

Spirit of the ADA Campaign Agenda

In recognition of the upcoming 20th anniversary of the signing of the landmark Americans with Disabilities Act (ADA), the cross-disability community is working together to realize the promise of the ADA by advancing a policy agenda that will safeguard human rights and respect human dignity, enhance self-determination, and make technology work for everyone. This agenda was developed by the Justice for All Action Network (JFAAN), a coalition led by 13 national organizations run by people with disabilities with identifiable grassroots constituencies around the country. The steering committee of JFAAN includes ADAPT, the American Association of People with Disabilities, the American Council of the Blind, the Autistic Self Advocacy Network, the Hearing Loss Association of America, Little People of America, the National Association of the Deaf, the National Coalition of Mental Health Consumer Survivor Organizations, the National Council on Independent Living, the National Federation of the Blind, Not Dead Yet, Self Advocates Becoming Empowered, and the United Spinal Association.

I. Safeguard Human Rights and Respect Human Dignity

A. Pass a national health care reform bill that eliminates preexisting condition exclusions, addresses the institutional bias in the Medicaid program, does not limit or deny services based on disability or “quality of life” judgments, and includes a benefits package that contains coverage for habilitative and rehabilitative services, durable medical equipment and assistive technology devices and services so that people with disabilities can participate fully in the lives of their communities.

B. Pass the Hearing Aid Tax Credit Bill (HR 1646/S 1019), -ensure that any health care reform bill includes a benefits package that contains coverage for hearing aids and related services for children and adults, and pass the Early Hearing Detection and Intervention Act (HR 1246) to amend the Public Health Service Act regarding early detection, diagnosis, and intervention strategies.

C. End the institutional bias in Medicaid by passing the Community Choice Act (S 683/HR 1670) and working with the Obama Administration to enforce the *Olmstead v. L.C.* Supreme Court decision by directing the U.S. Department of Health and Human Services and the U.S. Department of Justice to use monitoring, administrative sanctions and litigation, as needed, to hold States accountable for ensuring people can choose to receive services in the most integrated setting.

D. Pass the Preventing Harmful Restraint and Seclusion in Schools Act (H.R. 4247/S. 2860) aimed at eliminating the use of aversives, seclusion and restraints in schools, including strong, comprehensive national standards, an effective enforcement mechanism and the involvement of the self-advocacy community in technical assistance.

E. Phase out (and ultimately eliminate) Section 14(c) of the Fair Labor Standards Act, which permits the payment of subminimum wage to workers with disabilities, and implement a multifaceted approach to achieve the goal of creating new competitive employment opportunities

for workers earning subminimum wage. The phase out should prioritize creating new competitive employment opportunities for youth transitioning from school, and should include incentives for employers and community rehabilitation programs; expanding customized, supported, and self-employment, paid community service, job restructuring and other flex arrangements. Implementation of this policy shift must occur over time, with the shortest timeframe possible without diminishing employment opportunities for the 424,000 workers currently earning subminimum wage and those waiting for employment services.

F. Create a bipartisan Congressional Task Force on Human Genetic Technologies and Disability Rights.

II. Enhance Self-Determination

A. Amend the Developmental Disabilities Assistance and Bill of Rights Act to establish and fund self-advocate-led peer support and advocacy organizations in every state.

B. Engage with Substance Abuse and Mental Health Services Administration (SAMHSA) to ensure that at least 20% of a state's Mental Health Block Grant money will be devoted to the developing and sustaining of consumer-run statewide organizations which ensure the voice of consumers in state mental health planning and policy formulation.

C. Engage with Secretaries Sebelius, Shinseki, and Duncan, and Commissioner Astrue to ensure that advisory groups to the following agencies be required to include at least two persons with disabilities from each of the major disability areas as the authentic, national voice of people with disabilities: SAMHSA, Social Security Administration, Centers for Medicare and Medicaid Services, National Institute of Mental Health, U.S. Department of Veterans Affairs, U.S. Department of Health and Human Services, and the National Institute on Disability and Rehabilitation Research at the U.S. Department of Education.

D. Reauthorize the Workforce Investment Act with changes including provisions improving employment services for underserved populations, such as adults on the autism spectrum and people with chemical and electrical sensitivities, and that further embraces consumer control over our lives and consumer control over our programs and services.

III. Make Technology Work for Everyone

A. Pass the Pedestrian Safety Enhancement Act of 2009 (HR 734/S. 841).

B. Pass the 21st Century Communications and Video Accessibility Act (HR 3101).

C. Protect and enforce accessibility requirements in the Help America Vote Act so that every American can vote privately and independently and so that poll workers have the training they need to implement this important law.