January 2009