

STATEMENT OF JOHN E. FOGARTY, M. C., BEFORE THE SPECIAL EDUCATION
SUB-COMMITTEE OF THE HOUSE COMMITTEE ON EDUCATION AND
LABOR, CONSIDERING HR1119 and HR3465.
DECEMBER 17, 1959

Mr. Chairman, as member and chairman of the Labor-HEW Sub-Committee of the House Appropriations Committee for 13 years, ^{of my 19} ^{in Congress} I have had an opportunity to become intimately acquainted with all the health, education, welfare, and related programs through which our government provides essential services to its people. Members of our Committee have an unusual privilege and opportunity, because they not only become acquainted with these programs individually but in their relationships to each other. These programs fall into two general classifications, research and service. I am glad to be able to say they are making important advances on both fronts.

Vocational rehabilitation is one of the programs in which I have been very much interested. I have noted with pride the progress of the program, both with respect to the number of individuals served and the improvement in the quality of services to the individual.

In addition to the basic service program, Congress is now appropriating funds to support training of rehabilitation personnel and special research and demonstration projects. This is as it should be, for well-trained personnel and improved methods in techniques are essential to the development of a sound program.

In discussing rehabilitation programs with officials of the Office of Vocational Rehabilitation at hearings and with representatives of voluntary agencies on other occasions, I have been seeking to discover ways to expand and improve rehabilitation programs on a sound basis; for I firmly believe that it is in the national interest, as well as the interest of the individual, that every handicapped person have the opportunity to achieve the maximum possible degree of independence and

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social usefulness. In HR1119, it is proposed that we extend the benefits of rehabilitation to additional groups of handicapped individuals, that we improve the programs for the evaluation of rehabilitation potential, and that we establish a new program for the establishment of workshops and other rehabilitation facilities.

The principal provisions of the legislation are as follows. First, it makes eligible for rehabilitation services under the state-federal rehabilitation program severely handicapped individuals for whom vocational rehabilitation services may not be feasible but who, as a result of rehabilitation services, can achieve such ability of independent living as to dispense with the need for expensive institutional care or the need of an attendant at home; second, it provides federal assistance to the states to enable them to operate comprehensive evaluation programs for individuals who may profit from rehabilitation services and referral systems which will assure that all handicapped individuals are put in contact with the agencies that are in a position to serve them most effectively; third, it establishes a program of rehabilitation facilities which enables the Secretary of Health, Education, and Welfare to make grants to public and other nonprofit organizations to assist them in the establishment of workshops, rehabilitation centers, and specialized rehabilitation facilities. This program would supplement the rehabilitation facilities program set up in the Hospital Survey and Construction Act.

In addition to its three principal titles, it also provides for an increase in the appropriation authority for the President's Committee of the Employment of the Physically Handicapped, removes the requirement that sponsors of research and demonstration projects under Section 4 of the Rehabilitation Act be required to pay part of the cost of such projects, and authorizes the reallocation of unused extension and improvement funds under Section 3 of Public Law 516.

Mr. Chairman, I shall not make any effort to analyze in detail the provisions of

this bill. I do want to express my deep convictions, however, with respect to certain aspects of this legislation.

At the present time, state rehabilitation agencies operating under Public Law 565 are required to apply an "employability" criterion in the selection of cases to be served. In other words, there must be a reasonable expectation that the individual given rehabilitation services will be able to work for wages or profit following rehabilitation services. There is no doubt in my mind that this mitigates against the acceptance of many severely handicapped individuals, many of whom would actually prove to be feasible for vocational rehabilitation services, if they were given the opportunity to begin rehabilitation services. It has been demonstrated time after time that it is utterly impossible to judge in advance whether or not many individuals can be vocationally rehabilitated. Some people accepted for vocational rehabilitation services prove themselves to be incapable of attaining vocational rehabilitation, while other individuals deemed not feasible for vocational rehabilitation, once given the opportunity to begin rehabilitation services, prove that they can be rehabilitated vocationally. In my judgement, the establishment of a program of independent living rehabilitation services, as we call rehabilitation services whose objectives are less than vocational rehabilitation, will result in a tremendous improvement in vocational rehabilitation services to the more severely handicapped individuals. This will be a tangible result which we shall all appreciate.

I want to say, however, that I am just as much concerned for those individuals who may never achieve the ability to earn wages, as I am for those who may achieve this desirable result. I fully believe that every handicapped individual should have the opportunity to progress as far as he can in his rehabilitation, whatever the end result may be. I believe that it is just as important that an individual achieve the ability to dress himself, feed himself, attend his own toilet habits,

transport himself from place to place, etc., if this is the maximum that he can achieve, as it is for another handicapped individual to be able to become employable. I think the time has come when we can no longer relegate to the human scrap heap a large segment of our disabled population, just because it must be said that there is not a reasonable expectation that such individuals shall be employable.

I am not unmindful of the difficulties of a program of this kind. I know it is difficult to know just how many such individuals need independent living rehabilitation services and what the ultimate cost of such services will be. I know that the rehabilitation of these severely handicapped individuals must be preceded by careful, and sometimes expensive, evaluation services. This is the reason we have seen fit to suggest a new procedure for financing evaluation services. We also recognize the fact that provision of adequate rehabilitation services to this new group of rehabilitation clients would require additional facilities and personnel. In this bill, we are providing a mechanism through which the facilities can be established. Already, we have programs in which we are training personnel for the rehabilitation programs of the future.

The programs provided for in this legislation are to be administered by the Secretary of Health, Education, and Welfare on the federal level and state rehabilitation agencies on the state level. These state agencies have been in the rehabilitation business since 1920. They already have working arrangements with professional people and facilities that will be needed in the administration of an expanded service. The addition of independent living programs will just mean that already existing services will be made available to an additional number of handicapped people. In providing services, they will use the resources of other public and voluntary agencies, as they do now in their vocational rehabilitation programs.

Mr. Chairman, I want to express my appreciation to this Committee for scheduling

this hearing. I do not believe that you have any greater opportunity for service than you have in considering and reporting a bill that will result in making rehabilitation services available to greater numbers of severely disabled people. If I can be of any assistance, please call upon me.