

Guiding Responsible and Improved Disability Decisions Act of 2015 (H.R. 1800)

As part of Chairman Johnson's commitment to make the Disability Insurance (DI) program work better, the *Guiding Responsible and Improved Disability Decisions Act of 2015* (H.R. 1800) requires that the Social Security Administration (SSA) update the 1979 medical-vocational regulatory guidelines for determining disability by considering new employment opportunities made possible by advances in treatment, rehabilitation and technology, as well as considering the true effect of prevalent languages on a claimant's educational profile.

Two recent studies by the Government Accountability Office (GAO) and SSA's Inspector General (OIG) show that the SSA's medical-vocational "grid rules" regulations are deficient and outdated. This bill addresses these reports by requiring the SSA to follow through on its plans to study and update these grid rules.

- For the 12th year, the GAO has classified the SSA's disability programs as high risk. According to its February 2015 report, the programs "rely on outdated criteria to determine whether individuals should qualify for benefits," and fail to employ "sufficient consideration of improvements offered by advances in medicine, technology, or changes in the modern work environment."¹ The GAO first classified this lack of modernization as high risk in 2003.
- Additionally, an April 2015 report by the OIG identified at least 218 cases in Puerto Rico where the grid rules created a presumption that inability to communicate in English would prevent the Spanish-speaking claimants from finding work, even though Spanish is an official language of Puerto Rico.²
- In response these reports, the SSA plans to study the effect of assistive technologies and accommodations on disability, and it agreed that it should evaluate the appropriateness of the grid rules' treatment of inability to communicate in English.

The SSA published the grid rules in 1979 in order to minimize subjectivity and promote consistency in determining disability. The grid rules use an individual's age, education, past work experience, and capacity for work to create guidelines that assist or instruct decision-makers in determining whether that individual is or is not disabled.

However, the grid rules have not been updated to stay current with developments in medicine, technology, and modern workplaces, resulting in disability determinations that no longer accurately and completely reflect what a person can and cannot do.

¹ "High-Risk Series: An Update," Government Accountability Office, p. 323. Available at: <http://www.gao.gov/assets/670/668415.pdf>.

² "Qualifying for Disability Benefits in Puerto Rico Based on an Inability to Speak English," Social Security Administration Office of the Inspector General. Available at: <http://oig.ssa.gov/sites/default/files/audit/full/pdf/A-12-13-13062.pdf>.