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Statement of

EASTER SEALS

regarding the

Veterans' Disability Compensation: Benefits in the 21st Century

to the

UNITED STATES SENATE
COMMITTEE ON VETERANS' AFFAIRS

September 17, 2009

Good morning Chairman Akaka, Ranking Member Burr, and members of the Committee. I am indeed honored to be here today to provide Easter Seals' perspective on the Department of Veteran's Affairs (VA) disability compensation system. Thank you for the opportunity to speak.

My goal today is to provide some insights on federal policy affecting people with disabilities that can inform how you consider compensation for veterans with disabilities. Americans with disabilities have made great strides over the past three decades, and it is essential that the VA build on these gains. I'd like to list just three of the main victories we have witnessed:

1. In 1973, thanks to section 504 of the Rehabilitation Act, all programs funded by the federal government needed to be accessible to people with disabilities.
2. In 1975, with the passage of the All Handicapped Children's Protection Act, children with disabilities secured the right to an appropriate public education.
3. In 1990, all children and adults with disabilities won the right to be free from discrimination in employment, services provided by state and local governments, public accommodations, transportation and telecommunications, thanks to the passage of the Americans with Disabilities Act.

As a result of these important laws, America has a new outlook on where people with disabilities belong. People with disabilities expect to be fully included in their families and in their communities and have the supports they need to live, learn, work and play.

Military service members and veterans are a major focus for Easter Seals. In communities nationwide, Easter Seals is being asked to help meet the needs of America's military service members and veterans with disabilities and their families. Our goal is to promote their successes by helping them attain their personal and family goals while becoming full participants within their own communities. We have utilized our nationwide network of accessible camps to provide

therapeutic recreation and camping experiences to veterans with disabilities and their families. Easter Seals has also partnered with the National Military Family Association to host week-long Operation Purple experiences for children of deployed parents at five Easter Seals affiliate camp sites. Later this year, the partnership will stage Operation Purple Healing Adventure for service members and veterans with disabilities and their families at Easter Seals Camp ASCCA in Alabama. And finally we provide a significant amount of adult day services and other supports to the nation's older veterans through the nation's largest network of adult day service centers.

In addition to these nationwide efforts, in our headquarters city of Chicago, with generous funding from the McCormick Foundation, Easter Seals has launched two programs that benefit service members, veterans and their families:

- Operation Employ Veterans provides training to employers on effective methods to recruit, employ, and retain veterans with disabilities.
- Community OneSource provides information, system and resource navigation and personalized follow-up supports for service members, mobilized Guard and Reserves and veterans with disabilities and their families as they reintegrate back into their home communities. This is an initiative we hope to take national very soon.

For 90 years, Easter Seals has been the leading non-profit provider of services for individuals with autism, developmental disabilities, physical and mental disabilities, and other special needs. Through therapy, training, education and support services, Easter Seals creates life-changing solutions so that people with disabilities can live, learn, work and play in their communities. Based on this wealth of experience, we are able to make some recommendations today about how veterans with disabilities should be viewed by the Department of Veterans Affairs when calculating compensation.

First, veterans with disabilities and their lives need to be considered holistically when considering compensation.

Calculations of potential lost earnings do not account for the reality of many veterans with disabilities lives. A veteran with a disability is likely to have increased expenses through the years beyond medical and therapeutic care. For instance, they may need assistive technology, transportation, housing modification and other supports to maintain health and independence. In most cases many of these expenses, even when subsidized, are out-of-pocket expenses that a veteran without a disability would not have.

In addition, a veteran with a disability may be able to work with supports like those listed above and may not have as much in lost earning, but the increased costs of the supports needed could still financially devastate the veteran. For instance, advances in prosthetic technology help veterans with lost limbs do work related tasks that were not conceivable when compensations policies were set so earnings potential can be very different for this generation of veterans with

disabilities. However, even a veteran with a disability who is a relatively high earner could still be devastated financially by the supports needed to remain independent.

As decisions are made about potential changes to disability compensation systems and other decisions affecting veterans with disabilities, I urge you to keep in mind some of the basic disability policy precepts that we in the broad disability community always try to infuse into legislation:

A. Equality of Opportunity

Individualization--Make decision affecting an individual based on facts, objective, evidence, state-of-the art science and a person's needs and preferences; not based on administrative convenience and generalizations, stereotypes, fear and ignorance.

Effective and Meaningful Opportunity--Focus on meeting the needs of all persons who qualify for services and supports, not just the "average" person by providing reasonable accommodations and reasonable modifications to policies, practices, and procedures.

Inclusion and Integration--Administer programs in the most integrated setting appropriate for the individual (i.e., the presumption is that a person who qualifies for a public program must receive services in an inclusive setting with necessary support services and the burden of proof is on the government agency to demonstrate why inclusion is not appropriate to meet the unique needs of the individual) and administer programs to avoid unnecessary and unjustified isolation and segregation (i.e., do not make a person give up his/her right to interact with nondisabled persons in order to receive the services and supports).

B. Full Participation

Provide for active and meaningful involvement of persons with disabilities and their families in decisions affecting them specifically as well as in the development of policies of general applicability i.e., at the systems/institutional level. ("Nothing about us without us")

This means policies, practices, and procedures must provide for real, informed choice; self-determination, empowerment; self-advocacy; person-centered planning and budgeting.

C. Independent Living

Recognize independent living as a legitimate outcome of public policy.

Provide for independent living skills development.

Provide necessary long-term services and supports such as assistive technology devices and services and personal assistance services.

Provide cash assistance.

D. Economic Self-Sufficiency

Recognize economic self-sufficiency as a legitimate outcome of public policy.

Support systems providing employment-related services and supports.

Provide cash assistance with work incentives.

In conclusion, Easter Seals recommends that revisions of the disability compensation system should take into account the totality of a person's potential ability as well as future supports that may be needed to maintain independence. Thank you very much for this opportunity to testify today.