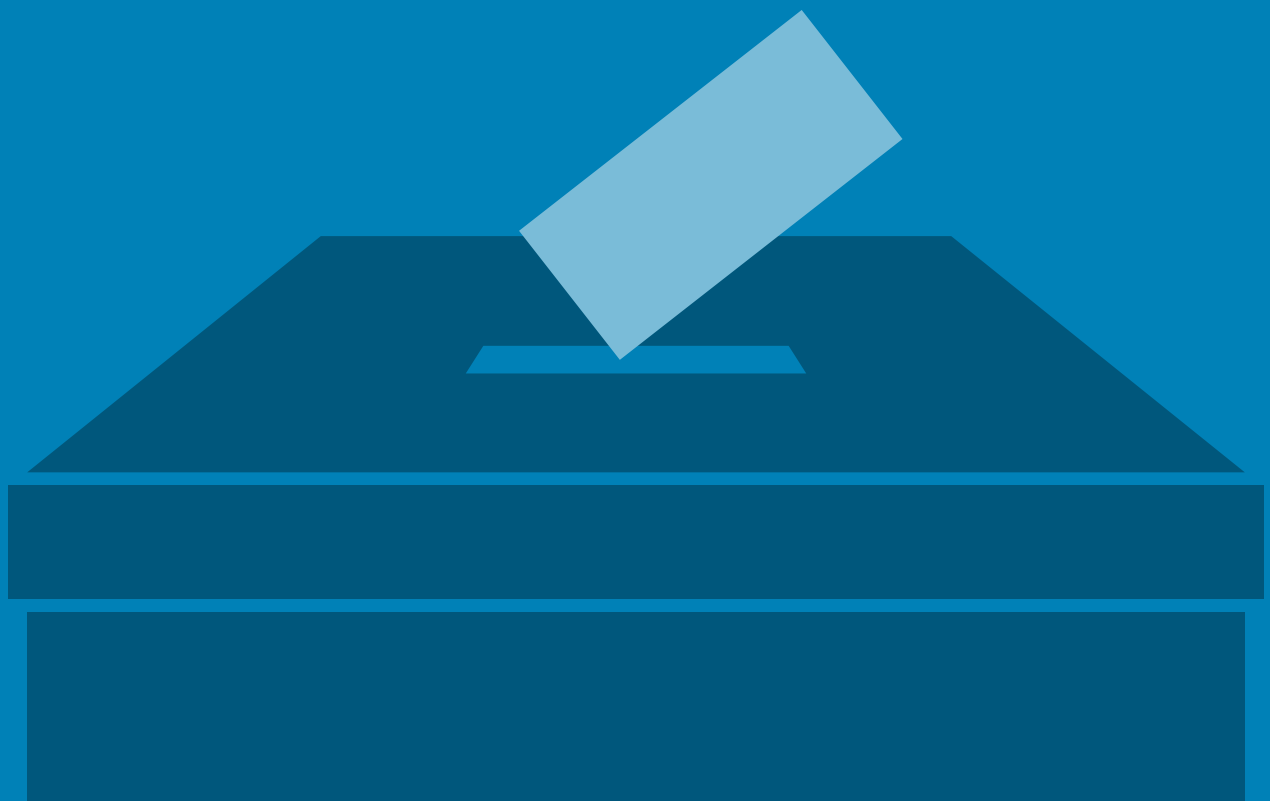


Webinar Follow Up

What's Next? The Impact of the November Election on Disability Policy



You Asked, We Answered

While any specific policies and changes under the new administration will become clearer in the coming months, we can begin to forecast based on Trump's campaign promises and previous administration. Below, you'll find our current projections in response to the questions submitted during the November webinar.

Government and Legislative Impact on Disability Policy

Is Title II of the ADA at risk of being repealed?

Title II of the ADA mandates that state and local governments provide people with disabilities equal access to all their programs, services, and activities. While it's unlikely that Title II will be repealed, its interpretation and enforcement could be weakened, potentially narrowing its scope or making it harder to enforce. Although disability advocacy groups would strongly oppose such changes, they could still occur if political priorities shift.

Department of Education and Disability Support

How might dismantling the Department of Education affect the support that students with disabilities receive?

The Department of Education enforces several laws and programs protecting students with disabilities, including Section 504 of the Rehabilitation Act and the Individuals with Disabilities Education Act (IDEA). While these laws do not rely solely on the Department of Education for enforcement, dismantling it would shift responsibility to state and local levels, likely leading to inconsistent support across the country. Additionally, the Department allocates federal funding to public schools, including IDEA grants aimed at supporting students with disabilities. Eliminating the Department would disrupt this funding, affecting the programs that schools rely on to support these students.

How might the incoming administration impact policies related to higher education and students' rights to accommodations in the classroom and on campus?

The incoming administration could affect higher education and students' rights to accommodations in several ways, including reduced federal oversight, budget cuts, and changes to policies governing colleges and universities. This could impact accommodations for students with disabilities across campuses. However, advocacy organizations are poised to oppose any significant changes and continue advocating for the rights of individuals with disabilities.

Social Security, Medicaid, and Economic Impact

Do you think the new administration will address the marriage penalty for individuals with disabilities on SSI and/or Medicaid, or will we have to wait another four years for action?

As of now, there has been no clear indication that addressing the marriage penalty is a priority for reform under the Trump administration. This underscores the importance of strong public advocacy and grassroots movements. Disability inclusion is a nonpartisan issue, and we remain hopeful that while it may not be fully resolved in the next four years, we can continue to push the movement forward and make meaningful progress.

How might proposed cuts to Medicaid and Medicare impact people with disabilities?

The proposed cuts to Medicaid and Medicare would have a significant negative impact on people with disabilities by reducing access to essential healthcare and support services. Cuts to these programs would likely lead to increased out-of-pocket expenses for individuals, including higher premiums, deductibles, and co-pays.

If Medicaid cuts make it harder to access necessary healthcare, individuals may find it harder to stay employed or participate in job training programs. The proposed cuts could also reduce or eliminate programs such as Medicaid Buy-In, which allows individuals with disabilities to work and earn income while still maintaining access to Medicaid.

Disability Rights and Accessibility

What can be done to support individuals with non-apparent disabilities?

Non-apparent disabilities are often overlooked because they are not immediately visible. Addressing the needs of individuals with these disabilities must begin early, with a focus on early diagnosis, tailored education, & the development of specialized programs.

In the workplace, there are simple yet effective ways to increase understanding and reduce stigma:

Educate your staff.

Implement initiatives that teach employees about non-apparent disabilities and their impact, fostering greater awareness and empathy.

Leverage Employee Resource Groups (ERGs).

These groups provide an inclusive platform to build support networks and promote understanding within the workplace.

Use inclusive language.

Avoid terms like "normal" or "regular," which can alienate employees and undermine their sense of belonging.

Implement assistive technologies.

Provide tools that accommodate a range of disabilities, ensuring a more equitable and accessible work environment for all employees.

Houselessness and Disability

How are disability rights advocates addressing the SCOTUS decision in Grants Pass and the broader criminalization of houselessness?

The Supreme Court's 2024 ruling in *City of Grants Pass v. Johnson* empowers local governments to criminalize houselessness, a decision that has drawn sharp criticism from disability rights advocates. With about 30% of people experiencing houselessness having a disability¹, the SCOTUS decision has a disproportionate impact on our community. It is important that as advocates we push for increased access to housing and supportive services as the primary solution to houselessness, rather than punishment and enforcement actions.

1. U.S. Department of Housing and Urban Development. (2023). *The 2023 annual homelessness assessment report (AHAR) to Congress: Part 1* (Report No. 2023-AHAR-1). <https://www.huduser.gov/portal/sites/default/files/pdf/2023-AHAR-Part-1.pdf>



NATIONAL ORGANIZATION ON
DISABILITY