

## **Policy proposals to improve outcomes for people with disabilities**

**Dave Young, candidate for Colorado Congressional District 8**

The overarching policy goal is to provide each person living with disabilities with the long-term services and support they need at the time they need that support to live a happy, productive life. Almost everyone experiences a disabling condition at some point in life. It may be temporary, it may be permanent, and/or it may develop with age. The current policies drive people into poverty and operate like private-sector insurance that rations services to mitigate risk to the state and federal budgets.

Typically, insurance denies or limits payment for services and restoration to save money for a private-sector business model. The hard reality is that this private-sector model is bad public policy for people with disabilities. It results in poor outcomes for them and creates higher risk to state and federal budgets. The current short-sighted policies may reduce immediate costs, but it results in poor outcomes and higher costs in the long term.

The following are specific policy proposals to improve outcomes for people with disabilities:

1. Reform Medicaid's Long Term Services and Supports (LTSS) utilizing Colorado HB15-1318 as a model ([https://www.leg.state.co.us/clics/clics2015a/csl.nsf/fsbillcont/4FDA634C35EA91FF87257DD90061E0A6?Open&file=1318\\_enr.pdf](https://www.leg.state.co.us/clics/clics2015a/csl.nsf/fsbillcont/4FDA634C35EA91FF87257DD90061E0A6?Open&file=1318_enr.pdf)). The first three items below summarize the policy directives of HB 1318 that should be applied at the Federal level.
  - a. Utilize transparent and open single assessment tools which produce support budgets that people with disabilities can use to purchase the supports they need.
  - b. Eliminate the rationing of services through waivers that have capped participation. Caps violate the Olmstead decision (<https://www.olmsteadrights.org/about-olmstead/>). Fully fund each state's State Plan based on the collective outcomes of individual assessments of need. Funds should go to the people, not insurance companies.
  - c. Fully fund independent case managers and case management agencies to provide conflict-free case management. Ensure case management results in the best outcomes through competitive bidding for services by service providers.
  - d. Analysis indicates that if HCPF (Colorado's Medicaid agency) had fully implemented HB 1318, better outcomes would have been achieved, and the State would have saved up to \$270 million per year. By 2025, that would be savings of up to \$2.7 billion.
2. Make the Olmstead decision federal law. This past session, the Colorado legislature passed HB25-1017 (<https://leg.colorado.gov/bills/hb25-1017>) to enshrine the principles of the Olmstead decision into state law. Congress should do the same.
3. Provide full federal funding of Individuals with Disabilities Education Act (IDEA) for mandated special education services. While I support the current effort of the "IDEA Full Funding Act" Bill Reintroduced by Reps. Huffman, Thompson and Sen. Van Hollen to reach the original promise of



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the 1975 Act of 40% funding level, this only as an intermediate and incremental step. IDEA has imposed an unfunded mandate on states and local school districts. Instead, the federal government should provide 100% funding. Full federal funding removes the pressure on school districts and early childhood providers to ration services provided to students *who are not covered by IDEA* to fund the gap of funding for special needs students that is not provided by the federal government. Research and now experience has shown that effective early intervention for special needs students results in much better outcomes and, in some cases, eliminate their need for an IEP once they are enrolled in a P-12 school.

4. While transition to adulthood is part of IDEA, it should be specifically highlighted because in Colorado, and perhaps in other states as well, there is a distinct “cliff effect” for many special needs P-12 students as they leave the P-12 system and enter the adult world of supports, services, and work. Having a fully functional transition process ensures the hard work done by our P-12 educators to prepare these students for adulthood is not eroded and lost, so that students can pursue post-secondary education, if they choose to do so, and enter the job market to be gainfully employed.
5. Fully fund and implement an “employment first” policy for people with disabilities and establish strong accountability measures to ensure people are gainfully employed. Provide tax-credit support to businesses that employ people with disabilities. People with disabilities want to be contributors and have a sense of productivity, just like everyone else. They may require accommodations to support their work, and when those accommodations are provided, they can excel at work. However, accommodations may have costs that serve as an impediment for businesses to hire. Tax credits that mitigate those costs can encourage hiring.
6. The federal government and states should assist with the creation of as many housing options as possible including intentional communities along with needed supports such as access to effective transportation. Currently, options are severely limited. As efforts to increase affordable housing are implemented, it is important to build for accessibility as well. Building for accessibility is a smart investment because it ensures that people can remain in their preferred residence without having to make significant structural changes or move. Incentivize housing developers to set aside more units for people with disabilities, especially when federal dollars or tax credits are used for the construction. There is also a need more programs to facilitate modifications to existing homes so people can stay in them, especially as they age.
7. Expand and improve workforce development for healthcare workers to assist people with disabilities. There is already a significant shortage of workers, so immediate action is needed.
8. Restore the U.S. Department of Education. Doing so will allow for the effective administration of the funds for mandated special education services. This action should also restore the attorneys to their positions in the Department who have previously responded to and helped resolve discrimination complaints under IDEA.