

A Proposal to Support Employment for Maine People with Disabilities

Senator Angus S. King, Jr.

Background

Maine lags behind a majority of states in workforce participation among its citizens with disabilities. In 2013, only [31 percent](#) of the state's working-age adults with disabilities were in the workforce. During that same year, the Social Security Administration (SSA) reports that [7.7 percent](#) of working-age adults in Maine receive Social Security Disability Insurance (SSDI) benefits – the sixth highest rate of receipt in the country. Thousands of Mainers with disabilities also receive income support from a separate SSA program, Supplemental Security Income (SSI).

Given looming demographic and economic shifts, Maine cannot afford to ignore the thousands of its citizens with disabilities who could increase their contribution to the state's economy. Fortunately, many stakeholders in Maine – including advocates for people with disabilities, business leaders, and state agencies – have begun work to seize this opportunity. These efforts are important not only for Maine's economy, but for improving the quality of life for people with disabilities and for the financial stability of the SSDI program.

However, more can be done – and the federal government can be a partner to states in this important effort. To that end, this proposal puts forward several options for supporting work activity among Mainers with disabilities as well as ways to improve federal disability programs.

Summary of Proposals

1. Early Intervention and Supports

- Facilitate state-designed solutions, such as pilots that leverage state-based supports and services with a partial cash benefit for individuals with disabilities.
- Develop a regional database on disability and employment that enables predictive modeling related to individuals at risk of developing a disabling health condition.
- Explore new ways to deliver federal disability benefits, such as providing transitional benefits and targeted services for newly-awarded beneficiaries who hold promise for medical improvement.
- Promote better coordination between relevant federal agencies in order to ensure funding streams and programs work together to support individuals with disabilities.

2. Evidence-Based Return to Work Programs

- Reauthorize SSA's Work Incentives Planning and Assistance program, which provides benefits counseling to SSDI beneficiaries and supports their efforts to return to work.
- Provide transitional services to individuals who leave the federal disability programs, ensuring they receive a timely handoff to the supportive services that would enable them to transition into the workforce.
- Broaden and publicize tax incentives to hire and retain people with disabilities.

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- Direct SSA to examine alternative work incentive structures, such as testing the effectiveness of an annual rather than monthly earnings test for individuals with certain types of disabilities.
- Pilot and evaluate additional options for eliminating the “cash cliff” to create better work incentives for SSDI beneficiaries.

3. Integration of Private Disability Insurance

- Consider automatic enrollment allowance for private disability insurance, provided employees receive clear and advance notice and a right to opt out.
- Pilot a “front-end” to the SSDI system that leverages private disability insurance and early intervention services as a mandatory step before receiving SSDI.
- Establish a national effort to provide income protection information to workers and employers.

4. SSDI Determination Process

- Eliminate the reconsideration stage of determination process in order to save applicants months of processing time; use these resources to better develop cases at initial level.
- Direct SSA to standardize the process and forms related to evidence submission.
- Increase administrative law judge (ALJ) hearing notice from 20 to 75 days to provide applicants more time to gather evidence from medical providers in advance of hearings.
- Recommend evidence submission five days prior to hearing to ensure ALJs have sufficient time to review cases.
- Increase the number of SSA’s ALJs in order to reduce the significant backlog of cases.

5. SSDI Program Integrity and Solvency

- Improve the accuracy of work reports by providing more frequent reminders to beneficiaries about their obligation to report earnings as well as the new avenues through which to do so.
- Evaluate the medical-vocational guidelines to ensure that the current factors reflect advances in employment options and medical technologies and treatments.
- Communicate the contingent nature of SSDI benefits and ensure timely Continuing Disability Reviews of current beneficiaries.
- Ensure long-term Social Security program solvency by advocating for congressional action to strengthen fiscal health of both disability and retirement trust funds.