

A Process for Reforming Disability Policy

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References

- **David R. Mann and David C. Stapleton**
 - **“Fiscal Austerity and the Transition to a 21st-Century Disability Policy: A Roadmap.”** Working paper. Washington, DC: Mathematica Policy Research, November 2011.
 - **“A Roadmap to a 21st-Century Disability Policy.”** Issue brief no. 12-01, Mathematica Policy Research, January 2012.
 - **“Beyond the Americans with Disabilities Act: Restructuring Disability Policy to Increase Economic Well-Being and Independence.”** In *Disability and Equity at Work*, edited by J. Heymann, M.A. Stein, and G. Moreno. New York: Oxford University Press, forthcoming.

Overview

- **Focus on the reform process, not on specific reforms**
- **Three barriers to positive reforms**
- **Two major systemic changes designed to jump-start positive reforms**

Barrier 1: Lack of Public Trust

- Major problems with current federal programs
- Distrust of state governments
- Perception of “legislation by anecdote”

Barrier 2: Financial Structure

- **Current structure contributes to adverse outcome trends**
 - Massive open-ended funding for income support and health care
 - Limited, tightly controlled funding to help people help themselves
- **Current programs are critical to the well-being of this population, but:**
 - Economically, people with disabilities are falling further behind their peers
 - Public expenditures to support this group are growing rapidly



Barrier 3: Fragmentation

- **Responsibilities for multiple programs are spread across multiple agencies and levels of government**
- **The most promising reforms cut across agencies and levels of government**
- **Exhibit A: The Social Security Administration (SSA)**
 - **Focused on improving disability determinations and work incentives for beneficiaries**
 - **The best opportunities to help those with disabilities join or remain in the workforce are outside of SSA's jurisdiction**

Progress Requires a Support Structure That:

- **Builds trust**
 - Protects vulnerable people
 - Proceeds at a measured pace
 - Has a high level of transparency
- **Uses financial pressure to promote positive outcomes**
 - Better outcomes for people with disabilities
 - Lower growth in public expenditures
- **Encourages states, localities, and private organizations to innovate in positive ways**



Provisions of Legislation to Support Positive Reforms

- **Management and oversight**
 - Builds trust
 - Addresses fragmentation
 - Promotes positive reforms
- **Full and transparent accounting**

Management and Oversight (1)

- **A federal entity with a charter to:**
 - **Lead a reform process with positive objectives**
 - **Grant cross-cutting waivers from current programs to states, localities, and private entities for positive reforms**
 - **Coordinate cross-cutting activities under the waivers**
 - **Rigorously monitor disability population outcomes**
 - **Establish and operate an appellate process**
 - **Support continual improvement through evaluation, dissemination ,and technical assistance**
 - **Make midcourse adjustments**

Management and Oversight Provisions (2)

- **Establish an independent consumer review board system**
- **Encourage or require state governments to charter comparable entities**

Full and Transparent Accounting

- **Rolling 10-year budget projections**
 - Encompass all federal and state expenditures for working-age people with disabilities
 - Based on current law initially
 - Divide into state-level projections
 - Include projections for state matching dollars
 - Produce annually

- **Account for actual expenditures at the end of each year**

Waivers

- **Default: None.**
 - Continue to administer current programs
- **Preferred: State, local, or private entities lead efforts to restructure programs under waivers designed to:**
 - Improve economic outcomes for the disability population
 - Reduce expenditures relative to projections
 - Start small, build on initial successes, discard initial failures



What might the waivers allow?

- **Single door to tailored supports and integrated eligibility determination**
- **Restructure benefits to make work pay, encourage savings, support community living**
- **Integrate SSDI with workers' compensation and private disability benefits**
- **Build transition programs for youth and young adults with disabilities**
- **...and many more**

Significant Twist

- **“The federal government cannot wait to reduce expenditure growth for this population.”**
- **Response:**
 - Create the reform structure we have described
 - Make the projected budgets binding, at whatever level politicians are willing to agree on
- **States, with help from localities and private entities, must either:**
 - Find ways to reduce expenditures under current programs
 - Accelerate positive reforms



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