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Disability

**Stack:**

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**Row:**

**28**

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**4**

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219-6001  
ext. 147

PHOTOCOPY  
PRESERVATION

**AMERICANS WITH DISABILITIES ACT ANNIVERSARY EVENT  
LIST OF ATTENDEES**

**Presidential Task Force Members:**

- Chair, Secretary Alexis Herman, Department of Labor
- Vice Chair Tony Coelho
- Secretary Donna Shalala, Department of Health and Human Services
- Administrator Aida Alvarez, Small Business Administration
- Commissioner Kenneth Apfel, Social Security Administration
- Director Janice Lachance, Office of Personnel Management
- Acting Chairman Paul Igasaki, Equal Employment Opportunity Commission
- Chairwoman Marca Bristo, National Council on Disability
- Assistant Secretary Eva Plaza, Department of Housing and Urban Development

**Leaders in the Disability Community:**

- Paul Marchand, Director of Governmental Affairs for the ARC and Chair of the Consortium for Citizens with Disabilities
- James Brady, President of the National Brain Injury Association
- Gina McDonald, President of the National Council on Independent Living
- John Kemp, CEO of Very Special Arts
- Justin Dart, Jr.
- Oral Miller, Executive Director of the American Council for the Blind
- Gordon Mansfield, CEO of the Paralyzed Veterans Association
- Alan Reich, CEO of the National Organization on Disability
- Nancy Bloch, National Association of the Deaf
- Wade Henderson, Executive Director of the Leadership Conference on Civil Rights
- Peter Thomas, Chair, Patients Bill of Rights
- Jennifer Dexter, National Easter Seals Society

# Survey Finds No Job Gains for Disabled

By **BARBARA VOBEJDA**  
*Washington Post Staff Writer*

Less than one third of adults with disabilities are employed, a figure that has not improved over the past decade, according to a survey released today by the National Organization on Disability.

The survey, conducted by Louis Harris & Associates, found that 29 percent of disabled persons are employed full or part time, compared with 79 percent of nondisabled Americans aged 18 through 64. In 1986, 33 percent of the disabled were employed.

The survey also found that disabled Americans are less likely to socialize with friends, go to restaurants and attend movies than those without disabilities.

"In general, people with disabili-

ties are not participating as fully in American life as we should be," said Alan A. Reich, president of the National Organization on Disability. "There's a long way to go."

At the same time, the survey found that persons with disabilities feel that society is making progress in improving access to public facilities and transportation, quality of life and public attitudes toward disabled Americans.

The report comes eight years after the passage of the Americans With Disabilities Act, which prohibits discrimination on the basis of disability in the workplace, housing, retail stores and other places that serve the public. The survey found that just over half of disabled adults had heard of the landmark civil rights legislation, an increase since 1994, when just 40 percent knew of the law.

About one third felt the law had improved their lives, while nearly 60 percent said it had made no difference.

The survey of 1,000 adults followed up on two others conducted by Harris for the National Organization on Disability, in 1994 and 1986.

Reich said it was not clear why the proportion of disabled Americans who are employed had declined. The survey found that 72 percent of the unemployed said they would prefer to be working, but that 44 percent said they were completely unable to work because of their disabilities.

The low employment rate contributes to a high incidence of poverty. Thirty-four percent of adults with disabilities live in a household with an annual income of less than \$15,000, compared with 13 percent of nondisabled adults.



# **ADAPT**

**action news bulletin**

**The Honorable Bill Clinton  
President of the United States  
The White House  
Washington, DC 20000**

**July 13, 1998**

**Dear President Clinton:**

**Two representatives from ADAPT met with you at the White House on September 10, 1997. The issue of home and community services was a major topic of discussion at this meeting.**

**During this meeting, you directed your staff to work on initiatives that would change the institutional bias of the long term service system. Almost one year has gone by since that meeting and the institutional bias of the long term care system continues virtually unchanged.**

**The workgroup established after the September 10th meeting co-chaired by Sally Richardson, Medicaid Director and Bob Williams, Deputy Assistant Secretary for Disability, Aging, and Long Term Care has been embarrassingly ineffective. The minor policy changes they have made do not begin to address the enormity of this problem.**

**Recently HCFA sent out a small grant proposal to the states that has absolutely no relation to what ADAPT had in mind when the "Date Certain" concept was discussed with staff. The concept of "Date Certain" was to select a date, when in 6-10 states, ALL individuals in Medicaid funded nursing homes and other institutions were to be given "the choice" of using that money for home and community services. The proposal sent out by HCFA has absolutely no resemblance to what we had agreed upon except for using the "Date Certain" rubric.**

**Does the problem lie in your commitment or your staff's unwillingness to execute that commitment?**

**Nancy Ann Min DeParle, HCFA Administrator has gone back on her commitment to continue the working relationship ADAPT had with the former Administrator and she refuses to answer our letters. Does Ms DeParle's lack of responsiveness represent your Administration's commitment to the issue?**





Delay tactics and paternalistic, token gestures are all the disability community has been fed since the September 10th meeting.

Our questions to you are simple: Will you make deinstitutionlizing people with disabilities, old and young , a priority for your Administration?  
Will you make a major budget initiative for home and community services in your next budget? Will you initiate a REAL "date certain" project?

At the September 10th meeting you exhibited a knowledge of the political problems associated with tackling this issue. ADAPT also recognizes the complexity of the problem.

You, as President, need to show the same leadership in the area of long term services that you are showing in the areas of child care, race and Social Security. Until long term services is raised politically as an issue your Administration is committed to, Congress will not act and people with disabilities will continue to be warehoused in nursing homes and other institutions.

ADAPT wants to work with your Administration to change the institutional bias of the long term care system. However, our goal is attendant service not lip service. Please respond by August 13, 1998.

			
For an Institution Free America, M.W. Auberger Organizer	Stephanie Thomas Organizer	Bob Kafka Organizer	Mike Oxford Organizer

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Ben to have disability  
D.P.C.

THE WHITE HOUSE  
WASHINGTON

July 28, 1998

**AMERICANS WITH DISABILITIES ACT ANNIVERSARY EVENT**

**DATE:** July 29, 1998  
**LOCATION:** Roosevelt Room  
**TIME:** 1:15-1:30 pm  
**FROM:** Minyon Moore, Bruce Reed, and Gene Sperling

**I. PURPOSE**

To sign an Executive Memorandum directing federal agencies to increase public outreach and education about important requirements within the Americans with Disabilities Act and the Medicaid buy-in option within the Balanced Budget Act of 1997. This event is also an opportunity to commemorate the 8th anniversary of the historic Americans with Disabilities Act, which was signed into law on July 26, 1990, and to further your commitment to the Task Force on Employment of Adults with Disabilities that you created this spring.

**II. BACKGROUND**

While the Americans with Disabilities Act makes it possible for millions of Americans to participate more fully in society, the unemployment rate among the 30 million working-age adults with disabilities continues to be significantly higher than that of the general population. For this reason, you signed an executive order in March establishing the Task Force on Employment of People with Disabilities. With Secretary Herman serving as Chair and Tony Coelho serving as Vice-Chair, the Task Force is charged with recommending policies to help increase the employment rate of adults with disabilities. Although the Task Force will not issue its first formal report until November, it already has identified actions that the Administration can take to begin reducing barriers to work. You will issue an Executive Memorandum tomorrow to direct these actions.

The Executive Memorandum will direct relevant agencies to take appropriate actions to expand public education and outreach about regulations within the ADA and the Medicaid buy-in option within the Balanced Budget Act of 1997. Specifically, you will:

- Direct the Attorney General, the Chair of the Equal Employment Opportunity Commission, and the Administrator of the Small Business Administration to

expand public education about the requirements of the Americans with Disabilities Act of 1990 to employers, employees, and others whose rights may be affected -- including, in particular, small businesses and under-served populations.

- Direct the Secretary of Health and Human Services to inform governors, state legislators, state Medicaid directors, consumer organizations, and others about the new Medicaid buy-in option enacted as part of the Balanced Budget Act of 1997. This new option provides Medicaid coverage for individuals with disabilities who, because of their earnings, would not qualify for Medicaid under current law.

You also will announce your strong commitment to working with Senators Kennedy and Jeffords to pass affordable and feasible legislation that helps people with disabilities maintain their health care coverage and return to work. This legislation would allow people with disabilities who return to work to keep their Medicare coverage, eliminating a provision in current law that often requires people with disabilities to choose between work and health insurance. The legislation also would increase the number of people with disabilities able to buy into Medicaid by eliminating the requirement that they have income below 250 percent of poverty and giving states additional resources and bonuses to offer this return-to-work option. Although a prior version of the Kennedy-Jeffords bill was not affordable -- costing \$5 billion over 5 years -- we have worked hard with the Senators' staff to bring the pricetag down to about \$1 billion.

### **III. PARTICIPANTS**

#### PRE-BRIEF PARTICIPANTS

Bruce Reed  
Minyon Moore  
Chris Jennings  
Diana Fortuna

#### EVENT PARTICIPANTS

**YOU**  
Secretary Alexis Herman  
Tony Coelho

\*The audience will consist of approximately 40 Members of the Presidential Task Force on Employment of Adults with Disabilities and representatives from disability advocacy organizations.

### **IV. PRESS PLAN**

Closed press.

### **V. SEQUENCE OF EVENTS**

- \* Prior to your arrival, Tony Coelho will deliver welcoming remarks and introduce Secretary Herman.
- \* Secretary Herman will deliver remarks.
- \* **YOU** will enter the room and deliver brief remarks.
- \* **YOU** will sign the executive memorandum.
- \* **YOU** will work a ropeline and then depart.

## **VI. REMARKS**

Talking points to be provided by Speechwriting.

## **VII. ATTACHMENTS**

- \* List of attendees.

### **ADA ANNIVERSARY EVENT ATTENDEES**

1. **Paul Marchand**, Director of Governmental Affairs for the ARC and Chair of the Consortium for Citizens with Disabilities
2. **James Brady**, President of the National Brain Injury Association  
**Mary Dixon** (attendant)
3. **Gina McDonald**, President National Council on Independent Living
4. **John Kemp**, CEO Very Special Arts
5. **Justin Dart, Jr.**  
**Shinya Suganuma** (Attendant)
6. **Paul Edwards**, President of American Council for the Blind
7. **Daniel Fisher**, President of National Empowerment Center
8. **Gordon Mansfiel**, CEO Paralyzed Veterans Association
9. **Alan Reich**, CEO National Organization on Disability  
**Mary Dolan** (attendant)
10. **Linda Anthony**, President Pennsylvania Coalition of Citizens with Disabilities
11. **Jeanette Harvey**, CEO United Cerebral Palsy Association
12. **I. King Jordan**, President Gallaudet University
13. **Wade Henderson**, Executive Director Leadership Conference on Civil Rights
14. **Joseph Romer**, Executive Vice President of Public Affairs, National Easter Seals Society

MEMORANDUM FOR THE ATTORNEY GENERAL  
THE SECRETARY OF HEALTH AND HUMAN SERVICES  
THE CHAIRMAN OF THE EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION  
ADMINISTRATION THE ADMINISTRATOR OF THE SMALL BUSINESS

SUBJECT: OUTREACH ACTIONS TO INCREASE EMPLOYMENT OF  
ADULTS WITH DISABILITIES

As we commemorate the eighth anniversary of the Americans with Disabilities Act ("ADA"), we have much to celebrate. This landmark civil rights law is making it possible for millions of Americans to participate more fully in society, including employment, access to public facilities, and participation in community and leisure activities, and to do their part to make us a stronger and better country. At the same time, we are reminded that significant challenges remain. Far too many of the 30 million working-age adults with disabilities are still unemployed, especially those with significant disabilities.

To address barriers to work for people with disabilities, I issued Executive Order 13078 on March 13, 1998 establishing the Presidential Task Force on Employment of Adults with Disabilities. The Task Force will issue in November the first in a series of reports on what the Federal Government can do to help bring the employment rate of adults with disabilities to a rate as close as possible to that of the general population. The Task Force, however, already has identified important ways to reduce barriers to work for people with disabilities, and I hereby direct you to act on these findings.

First, although awareness of the ADA is increasing among persons with disabilities, employers, and the general public, too many people still are not aware of their rights and responsibilities under the ADA. There is a particular need to educate the small business community, which employs most of the private work force and includes the vast majority of employers.

I therefore direct the Attorney General, the Chair of the Equal Employment Opportunity Commission, and the Administrator of the Small Business Administration to expand public education regarding the requirements of the Americans with Disabilities Act of 1990 to employers, employees, and others whose rights may be affected, with special attention to small businesses and

under-served communities, such as racial and language minorities that may not have ready access to information that is already available.

Second, lack of adequate private health insurance options is a disincentive to leave Social Security programs for work. Few private health plans cover the personal assistance and other types of services that make it possible for many people with disabilities to work. Recognizing this problem, I proposed and the Congress passed a new Medicaid option last year that allows people with disabilities to buy into Medicaid without having to receive cash assistance. A number of states have expressed a strong interest in offering this new option and I have instructed the Secretary of Health and Human Services to work with them to do so. Much more, however, needs to be done to increase the public outreach and education activities about these important laws and options.

I therefore direct the Secretary of Health and Human Services ("HHS") to continue to take all necessary actions to inform Governors, state legislators, state Medicaid directors, consumer organizations, employers, providers and other interested parties about Section 4733 of the Balanced Budget Act of 1997. Section 4733 allows states to provide Medicaid coverage for working individuals with disabilities who, because of their earnings, would not qualify for Medicaid under current law. Additional guidance, letters, technical assistance, and other efforts by HHS about the enormous benefits of this option can go a long way in encouraging states to adopt and use this Medicaid buy-in.

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,

Today, in commemoration of the eighth anniversary of the Americans with Disabilities Act (ADA), the President is signing an Executive Memorandum aimed at increasing employment and health care options for people with disabilities. He is also announcing the release of a letter to Medicaid Directors clarifying that the ADA obligates states to offer appropriate community based services. Finally, to build on these actions, the President is also announcing his commitment to work with Senator Jeffords and Senator Kennedy to pass affordable, feasible legislation to help people with disabilities maintain their health care coverage and return to work. Today, the President met with his Task Force on Employment of People with Disabilities and advocates of people with disabilities. In this meeting, the President is:

**Signing A New Presidential Memorandum to Increase Employment and Health Care Options for People with Disabilities.** While the ADA has been critically important to people with disabilities, significant challenges remain. Since 1993, 15 million new jobs have been created. But the unemployment rate among the 30 million working-age adults with disabilities continues to be much higher than that of the general population -- close to 75 percent for people with significant disabilities. The President signed an Executive Memorandum that will direct the relevant agencies to:

- Expand Public Education About the Americans with Disabilities Act. Although more and more Americans are becoming aware of the ADA, too many employers and employees do not know their rights and responsibilities under the ADA. Today, the President is directing the Attorney General, the Chair of the Equal Employment Opportunity Commission, and the Administrator of the Small Business Administration to expand public education about the requirements of the Americans with Disabilities Act of 1990 to employers, employees, and others whose rights may be affected, with special attention to small businesses and under-served populations.
- Increase Information About New Medicaid Buy-in Option. Many people with disabilities are not able to leave Social Security programs to return to work because they will lose their health care coverage. As part of last year's Balanced Budget Act, the President signed into law a new state option to allow individuals with disabilities who return to work, the ability to purchase critically necessary Medicaid coverage as their earnings increase. Today, the President is directing the Secretary of the Department of Health and Human Services to ensure that Governors, state legislators, and state Medicaid directors work with consumer organizations to take advantage of this important option.

**Issuing Letter Clarifying That ADA Obligates States to Offer Appropriate Community Based Services.** Recent court cases, including Helen L. vs. DiDario,

have ruled that the ADA requires states to provide Medicaid services in the “most integrated setting appropriate” to people with disabilities. Today, the Health Care Financing Administration (HCFA) is sending a letter to all State Medicaid Directors clarifying that under these standards, if an individual living in a facility could live in a community with the right mix of support services, reasonable steps should be taken provided it does not fundamentally alter the state program.

**Announcing Support For Policies to Improve Health Options for Working Adults With Disabilities.** The President also announced his strong commitment to work with Senators Jeffords, Kennedy, and other Members of Congress to pass affordable, feasible legislation that helps people with disabilities maintain their health care coverage and return to work. The Jeffords-Kennedy proposal would increase Medicaid options and state resources for people with disabilities. It would also allow Americans receiving Social Security Disability Insurance to retain their Medicare when they return to work, eliminating a provision in current law that often requires people with disabilities to choose between work and health insurance. The President directs the Administration to utilize all of its policy and budgetary expertise at HHS, the Office of Management and Budget, and the White House to work towards the passage of legislation before the Congress adjourns this year.