

April 19, 2019

Hon. Bobby Scott
Chair, Education and Labor Committee
2176 Rayburn House Office Bldg.
Washington, DC 20515

Hon. Cathy McMorris Rodgers
1035 Longworth Bldg.
Washington, DC 20515

Hon. Bob Casey
393 Russell Senate Office Bldg.
Washington, D.C. 20515

Re: Transformation to Competitive Employment Act, S. 260, H.R. 873

Dear Chairman Scott, Representative McMorris Rodgers, and Senator Casey:

The undersigned mental health and disability rights organizations write to express our strong support for your legislation, the Transformation to Competitive Employment Act. This bill is an important step toward ending the practice of paying subminimum wages to employees with disabilities under Section 14(c) of the Fair Labor Standards Act and expanding the supported employment services needed to ensure that people with disabilities who are served in subminimum wage sheltered workshops to receive the services they need to secure and maintain competitive integrated employment.

In particular, we express our appreciation for the inclusion of people with psychiatric disabilities in this legislation, and for ensuring that state mental health authorities can be partners under the grants to help states develop the infrastructure to support the transition from sheltered workshops to competitive integrated employment. While the number of people with psychiatric disabilities served by subminimum wage sheltered workshops has decreased over time, those who remain deserve the opportunity to receive services to support them in maintaining real jobs at competitive wages. In addition, the involvement of state mental health authorities is key to ensure those opportunities for workshop participants with psychiatric disabilities, including those with a dual diagnosis of psychiatric and intellectual and developmental disabilities.

People with significant psychiatric disabilities are capable of working and overwhelmingly want to work, but their employment rates remain far below those for the general population. In 2017, only 21% of people receiving public mental health services were employed, and only 2% received supported employment services.¹ A much greater investment in supported employment services is needed. Employment is critical not only to afford people the opportunity to achieve independence, choice and dignity, but also to mental health recovery.

The incentives provided by the Transformation to Competitive Employment Act are an important step in addressing the need to expand employment opportunities for people with psychiatric

¹ U.S. Dep't of Health & Human Services, Substance Abuse and Mental Health Services Administration, Mental Health National Outcome Measures: SAMHSA Uniform Reporting System (2017).

disabilities as well as other disabilities. Ultimately, we hope that Congress will take steps to incentivize the provision of services to support people with disabilities in achieving competitive integrated employment more broadly—including people currently served in segregated day treatment and day habilitation programs. But legislation promoting a transformation from the outdated model of subminimum wage sheltered work to competitive integrated employment is an important first step.

This legislation will help advance the goal of the Americans with Disabilities Act to promote economic self-sufficiency for people with disabilities, and we stand ready to work with you to help secure its passage.

Sincerely,

Autistic Self Advocacy Network

Bazelon Center for Mental Health Law

Connecticut Legal Rights Project

Gould Farm

Keep the Promise Coalition

Mental Health America

National Alliance on Mental Illness

National Association of County Behavioral Health and Developmental Disability Directors

National Association on Rural Mental Health

National Association of Rights Protection and Advocacy

National Coalition for Mental Health Recovery

National Council on Independent Living

National Disability Rights Network

National Health Law Program

National LGBTQ Task Force Action Fund

New York Association of Psychiatric Rehabilitation Services

Psychiatric Rehabilitation Association