



House Ways and Means Committee
Subcommittees on Social Security and Human Resources
Joint Hearing on Work Incentives in Social Security Disability Programs
September 23, 2011, 9 a.m.

The National Disability Rights Network (NDRN), is the nonprofit membership organization for the Protection and Advocacy (P&A) system and Client Assistance Program (CAP). The P&A/CAP network was established by the United States Congress to protect the rights of people with disabilities and their families through legal support, advocacy, referral, and education. The P&A/CAP network is the largest provider of legally based advocacy services to people with disabilities in the country.

NDRN strives to create a society in which people with disabilities are afforded equal opportunity and are able to fully participate by exercising choice and self-determination. It promotes the integrity and capacity of the P&A/CAP national network by providing training, technical assistance, legislative advocacy, and legal support. NDRN advocates for the enactment and vigorous enforcement of laws protecting the civil and human rights of people with disabilities. NDRN also advocates for opportunities for people with disabilities to realize their full potential by obtaining the services that they need to live independently, and work in integrated and competitive environments.

Through the Protection and Advocacy for Beneficiaries of Social Security (PABSS) program, the P&A network assists Social Security recipients to navigate the Ticket to Work programs and overcome barriers to full employment. Every year, PABSS advocates work with thousands of people around the country to help them return. In many cases, this allows the person to get off Social Security disability benefits. The following are some examples of the success that PABSS advocates have had around the country:

1. **Kansas** – A woman has dyslexia and has worked full-time at a national pet store chain for more than 13 years. She has trouble working the cash register and was not required to work it. A new manager started and immediately told her that she had to work the cash register or go to a part-time employment status. Going part-time would mean that she would lose her health insurance and be required to go back on federal health benefits. Disability Rights Center of Kansas PABSS staff worked with the client and her employer on accommodations which enabled her to work the cash register enough to retain full-time employment.
2. **Missouri** – Missouri Protection and Advocacy Services assisted a 41-year-old man who suffers from Becker's Muscular Dystrophy. He contacted

Missouri Protection and Advocacy Services for assistance in negotiating repairs for his vehicle. He lives in a rural area that has limited, if any, public transportation which meant he used his vehicle to get to work on a daily basis. Client was having difficulty in getting a warranty company to pay for the repairs necessary for him to use his vehicle. The PABSS staff reviewed the request for information from the warranty company, and assisted him in gathering the information regarding the cause of the damage to the vehicle and submitting it to the warranty company. After receiving the information, the warranty company agreed to pay for the necessary repairs, enabling the client to again have the use of his vehicle and remain employed.

3. **North Carolina** – Disability Rights North Carolina represented a person with mental illness who needed assistance purchasing a cab. He and a job counselor with an Employment Network (EN) had determined that driving a cab would be a type of employment compatible with his disability, his interests, and his skills. However, in order to purchase a cab, he needed access to a lump sum payment of his retroactive SSDI award, which had already been set up by the local SSA unit to be paid out in installments. PABSS staff with Disability Rights North Carolina reviewed relevant regulations and then advocated for this change with the local SSA office. SSA decided to honor the client's request, allowing him to purchase a vehicle and go to successfully work for the cab company.
4. **Wyoming** – PABSS staff with the Wyoming Protection and Advocacy System represented a 57-year-old female SSDI beneficiary. The beneficiary was diagnosed with bilateral blindness and orthopedic disabilities, and had not been employed for several years, since losing her eyesight. As a direct result of PABSS advocacy, the Wyoming State Division of Vocational Rehabilitation (DVR) found her presumptively eligible, conducted an appropriate Comprehensive Assessment of Rehabilitation Needs, and negotiated with the beneficiary's former employer to allow her to return to her longtime previous part-time position. DVR purchased assistive technology devices and services, trained the employer on use of the devices, and trained the beneficiary on the devices, and as a result, the beneficiary has returned to part-time employment, and is gradually taking steps toward regaining full-time employment.
5. **Alaska** – An advocate from the Disability Law Center of Alaska assisted a woman with legal blindness and anxiety with developing a business plan for the Social Security Administration's Plan for Achieving Self Support (PASS) program. The PASS reporting requirements caused the client severe anxiety. The P&A advocate provided constant support for the client, enabling her to carry out her business plan more easily and to complete the reporting required by PASS. Ultimately, the business was so successful that it was featured in an Anchorage newspaper. It continues to thrive and grow to this day.

The PABSS program is a low-cost and effective program that allows many people with disabilities to obtain or maintain employment. Currently, the unemployment rate for people with disabilities is almost twice the unemployment rate for the general population. Strengthening this program is a smart and simple way to help people with disabilities become, maintain, or advance in employment and get and keep people off of federal benefits.