

NATIONAL DISABILITY INSTITUTE'S

Washington Insider



National Disability Institute's Washington Insider is a monthly newsletter highlighting key federal policy news that impacts the financial futures and economic empowerment of all people with disabilities. The Washington Insider tracks legislative and policy initiatives gaining momentum on Capitol Hill, specifically in the areas of taxation, asset building and economic development.

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President Trump Releases Proposed FY 2019 Budget

The Trump Administration recently published the President’s proposed **FY 2019 budget**, titled “An American Budget.” Not unlike the President’s FY 2018 proposed budget, “An American Budget” has provoked swift criticism from the majority of the disability advocacy community for its harsh assault on numerous programs that assist individuals with disabilities and their families.

For example, the President’s budget would drastically cut Medicaid funding through the implementation of per capita caps and block grants, a policy change that National Disability Institute (NDI) has firmly opposed due to its devastating effects on individuals with disabilities. The President’s Budget would cut approximately \$70 billion over 10 years from Social Security’s disability programs, including Supplemental Security Income (SSI). Additionally, the proposed budget guts the Developmental Disabilities (DD) Act Programs through double digit cuts to three of the four DD Act programs: State Councils on Developmental Disabilities (-23%), University Centers for Excellence in Developmental Disabilities (-13%) and Projects of National Significance (-90%). Lastly, the proposal would eliminate \$11 million, or nearly a third, of the budget for the Office of Disability Employment Policy (ODEP) within the Department of Labor.

For these reasons, and others, NDI joins the majority of the disability advocacy community in strongly opposing the President’s proposed budget and will work to educate Members of Congress about the devastation that would come to individuals with disabilities and their families if these budget recommendations are implemented and carried out.

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The “ADA Education and Reform” Act (H.R. 620) Passes House of Representatives

Despite aggressive opposition from the disability advocacy community, the “ADA Education and Reform” Act (H.R. 620) successfully passed the House of Representatives by a relatively narrow margin this past month.

H.R. 620 is an extremely troubling piece of legislation that aims to substantially weaken significant provisions of the Americans with Disabilities Act (ADA), specifically Title III. Title III “prohibits discrimination on the basis of disability in the activities of places of public accommodations (businesses that are generally open to the public and that fall into one of 12 categories listed in the ADA, such as restaurants, movie theaters, schools, day care facilities, recreation facilities and doctors' offices), and requires newly constructed or altered places of public accommodation—as well as commercial facilities (privately owned, nonresidential facilities such as factories, warehouses, or office buildings)—to comply with the ADA Standards.”

If this legislation were to be signed into law, establishments/businesses that fall under Title III of the ADA would not necessarily be required to initially meet the accessibility standards outlined in the ADA until a formal complaint was filed. This is a drastic undermining of the intent of the ADA and a significant blow to the civil rights of individuals with disabilities.

NDI will continue to work alongside the rest of the disability community to help educate members of the Senate about the harmful effects of H.R. 620 in an effort to stall the legislation on the Senate side.

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“Stop Taxing Death and Disability” Act Passes as Part of Tax Reform

A piece of legislation re-introduced by Senator Christopher Coons (D-DE) last February, named the “[Stop Taxing Death and Disability Act](#),” was recently signed into law as part of last year’s tax reform package. This piece of legislation, which had co-sponsors on both sides of the aisle, addresses how the Internal Revenue Service (IRS) treats amounts of student loan discharges for individuals who have been deemed “totally and permanently disabled.”

In many instances, individuals who qualify for [the student loan forgiveness plan](#), as a result of meeting certain criteria related to the severity of their disability, may face significant challenges related to their employment and ability to save money. Understanding these challenges, current law allows individuals who meet the definition of “totally and permanently disabled” to have any outstanding federal student loan debt forgiven and discharged. However, as the law stood prior to the legislation’s recent passage, once the federal student loan was discharged, the IRS could count the forgiven amount as taxable income of the individual with a disability. This had the potential to produce tens of thousands of dollars’ worth of tax liability that could have substantial consequences for the individual with a disability.

Recognizing the possibly negative effects of what is meant to be a law that eases financial hardship for individuals with disabilities, Senator Coons’ “[Stop Taxing Death and Disability Act](#)” exempts federal and private student loans that are discharged due to disability from federal income tax. The new law also extends the same tax exemption to parents that have outstanding student loan debt on behalf of a son or daughter that experiences significant disability or death.

NDI appreciates Senator Coons’ successful effort to address this issue, along with his colleagues Senator King (I-ME) and Senator Portman (R-OH). NDI was proud to support this legislation throughout the legislative process.

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National Disability Institute Invited to Participate in Roundtable with Senator Casey

This past week, NDI was invited to participate in a small roundtable hosted by Senator Robert “Bob” Casey (D-PA). The roundtable focused on the importance of Medicaid and how to increase economic stability and independence among individuals with disabilities and their families.

Senator Casey, an outspoken champion for issues affecting the disability community, brought together 10 individuals for this discussion, including representatives from various national disability-related advocacy organizations, working age adults with disabilities and parents of young children with disabilities.

The conversation provided key stakeholders with the opportunity to explain how supports and services provided through the Medicaid program allow individuals with disabilities to live independently in their communities, pursue and maintain meaningful employment and increase their overall quality of life. Additionally, Senator Casey, who played a pivotal role in passing the ABLA Act, expressed continued enthusiasm for using the ABLA Act as a vehicle to help individuals with disabilities and their families secure a more sound financial future.

NDI thanks Senator Casey for his invitation to participate in this discussion and appreciates his ongoing support of the disability community.

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ABLE National Resource Center Launches New Monthly Newsletter: “AchievABLE”

The ABLE National Resource Center, managed by NDI, has launched a new monthly e-newsletter, *AchievABLE*. The newsletter aims to bring up-to-date information about the latest ABLE implementation developments and other related news to individuals with disabilities, their families and ABLE-related stakeholders.

We encourage you to [subscribe to the *AchievABLE* e-newsletter](#).

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January Employment Numbers

Disability employment statistics for January 2018 show that the unemployment rate among people with disabilities was 8.8 percent. This shows a 2.2 percent decrease from January 2017. The latest employment statistics also find that only 20.4 percent of people with disabilities are actively in the labor force, as compared to 67.8 percent of people with no disability. Data on people with disabilities covers those between the ages of 16 to 64 who do not live in institutions.

| U.S. Disability Employment Profile | | | | |
|---|-----------------|-----------|--------------------|-----------|
| Statistic | With Disability | | Without Disability | |
| | Jan. 2017 | Jan. 2018 | Jan. 2017 | Jan. 2018 |
| Percent of Population in the Labor Force | 19.5 | 20.4 | 68.2 | 67.8 |
| Employment-Population Ratio | 17.4 | 18.6 | 64.8 | 64.8 |
| Unemployment Rate | 11.0 | 8.8 | 4.9 | 4.3 |

As reported by the U.S. Department of Labor's Bureau of Labor Statistics, Table A-6

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Real Economic Impact for People with Disabilities***

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