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ADA

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WHITE HOUSE STAFFING MEMORANDUM

Date: 7-24-00 ACTION / CONCURRENCE / COMMENT DUE BY: 7-25-00 3pm
 Subject: ADA 10TH ANN. - 2 Exec. Orders; 2 PDs

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	LOCKHART	☐	☒
PODESTA	☒	☐	MARSHALL	☐	☐
ECHAVESTE	☒	☐	MOORE	☐	☐
RICCHETTI	☒	☐	NASH	☐	☐
LEW	☐	☐	NOLAN	☒	☐
BAILY	☐	☐	REED	☒	☐
BERGER	☐	☐	SPERLING	☐	☐
BLUMENTHAL	☐	☐	STRETT	☐	☐
BRAIN →	☒	☐	TRAMONTANO	☒	☐
BURSON	☐	☐	UCELLI	☒	☐
CAHILL	☒	☐	VERVEER	☒	☐
EDMONDS	☒	☐		☐	☐
FRAMPTON	☐	☐		☐	☐
IBARRA	☐	☐		☐	☐
JOHNSON, B.	☐	☐		☐	☐
JOHNSON, J.	☒	☐		☐	☐
LANE	☐	☐		☐	☐

cc:
 Broderick
 Lisa
 Karen
 Joanna
 Murtis

REMARKS:

Comments to staff secy

RESPONSE:

INCREASING THE OPPORTUNITY FOR INDIVIDUALS WITH
DISABILITIES TO BE EMPLOYED IN THE FEDERAL GOVERNMENT

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to promote an increase in the opportunities for individuals with disabilities to be employed at all levels and occupations of the Federal Government, and to support the goals articulated in § 501 of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), it is hereby ordered as follows:

Section 1. Increasing the Federal Employment Opportunities for Individuals with Disabilities. (a) Recent evidence demonstrates that, throughout the United States, qualified persons with disabilities have been refused employment despite their availability and qualifications, and many qualified persons with disabilities are never made aware of available employment opportunities. Evidence also suggests that increased efforts at outreach, and increased understanding of the reasonable accommodations available for persons with disabilities, will permit persons with disabilities to compete for employment on a more level playing field.

(b) Based on current hiring patterns and anticipated increases from expanded outreach efforts and appropriate accommodations, the Federal Government, over the next five years, will be able to hire 100,000 qualified individuals with disabilities. In furtherance of such efforts, Federal agencies shall:

- (1) Use available hiring authorities, consistent with statutes, regulations, and prior Executive orders and Presidential Memoranda;
- (2) Expand their outreach efforts, using both traditional and non-traditional methods; and
- (3) Increase their efforts to accommodate individuals with disabilities.

(c) As a model employer, the Federal Government will take the lead in educating the public about employment opportunities available for individuals with disabilities.

(d) This order does not require agencies to create new positions or to change existing qualification standards for any position.

Sec. 2. Implementation. Each Federal agency shall prepare a plan to increase the opportunities for individuals with disabilities to be employed in the agency. Each agency shall submit that plan to the Office of Personnel Management within 60 days from the date of this order.

Sec. 3. Authority to Develop Guidance. The Office of Personnel Management shall be authorized to develop guidance on the provisions of this order to increase the opportunities for individuals with disabilities employed in the Federal Government.

Sec. 4. Judicial Review. This order is intended only to improve the internal management of the executive branch and is not intended to, nor does it create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, its employees, or any person.

THE WHITE HOUSE.

REQUIRING FEDERAL AGENCIES TO ESTABLISH PROCEDURES
TO FACILITATE THE PROVISION OF REASONABLE ACCOMMODATION

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to promote a model Federal workplace that provides reasonable accommodation for (1) individuals with disabilities in the application process for Federal employment; (2) Federal employees with disabilities to perform the essential functions of a position; and (3) Federal employees with disabilities to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities, as required by the Rehabilitation Act of 1973 (29 U.S.C. 701 *et seq.*), as amended, it is hereby ordered as follows:

Section 1. Establishment of Effective Written Procedures to Facilitate the Provision of Reasonable Accommodation. (a) Each Federal agency shall establish effective written procedures for processing requests for reasonable accommodation by employees and applicants with disabilities. Different components of an agency may tailor their procedures as necessary to ensure the expeditious processing of requests.

(b) As set forth in *Re-charting the Course: The First Report of the Presidential Task Force on Employment of Adults with Disabilities* (1998), effective written procedures for processing requests for reasonable accommodation should include the following:

- (1) Explain that an employee or job applicant may initiate a request for reasonable accommodation, orally or in writing. If the agency requires an applicant or employee to complete a reasonable accommodation request form for record keeping purposes, the form must be provided as an attachment to the agency's written procedures;
- (2) Explain how the agency will process a request for reasonable accommodation, and from whom the individual will receive a final decision;
- (3) Designate a time period during which reasonable accommodation requests will be granted or denied, absent extenuating circumstances. Time limits for decisionmaking should be as short as reasonably possible;
- (4) Explain the responsibility of the employee or applicant to provide appropriate medical information related to the functional impairment at issue and the

requested accommodation where the disability and/or need for accommodation is not obvious;

(5) Explain the agency's right to request relevant supplemental medical information if the information submitted does not clearly explain the nature of the disability, or the need for the reasonable accommodation, or does not otherwise clarify how the requested accommodation will assist the employee to perform the essential functions of the job or to enjoy the benefits and privileges of the workplace;

(6) Explain the agency's right to have medical information reviewed by a medical expert of the agency's choosing at the agency's expense;

(7) Provide that reassignment will be considered as a reasonable accommodation if the agency determines that no other reasonable accommodation will permit the employee with a disability to perform the essential functions of his or her current position;

(8) Provide that reasonable accommodation denials be in writing and specify the reasons for denial;

(9) Ensure that agencies' systems of record keeping track the processing of requests for reasonable accommodation and maintain the confidentiality of medical information received in accordance with applicable law and regulation; and

(10) Encourage the use of informal dispute resolution processes to allow individuals with disabilities to obtain prompt reconsideration of denials of reasonable accommodation. Agencies must also inform individuals with disabilities that they have the right to file complaints in the EEO Equal Employment Opportunity and other statutory processes if their requests for reasonable accommodation, are denied.

Sec. 2. Submission of Agency Reasonable Accommodation Procedures to the Equal Employment Opportunity Commission (EEOC). Within one year from the date of this order, each agency shall submit its procedures to the EEOC. Each agency shall also submit to the

EEOC any modifications to its reasonable accommodation procedures at the time that those modifications are adopted

Sec. 3. Collective Bargaining Obligations. In adopting their reasonable accommodation procedures, agencies must honor their obligations to notify their collective bargaining representative and bargain over such procedures to the extent required by law.

Sec. 4. Implementation. The EEOC shall issue guidance for the implementation of this order within 90 days from the date of this order.

Sec. 5. Construction and Judicial Review. (a) Nothing in this order limits the rights that individuals with disabilities may have under the Rehabilitation Act of 1973.

(b) This order is intended only to improve the internal management of the executive branch and is not intended to, and does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, its employees, or any person.

THE WHITE HOUSE.

DRAFT
7-24-2007
1:15 p.m.

MEMORANDUM FOR THE HEADS OF ALL EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Employing People with Significant Disabilities to Fill Federal Agency Jobs That Can Be Performed at Alternate Work Sites. Including the Home

Cutting edge telecommunications technology has recently made it possible for customer service "call/contact" centers to transmit voice and data to employees who are located at work sites other than the call/contact centers, employers' headquarters, or other centralized locations. Individuals employed as customer service representatives can work from their homes or any other accessible off-site location just as if they were working in the call /contact centers themselves. Technology also enables other types of work activities, such as the processing of insurance claims and financial transactions, to be carried out from such alternate work stations.

The unemployment rate of individuals with significant disabilities is among the highest of disadvantaged groups in the nation. These individuals are an important untapped resource of talent and skills, and a key element in the capacity to sustain our historic economic growth. The increasing use of off-site work stations to carry out significant and competitive work activities provides a critical new source of employment opportunities for individuals with significant disabilities.

It is in the interest of the Federal Government to utilize the skills of people with significant disabilities by recruiting them for appropriate off-site, home-based employment opportunities with Federal agencies, including employment as home-based customer service representatives linked to Federal customer service call /contact centers.

To harness the power of new technologies to promote Federal sector employment of people with significant disabilities, as defined in the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), and to improve Federal customer service representation. I direct executive departments and agencies as follows:

- (a) Each head of an executive department or agency operating customer service call /contact centers shall identify positions that can be relocated to home-based or other off-site facilities, and can be filled by individuals with significant disabilities.
- (b) Each head of an executive department or agency shall identify the appropriateness of using home-based and other off-site positions to carry out other specific work activities, such as the processing of insurance claims and financial transactions, that could be accomplished by individuals with significant disabilities.

(c) If the head of a department or agency determines it is feasible and appropriate to establish home-based positions pursuant to its actions under paragraphs (a) and (b) of this memorandum, such head shall develop a Plan of Action that encourages ~~(of)~~ the recruitment and employment of individuals with significant disabilities for such positions ✓

(d) The Plan of Action established pursuant to paragraph (c) of this memorandum shall be submitted to the President's National Task Force on Employment of Adults with Disabilities ("Task Force") (created by Executive Order 13078) within 120 days from the date of this memorandum.

(e) The Task Force, in consultation with the Office of Personnel Management, shall be authorized to review and approve agency Plans of Action and shall be responsible for implementing the plans and the provisions of this memorandum.

(f) In implementing this memorandum, agencies must honor their obligations to notify their collective bargaining representatives and bargain over such procedures to the extent permitted by law.

(g) This memorandum shall be implemented consistent with merit system principles under law.

(h) This memorandum does not create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its officers, its employees, or any other person.

THE WHITE HOUSE,

DRAFT
7-24-2000
1:15 p.m.

MEMORANDUM FOR THE HEADS OF ALL EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Renewing the Commitment to Ensure that Federal Programs are Free from Disability-Based Discrimination.

As we draw near the tenth anniversary of the Americans with Disabilities Act (ADA), we have much to celebrate. This landmark civil rights law has increased opportunities for employment, education, and leisure for millions of Americans. Our country is stronger as a result.

As we celebrate the ADA, we cannot forget that it was built on the solid foundation of the Rehabilitation Act of 1973 ("Act"), (29 U.S.C. § 701 et seq.), as amended, which prohibits discrimination on the basis of disability in Federal programs and activities. One important goal of the Act for the Federal Government is to set an example for the rest of the country by being a model employer and providing exemplary service to its customers with disabilities. While this goal remains constant, the nature and structure of government have changed in the decades since the inception of the Act. New agencies have been formed, while others no longer exist. Government is more efficient and doing more with less.

The time has come to reaffirm the Federal Government's commitment to ensuring that agencies' programs are free from discrimination. The means we use to accomplish our goals should be tailored to the changing nature of government.

I call upon the Department of Justice, the Equal Employment Opportunity Commission ("EEOC"), the Interagency Disability Coordinating Council (IDCC), and the President's National Task Force on Employment of Adults with Disabilities to provide leadership to Federal agencies in meeting their common goal: to ensure that today's Federal programs — including programs of employment — continue to be readily accessible to and usable by persons with disabilities.

To meet this goal, I hereby direct the Department of Justice and the EEOC, in close consultation with the IDCC and the President's National Task Force on Employment of Adults with Disabilities, to develop priorities under which agencies will focus on specific programs or types of programs to ensure that they are readily accessible to persons with disabilities in accordance with the requirements of sections 501, 504, and 508 of the Act. As the initial steps, agencies are directed to do the following:

- (a) Make all programs offered on their Internet and Intranet sites accessible to people with disabilities by July 27, 2001, consistent with the requirements of the Act and subject to the availability of appropriations and technology; and

- (b) Publish by various means, including by incorporation on all agency Internet home pages, the name and contact information for the office(s) responsible for coordinating the agency's compliance with sections 501 and 504 of the Act.

I direct the IDCC to coordinate executive agencies' efforts to make the Federal Government's electronic and information technology accessible to persons with disabilities.

I designate the Administrator of the General Services Administration and the Secretary of Defense to participate in the IDCC, in addition to those members set out by statute (29 U.S.C. § 794c).

These steps will enable Federal agencies to work together as they renew their ongoing commitment to ensure that Federal programs do not discriminate against people on the basis of disability.

Nothing in this memorandum is intended in any way to limit the effect or mandate of Executive Order 12250 of November 2, 1980, which conveys certain authorities upon the Attorney General, or Executive Order 12067 of June 30, 1978, which conveys certain authorities upon the Chair of the Equal Employment Opportunity Commission.

This memorandum is for the internal management of the executive branch and does not create any right or benefit, substantive or procedural, enforceable by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

THE WHITE HOUSE,

**PRESIDENT CLINTON AND THE FIRST LADY COMMEMORATE THE 10TH
ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT
Announce New Action to Expand Employment Opportunities and Ensure Equality for
Individuals With Disabilities**

Today, in an event at the FDR Memorial, President Clinton with the First Lady and leaders of the disability community will celebrate the 10th Anniversary of the Americans with Disabilities Act (ADA) and take new action to further the goals of the ADA by: increasing Federal employment opportunities for people with disabilities; ensuring that Federal agencies establish effective procedures for addressing reasonable accommodation requests and that federal programs are free from disability-based discrimination; and reducing the barriers that Social Security beneficiaries face when they return to work. The President will also announce his intention to work with the Congress in the context of an overall budget framework to enact legislation that builds on the success of the Work Incentives Improvement Act by allowing children with disabilities to continue their Medicaid coverage even if their parents have returned to work. Finally, the President will unveil the Access America for People with Disabilities website created to provide quick access to services and other resources for people with disabilities and their families. Today the First Lady will announce a series of initiatives to improve and increase opportunities for young people with disabilities to successfully transition to work and achieve independence. Yesterday, Vice President Gore announced a number of initiatives to provide home and community based options for people with disabilities who frequently have no choice but institutionalization. These announcements build on the Clinton/Gore Administration's commitment to advancing the rights of people with disabilities as full participants in all of society and preserving the spirit and intent of the ADA.

ASSISTING DISABLED SOCIAL SECURITY BENEFICIARIES WHO ARE WORKING OR WANT TO GO TO WORK. These proposals to be announced by the President reflect the ADA's focus on helping individuals with disabilities to fully participate in the workforce by reducing the barriers that Social Security beneficiaries face when they return to work.

- **Automatically adjusting the Substantial Gainful Activity (SGA) level for individuals with disabilities.** The Administration proposes to encourage additional disabled individuals to return to work with enhanced security by increasing the SGA levels to reflect the annual increases in the national average wage index. Since the beginning of the Social Security disability program in 1956, there have been no regularly scheduled increases in SGA. Last year, the Administration increased the amount that Social Security disability beneficiaries can earn – from \$500 to \$700 per month – and continue to receive their benefits. Each year, approximately 400,000 disability beneficiaries participate in the workforce. Many hesitate to work because they cannot afford to give up critical benefits.
- **Increase the amount of monthly earning that count during a trial work period for Social Security beneficiaries who go to work.** This increase will encourage beneficiaries with disabilities to contribute their talent and energy to the workforce and test their ability to

maintain a level of work activity without affecting their disability benefits by increasing from \$200 to \$530 the minimum amount of monthly earnings that count toward a monthly work period. The President is also proposing to automatically adjust the amount thereafter based on any annual increases in the national average wage index.

INCREASING THE OPPORTUNITY FOR INDIVIDUALS WITH DISABILITIES TO BE EMPLOYED IN THE FEDERAL GOVERNMENT.

The President will issue an Executive Order calling on Federal agencies to hire 100,000 people with disabilities over a five-year period. This ambitious commitment exceeds current hiring trends by 60 percent, reflecting this Administration's strong commitment to making the Federal government a model employer by recruiting a diverse and well-qualified workforce. The President believes that the Federal government is ready to meet this challenge. This Executive Order calls on agencies to recruit individuals with disabilities for the full range of levels and occupations in the Federal government. The President will also direct Federal agencies to establish effective procedures for processing requests for reasonable accommodation by employees and job applicants with disabilities. A reasonable accommodation is any change in the work environment or in the way a job is performed that enables a person with a disability to enjoy equal employment opportunities. Although many individuals with disabilities can apply for and perform jobs without any reasonable accommodations, workplace barriers – whether physical or procedural – may keep others from performing jobs that they could do with some form of accommodation. Finally, to harness the power of new technologies to promote employment of people with significant disabilities, the President will call on Federal agencies that already operate customer service centers to identify positions that could be relocated to home-based or off-site facilities. If the agencies determine that it is feasible and appropriate to establish home-based positions, they are then required to develop a plan and guidelines that encourages the recruitment and employment of individuals with disabilities for such positions.

RENEWING THE FEDERAL GOVERNMENT'S COMMITMENT TO ENSURING THAT FEDERAL PROGRAMS ARE FREE FROM DISABILITY-BASED DISCRIMINATION.

The President will direct all Federal agencies to engage in a plan to ensure that today's Federal programs are free from disability-based discrimination, using specific steps designed by the Department of Justice and the Equal Employment Opportunity Commission (EEOC) to reach this important goal. As we celebrate the 10th anniversary of the ADA, we should renew our commitment to ensure that people with disabilities have equal employment opportunities within the Federal government and are fully able to participate in all Federal government programs.

ACCESS AMERICA FOR PEOPLE WITH DISABILITIES WEBSITE. In keeping with President Clinton and Vice President Gore's vision of using information technology to increase and improve customer service, the President announced a new website, *Access America for People with Disabilities* - www.disAbility.gov - that will serve as a "one-stop" electronic link to an enormous range of useful information to people with disabilities and their families. The website contains information relating to children and youth; employment, self employment, and entrepreneurship; transportation; health care and long term services and supports; choice and self-determination;

recreation and travel; civil rights and protections; college, adult and vocational education; housing; technology; income supports; tax credits and deductions; disability statistics; and emergency preparedness.

ANNOUNCING SUPPORT FOR LEGISLATION TO INCREASE ACCESS TO MEDICAID FOR WORKING FAMILIES WITH DISABLED CHILDREN. Today, the President will applaud the efforts of bipartisan members of Congress to pass the Grassley- Kennedy-Sessions-Waxman Family Opportunity Act of 2000 (S. 2274 and HR 4825), sponsored by a bipartisan majority in the Senate and a growing coalition in the House. This bill, which is the next logical step beyond the Jeffords-Kennedy Work Incentives Improvement Act, creates a new Medicaid buy-in option for thousands of children with disabilities who lose their Medicaid coverage because of increased family income due to employment and a time-limited demonstration that extends Medicaid coverage to children who have a disabling condition that, without health care coverage, would cause them to become so severely disabled as to be eligible for SSI. The President announced that he will work with the Congress to enact legislation that achieves these goals in the context of a fiscally responsible budget framework.

ADDRESSING BARRIERS TO EMPLOYMENT FOR YOUTH WITH DISABILITIES. The First Lady will announce a series of steps to help young people successfully transition from education to employment including:

- **Helping to bridge the transition from education to employment for students with disabilities.** Young people with disabilities face enormous challenges when transitioning from education to employment in the workplace. The First Lady announced the Administration's commitment to increase the amount that students who receive SSI can earn while continuing to receive the important protection SSI provides. The Administration will increase the maximum monthly earned income exclusion for students who receive Supplemental Security Income from \$400 to \$1,290 and the yearly exclusion from \$1,620 to \$5,200. The Administration is proposing to automatically adjust these amounts thereafter based on any annual increases in the cost-of-living index.
- **Working with youth to reach adult employment: the youth to work initiative.** Recognizing that starting early is key to helping adults with disabilities gain employment skills and thrive in the workplace, the First Lady announced a new interagency Youth to Work Initiative. This Initiative would be created by amending the Executive Order that established the Presidential Taskforce on Employment of Adults with Disabilities to focus the mission on the important issue of helping young people make the transition from school to work. Youth with disabilities who want to enter the workforce face many barriers to employment, including low educational attainment, as well as low educational and employment expectations. Under the structure of the Taskforce, the Youth to Work Initiative will strengthen interagency research, demonstration projects, and education and training activities for youth to work activities. It will create a public awareness campaign to focus on youth with disabilities and reduce the stigma of their entering the workforce. To ensure fairness, this Initiative will ensure that youth with disabilities are

included in all youth programs in federal agencies. To help ease the transition to work, it will explore how to increase access to health care and postsecondary education and training for youth going to work.

- **Able to work consortium to help youth with disabilities access job opportunities.** The Presidential Taskforce on the Employment of Adults with Disabilities has worked with several major corporations to begin a public-private partnership that will help ensure that youth with disabilities are afforded the employment opportunities needed to lead to meaningful careers. These corporations, representing technology, pharmaceuticals, banking and investment, manufacturing, and communications, have volunteered to lead by example in demonstrating to other major corporations the importance and viability of hiring young people with disabilities. These pioneering companies will actively serve as mentors to other companies hiring youth with disabilities.

HELPING DISABLED INDIVIDUALS LIVE AND WORK IN THEIR COMMUNITIES.

Yesterday, Vice President Gore announced that the Clinton-Gore Administration will launch a series of major new initiatives designed to promote the delivery of home- and community-based care for people with disabilities of all ages. These initiatives include a new \$50 million investment in FY 2001 to help states more easily offer services to people with disabilities of all ages in the setting most appropriate to their needs; new guidance to state Medicaid directors to help them comply with the recent *Olmstead* Supreme Court ruling requiring Medicaid coverage for home and community based services; and a new public-private partnership between the Administration and the Robert Wood Johnson Foundation to help individuals with disabilities in institutional settings transition into community-based care. In addition, the Vice President will announce new action to increase home ownership; expand incentives for employment for individuals with disabilities to a broader range of housing assistance programs; and promote the development of new assistive technology for people with disabilities.

WORKING TO ACHIEVE THE GOALS OF THE ADA. Throughout this Administration, President Clinton and Vice President Gore have worked hard to achieve the ADA's core goals – equality of opportunity, full participation, independent living, and economic self-sufficiency. This Administration has vigorously defended the ADA in court cases across the Nation; collaborated with State Medicaid directors to implement the Supreme Court's 1999 *Olmstead* decision, which prohibits unjustified isolation of institutionalized persons with disabilities; helped ensure that 80 percent of America's public transit buses are now accessible; implemented the Ticket to Work and Work Incentives Improvement Act, which the President signed into law last December; and developed far-reaching policies for a comprehensive, coordinated employment agenda through the Task Force on Employment of Adults with Disabilities

PRESIDENT URGES THE CONGRESS TO ACT NOW ON NATIONAL PRIORITIES FOR PEOPLE WITH DISABILITIES. The President will urge the Congress to act now on national priorities that will address the unique needs of individuals with disabilities and are fully funded in his budget, including:

- **A new \$1,000 tax credit to offset the formal and informal employment related**

costs incurred by working people with disabilities. This tax credit would provide a new incentive for approximately 200,000-300,000 people with disabilities to begin working, and help those people with jobs maintain them. It would complement the Work Incentives Improvement Act and would be available to all people with disabilities, irrespective of their state Medicaid eligibility options. For participants in the Work Incentives Improvement Act Medicaid buy-in, this tax credit could pay for services not covered (e.g., assistive technology, transportation).

- **A new \$3,000 long-term care tax credit.** This initiative acknowledges and supports almost 2 million Americans with long-term care needs and the family members who care for them through a \$3,000 tax credit, an investment of \$27 billion over 10 years. This new tax credit supports the diverse needs of families by compensating a wide range of formal or informal long-term care for people of all ages with three or more limitations in activities of daily living (ADLs) or a comparable cognitive impairment.
- **Providing an affordable, accessible Medicare prescription drug benefit option for all beneficiaries.** The President has proposed a voluntary, affordable Medicare prescription drug benefit for all beneficiaries, including up to 5 million people with disabilities. Beginning in 2002, it would provide prescription drug coverage that would have a zero deductible and cover half of all prescription drug costs up to \$5,000 when fully phased in. It will also limit all out-of-pocket medication costs to \$4,000. This optional benefit would also provide negotiated discounts that would ensure that Medicare beneficiaries no longer pay the highest prices in the marketplace. The President's proposal is part of a broader set of reforms that would take the Medicare Trust Fund off budget, extend its life to at least 2030, make the program more efficient and competitive, and dedicate \$40 billion over 10 years to improve health care provider payment rates.
- **A strong, enforceable Patients' Bill of Rights.** This legislation endorsed by over 200 health care provider and consumer advocacy groups, is the only bipartisan proposal currently being considered that includes: protections for all Americans in all health plans; protections for patients accessing emergency room care from financial sanctions; requirements that all health plans ensure continuity of care for patients in the middle of a course of treatment; guarantees that assure access to necessary and accessible health care specialists; meaningful enforcement mechanisms that ensure recourse for patients who have been harmed as a result of a health plan's actions.
- **Establishing an Office of Disability Policy.** The Clinton-Gore Administration supports establishing an Office of Disability Policy within the Department of Labor, and improving access for adults with disabilities to employment services offered through one-stop career center systems. The President's FY 2001 budget includes \$21 million for the Office of

Disability Policy, which was recommended by the Presidential Task Force on Employment of Adults with Disabilities.

Deliverables for the ADA Events July 25 & 26

President

Theme: Employment Opportunities and Equality

SUBJECT	DESCRIPTION	FORMAT	STATUS	ANNOUNCE
Increase the number of individuals with disabilities employed in the federal government.	The Federal Government shall hire 100,000 qualified individuals with disabilities over 5 years into all levels and occupations of the Government, to the maximum extent feasible.	Executive Order	DPC	July 26, 2000
Requiring Federal agencies to establish effective written procedures for processing requests for reasonable accommodation.	Federal agencies shall establish effective written procedures for processing requests for reasonable accommodations for people with disabilities.	Executive Order	DPC	July 26, 2000
Section 504 Enforcement	Federal agencies will work with the Department of Justice and EEOC to develop plans to evaluate agency programs, activities and facilities for compliance with sections 501 and 504 of the Rehabilitation Act, which prohibits discrimination on the basis of disability in federal programs and activities.	Executive Memo	DPC	July 26, 2000
Encourage Federal Agencies with Customer Service Call Centers to Explore Ways to Hire People with Disabilities (TF '99)	Agencies operating customer service centers shall examine the feasibility and appropriateness of using home-based employees as customer service representatives. If it is appropriate to establish home-based positions, agencies shall implement procedures that encourage the recruitment and employment of people with significant disabilities for such positions.	Executive Memo	DPC	July 26, 2000

Adjust the Substantial Gainful Activity Levels to Encourage Work Efforts (Note: These proposals do not address the "SSI Earned Income Exclusion." One of the proposals on the First Lady's list deals with the student version. We are not addressing the adult recipients at this time.)	SSA is proposing significant changes to the amounts that disabled adults can earn and be eligible for DI or SSI benefits. Under these proposals, the amounts would be adjusted annually based on the national average wage index. • <u>Indexing the Substantial Gainful Activity Level.</u> Annually adjust per the average wage index, the earnings level used to determine whether work done by persons with impairments other than blindness is substantial gainful activity. Currently, the SGA level is changed on an ad hoc basis through regulation. (SSI and DI) • <u>Increase (from \$200 to \$530) the Monthly Trial Work Period (TWP) Service Level.</u> During the TWP DI beneficiaries can test their ability to work without fear of losing benefits. Any month's earnings that exceed the TWP service amount counts as a TWP month. In addition, the TWP service amount would be annually adjusted based on the national average wage. (DI Only)	Regulatory Change 27 27 27-30,000 10/yr Ken 410 965-3988	OMB	July 26, 2000
Create "Access America for People with Disabilities" Web Site – SSA/DOL (TF'99)	Provide information and services offered by virtually every major federal government agency, by linking to an abundance of helpful Federal agency sites, programs and services.	Announcement of Website	Done	July 26, 2000
Strong, Enforceable Patient's Bill of Rights (TF '99)		Legislation	In Congress	Pending
Tax Credit to Assist Adults with Disabilities with Expenses Related to Work (TF '99)	Provide flexible ways to assist people with disabilities in defraying the costs of personal attendant services, technologies and other services required for employment.	Budget Proposal	In Congress	Pending