

**CONGRESSMAN JAMES LANGEVIN**  
**TESTIMONY FOR THE COMMITTEE ON GOVERNMENT REFORM**  
**SUBCOMMITTEE ON WELLNESS & HUMAN RIGHTS**  
**Oversight hearing “Living with Disabilities in the United States: A Snapshot”**  
**June 24, 2004**

I want to thank Chairman Burton, Ranking Member Watson, and the entire Subcommittee on Wellness and Human Rights for convening today’s hearing on living with disabilities in the United States. I commend you for your dedication to improving the lives of Americans with disabilities and am grateful for the opportunity to participate in today’s hearing.

At the age of 16, I served as a Boy Scout Explorer police cadet through a program in my hometown of Warwick, Rhode Island. But on August 22, 1980, my dream of a career in law enforcement was shattered. I stood in a locker room with a fellow cadet watching two members of the SWAT team examine a handgun. It accidentally discharged, launching a bullet that ricocheted off a metal locker and into my neck, severing my spinal cord and leaving me paralyzed.

At first, I was convinced that that gun, and this chair, had ruined my life. But I learned that a badge and a gun aren’t the only ways to make a difference. I have been fortunate to be able to fulfill my dreams of public service by serving as delegate to the Rhode Island Constitutional Convention, a member of the state’s General Assembly, Rhode Island’s Secretary of State, and now representing the 2<sup>nd</sup> Congressional District of Rhode Island in the United States House of Representatives.

The 24 years I have spend living with a disability in America have been very fulfilling, both personally and professionally. These years have also seen a great deal of change. Discrimination in employment was legal, buildings were not designed with accessibility in mind, and accommodations of disability were viewed as a charity, not a civil right. Looking back to my early years in a wheelchair, my college application process comes to mind. I was not able to go to my first-choice school because it was inaccessible. Nearly ten years before the passage of the Americans with Disabilities Act, there was little I could do about that. Fortunately for me, accommodations at my back-up school were better and I was able to receive a quality education and the opportunity to put some of my new dreams to the test.

However, not all Americans have been as so fortunate. Many Americans with disabilities today face a lack of access to health care and assistive technology, barriers to employment and a society that remains less inclusive than it could be. I want discuss the most critical issues that I see facing Americans with disabilities today: health care and employment.

People with disabilities are at risk in the health care system because of their wide-ranging health needs, their relatively heavy use of services, and typically low incomes. The leading source of health coverage for people with disabilities is Medicaid. While some states have established Medicaid buy-in programs for people with disabilities, too many people with disabilities are still barred from the workforce by a fear of losing their eligibility for this program.

Meanwhile, in the face of rising costs and budget shortfalls, states are aiming to slow growth in program spending by curtailing benefits, increasing cost-sharing requirements, and restricting eligibility. Mr. Chairman, I can personally attest that living with a disability is very expensive. Higher co-payment requirements for a person with a disability can be catastrophic.

Finally, Medicaid has yet to break away from the institutional bias. Only about 25% of Medicaid long-term care funds go to services and supports in home and community settings. Only 3 States spent more than 50% of their Medicaid long-term care funds on home and community based care. Individuals that are eligible for nursing home services should be able to choose between that and community attendant services and supports. Congress has the power to level the playing field and Medicaid beneficiaries equal access to community-based services and supports. We simply cannot achieve the goal of implementing the Supreme Court's Olmstead decision until we remove this institutional bias. Several pending proposals in Congress would help to begin to rebalance and expand the long term care system and to provide quality supports and services in the community. These include MiCASSA, which would require states to include community based personal assistance services in their Medicaid programs; and the Money Follows the Person Act and the NFI Medicaid Demonstrations Act, which would provide demonstration grants to states to help individuals transition from institutions to community settings.

Moving to the topic of employment, I want to address the barriers that keep Americans with disabilities from the workplace. The unemployment rate in the disability community is a staggering 70 percent. Every day I hear stories from people who want to work, but are kept from doing so by barriers that we can easily pull together to overcome – primarily concern over health benefits and lack of transportation.

The cost of direct government and private payments to support people with disabilities of employable age without jobs is estimated to be \$232 billion annually. Another \$195 billion in earnings and taxes are lost each year because Americans with disabilities are unemployed. Programs like Ticket-to-Work, designed to promote work by providing SSI and DI recipients with a "ticket" to purchase rehabilitation from state VR agencies and other providers, begin to address these issues -- but significant implementation challenges remain. Meanwhile, the 108<sup>th</sup> Congress has failed to agree on reauthorizing legislation for the Workforce Investment Act that would adequately provide displaced workers with the information, training, and resources necessary to obtain or regain employment through the design and implementation of the One-Stop Delivery System. I am concerned that without increased investment and support for state vocational rehabilitation programs, much of the progress we have made will be reversed, and more Americans will be relegated to a life spent in isolation instead of sitting in a classroom, a boardroom, or with me here in Congress.

Mr. Chairman, I thank you for the opportunity to raise some of the pressing issues facing Americans with disabilities. With the bipartisan passage of the Improving Access to Assistive Technology for Individuals with Disabilities Act earlier this month, we have seen commitment from Members of both political parties to expand opportunities for people with disabilities in America. I am confident that we can make a great difference for millions of Americans by continuing to work together in this fashion.