



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

**CCD Social Security Task Force Report
January 2010**

ISSUES/ACTIVITIES IN 2009

The Social Security Task Force continued its work on the Social Security and the Supplemental Security Income programs on behalf of people with disabilities.

Areas of focus during 2009 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 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 2009 continued to be the backlog and extreme delays in the disability claims process and deterioration of other critical services, primarily caused by the underfunding of SSA for many years. Significant efforts were taken to ensure that SSA received adequate funding for its FY 2010 administrative budget. Congressional hearings in the House highlighted the problem. During 2009, the Task Force was invited to testify on two occasions before the House Ways and Means Committee: in March 2009, in a joint hearing before the Social Security and Income Security and Family Support Subcommittees; and in November 2009 before the Social Security 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. Efforts have already started for the SSA FY 2011 budget as the Task Force was involved in an October 2009 meeting with OMB.

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

The Task Force met with key SSA staff about our concerns regarding an agency proposal to expedite medical records requests by changing the way that consent

to disclose information is obtained from claimants applying for disability benefits. We developed Talking Points on “Obtaining A Claimant’s Electronic Signature on the Authorization for Disclosure of Information.”

The Task Force is also monitoring the work of the SSA Occupational Information Development Advisory Panel. The Panel published a report and recommendations to the Commissioner in September 2009. The Task Force has identified significant concerns with some of the recommendations and plans to submit comments on the report, which are due by February 15, 2010.

- **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. We continue to coordinate efforts with the CCD Employment and Training Task Force. Susan Prokop serves as a liaison as a Co-Chair on each Task Force.

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

The Task Force has focused on the “fleeing felon” provision, which was the subject of a nationwide class action, *Martinez v. Astrue*. The case was recently settled and the Task Force has discussed the settlement provisions. The Task Force also has sent letters of support to Congress regarding extension of the provisions in the Act that allow direct payment of fees for representatives in SSI cases and establish a demonstration that permits certain nonattorneys to obtain direct payment of fees. These two fee provisions are set to expire on February 28, 2010, unless there is an extension.

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

We have monitored implementation of Pub. L. No. 110-328, which extends SSI benefits for two years to refugees and other humanitarian immigrants. We also monitored implementation of policy Rulings that will improve the SSI childhood disability program. With other advocates, the Task Force has worked 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.**

As discussed above, the Task Force has met with SSA and other SSA employee groups regarding ways that the agency can improve the process for obtaining authorization for disclosure of information while protecting the privacy rights of claimants.

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

GOALS FOR 2010

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, including the work of the Occupational Information Development Advisory Panel and the way that SSA obtains medical information.
- 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: (1) ensuring that the suspension of benefits to "fleeing felons" and probation/parole violators is properly applied, and (2) obtaining permanent authority for (a) the withholding and direct payment of fees in SSI cases and (b) applying the SSI and Title II fee withholding and direct payment provisions to eligible nonattorneys.
- 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

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