



June 3, 2022

To: Chair Gelser Blouin and Members of the Senate Committee on Human Services, Mental Health and Recovery

From: Leslie Sutton, Executive Director, Oregon Council on Developmental Disabilities

RE: Stipend Payments to Board or Commission Members

Chair Gelser Blouin and Members of the Committee:

The Oregon Council on Developmental Disabilities works to create change and create leaders so that people with development disabilities (DD), their families and communities can live, learn and work together. All of our members are appointed by the Governor. Qualifying Council members are entitled to a stipend under Oregon law and our bylaws.¹ We are led by people with DD. Two out of three of our Council members are people with DD or family members of people with DD.

We believe that all Oregonians work must be valued. We appreciate our Council member's contribution to our work and the lives of Oregonians with IDD. HB 2992 (2021) was an exciting change for our Council member stipend policy going from \$30 to \$155 per Council meeting. This was wonderful news, but the Medicaid income and asset rules brought uncertainty for our members who experience disability and rely on Medicaid and Social Security.

We urged our Council members to reach out to the Disability Rights Oregon and Vocational Rehabilitation benefits planners to get more information about how this would impact their own Social Security and Medicaid benefits (like DD services).² We knew the impact of the stipends would be different for adults with disabilities versus the parents of minor children with developmental disabilities because the rules for these populations differ.

We currently have six people with developmental disabilities on our Council. Five of the six have chosen to receive stipends. All of them have been concerned about how the stipend will impact their ability to access Medicaid programs.

¹ See ORS 292.495 and ORS 292.500.

² Disability Rights Oregon Planning for Work Program: <https://www.droregon.org/plan-for-work> Oregon Vocational Rehabilitation Work Incentives Program: <https://www.oregon.gov/dhs/employment/VR/WIN/Pages/Services.aspx>

Medicaid exists to support the person with a disability – and it isn't an income replacement program. Yet, if an adult with a disability wants to use Medicaid services to live and work in Oregon's communities, they must live in at extremely low income to meet Medicaid income requirements and can only accumulate \$2,000 in assets. In fact, many people with IDD live on only \$841 per month from Supplemental Security Income (SSI). For every two dollars they earn, they lose one dollar of SSI. This goes for money earned as a stipend – and means the stipend replaces part of the person's SSI payment rather than enhancing it dollar for dollar.

To put this in perspective, \$841/month this is 9.4% of the Area Median Income in the Portland area. Most affordable housing is set to 60% and above area median income. So, many adults with disabilities are at the "low-low" income level.

There are work incentives that allow people with disabilities to work and keep their benefits. People with disabilities generally lose their Medicaid access at about \$39,878 in income.

People with disabilities must calculate if they can work a fulltime job or take a promotion and how that impacts the Medicaid benefits that support them to keep that same job. They have to calculate if they can afford to marry the person they love for fear of it impacting their benefits. It is a constant stressful math problem filled with forms and record keeping for Social Security. In fact, one family I spoke with recently reported that they spend about 3-5 hours a month supporting their family member with a disability navigate Social Security just to keep their benefits – and their minimum wage job.

We have seven families of minor children on our Council. They did not have to do a calculation to see if their income from the stipends would impact their child's Medicaid benefits. Their family's income is not included in the Medicaid eligibility calculation. Oregon did this because it gave families a choice of accepting a promotion, getting married and earning a living while supporting all their children. There was a path forward in Medicaid to only look at the child's income. There was not a similar path for adults with disabilities.

The impact of Medicaid's income and resource limits is so far reaching and hold adults with disabilities in poverty every day. HB 2992 has great intent. Yet, it falls short by further complicating the issues for adults with disabilities to the point that they cannot realize the benefit of the stipend.

As we explore large topics like Basic Income, we need to remember that adults with disabilities often have some of the lowest incomes in our communities. They need to be considered when we look at ideas to increase support for our community members. We need to be creative to ensure that increasing benefits to Oregonians can actually enhance the lives of people with disabilities.