

February 3, 2021

Senator Sara Gelser Blouin, Chair
Oregon Senate Committee on Human Services

Re: SB 576 Supportive Testimony

Chair Gelser Blouin, Vice Chair Robinson and Members of the Committee:

My name is John Curtis and I am a Legislative Co-Chair of the Disability Health and Employment Equity Coalition, the proponent of this bill.

First, I'd like to give a shout out to the powerful and heart wrenching written testimonies you have before you on this bill. I hope that my testimony will provide some additional context for these stories, a little information about the Employed Persons with Disabilities (EPD) program and the purpose and object of this policy.

Employed Persons with Disabilities is an Oregon program housed in Aging and People with Disabilities. It administers a federal work incentive program that allows Medicaid beneficiaries to pay a fee to keep their benefits which would be lost should they become gainfully employed. Each state is free to establish their "Buy-In" rate and income and asset limits. Oregon's EPD program has set 250% of the Federal Poverty Level (\$2,831.25/mo. or appx \$16.35/hr.) as the income limit. \$5,000 is the asset limit.

It is important to point out that Congress created this program to allow states to let Medicaid recipients join the workforce without fear of losing benefits. The initial premise is that there will be no income or asset barriers, just the buy-in. It is up to each state to decide whether it will, or will not, place monetary caps on what a participant earns or owns.

People with disabilities who want to work are very often professional or skilled workers. This is due in no small part to the particular tasks that people with disabilities are able to perform. And to the plethora of educational resources and supports offered them to pursue higher education and skill development. In this period of intentional inclusion and diversity, people with diverse lived experience are increasingly recruited into the workforce. However, wages for professional and skilled workers typically far exceed the income limit Oregon has set for the Employed Persons with Disabilities program.

The perniciousness of the asset limit is also an exceedingly terrifying barrier for people with disabilities in the EPD program. Many receive public housing support or live in an uncertain rental climate that might trigger an immediate need to pay first and last

month rent and a security deposit to obtain alternate housing if it can be found. The value of household belongings alone can approach the \$5,000 EPD asset limit.

As a result of these limits and as is so passionately expressed in this bill's written testimony, people with disabilities that want to work are unable to avail themselves of the decades old "Buy-In" policy. This is especially the case for those who require substantial assistance with activities of daily living. The cost to provide those services can easily exceed the wages of participants in the EPD program. Even those with fewer or no needs for assistance with activities of daily living often find that the Oregon Health Plan is a superior alternative to the health coverage that their employer may, or may not, provide.

Aging and People with Disabilities recognizes these barriers and was, until recently, prepared to include a policy change to the EPD program in this legislative session. Unfortunately for us, that policy proposal was pulled.

Other states have taken steps to eliminate the income and/or asset eligibility requirements to their "Buy-In" programs. Washington is most notable in being the first to eliminate both thresholds. Maryland hopes to do the same this year. Several other states have eliminated either the income or asset limit.

So, people with disabilities that work and those that want to work must choose whether employment will actually be harmful to their health. The program that Congress intended to allay that concern is often to blame. The goal of having a diverse workforce that includes people with disabilities is unwittingly thwarted.

John Curtis, Legislative Co-Chair
Disability Health and Employment Equity Coalition