

Developing Public Policy for Persons With Disabilities: The Case for a Categorical Approach

E. Clarke Ross

Abstract: Conventional public administration wisdom argues that federal and state government categorical programs promote waste, duplication, excessive paperwork, and high administrative costs. The proposed solution to this perception is the umbrella agency; however, experience has demonstrated that low visibility groups, such as disabled persons and subgroups within their ranks, tend to lose resources without a categorical target. U.S. P.L. 95-602, the "Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978," reflects an attempt to coordinate, integrate, and consolidate certain programs across all disability lines while recognizing the uniqueness of certain groups, such as the developmentally disabled.

Public administrators have been debating for a decade the question, "should publicly financed human services be organized and administered through categorical or umbrella agencies?". Here, the perspective is offered of an advocate agency serving persons with developmental disabilities within the framework of U.S.P.L. 95-602, 1978, the "Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978" enacted into law on November 6, 1978.

From the advocate's perspective, the fundamental issue involves targeting of resources. In 1978, the Human Resources Organization Studies Group of the President's Reorganization Project (Note 1) concluded:

"The primary disadvantage of program consolidation is that some desirable targeting of resources on very specific needs and problems may be lost" (p. 65).

Experience has repeatedly demonstrated that low visibility groups, such as the disabled and subgroups within the disabled, tend to lose resources unless a specific target to their needs exist. The fundamental assumption is that umbrella agency proposals do not guarantee a continuation of targeting.

Umbrella Agency Motivations

There is a trend toward what some refer to as "the cybernetic state" which has a systemic rather than functional orientation (Schick, 1971). Such a system tends to be guided by systems engineers, planners, and other generalists whose perspectives presumably transcend their functional specialties. The emphasis in such a system is on "central-guidance clusters," such as the Council of Economic Advisers and Office of Management and Budget. Mass, class, and individual identities become more important than group associations, in theory. Professionals representing target populations do not feel confident that these system en-

gineers have the understanding, awareness, or sensitivity to adequately plan services for our target group. Functionalism may not be as efficient as a systems approach but it is probably more representative.

The U.S. Advisory Committee on Intergovernmental Relations has documented the enormously complex nature of the federal grant system. Their report claims that categorical programs promote waste, duplication, excessive paperwork, and high administrative costs. The dimension of this situation is significant since three-fourths of federal domestic assistance flows through categorical programs (Carroll and Snelling, 1978, Note 2). Efficiency, for present purposes, may be defined as efforts to reduce the waste, duplication, and administrative costs associated with categorical programs.

Efficiency is not necessarily compatible with social equity. For years the term "efficiency" has been used as policy making shorthand for reduced public expenditure. A classic argument in the public administration field is whether the emphasis should be placed on "public" or "administrative" goals. Efforts should be taken to avoid inequity when making improvements in administrative efficiency. The major reservation about an integrated human service delivery system is that the unique objectives of low visibility interest groups within society may tend to receive inadequate attention in organizational configurations emphasizing efficiency.

Despite the benefits frequently attributed to integrated human service systems, there is little empirical evidence that such systems result in more effective, efficient, and economical delivery of services to persons in need. The 1974 Department of Health, Education, and Welfare (HEW) "Allied Services" proposal was based upon the experiences of a few single facility providers (such as the Mon Valley Health Center) and not on a statewide or

systemwide experience (U.S. Department of HEW, 1974). Before the federal government recommends an approach similar to "Allied Services," it might be helpful to demonstrate and document the impact of such systems on consumers when such efforts are taken at the statewide level.

What has been the experience of persons with disabilities with umbrella agencies? Several years ago the state of Florida consolidated its Vocational Rehabilitation (VR) program into an umbrella human service agency. A federal audit of the performance of the umbrella agency's rehabilitation of handicapped persons shows a decline of 52% in the total number of handicapped people served between 1973 and 1977. (In 1973, the Florida VR agency operated as a single state agency categorical program. In 1977, the state had several years of umbrella experience.) The auditors concluded that "there is evidence that considerable amounts of VR money also are being diverted" resulting in a suspension of services to 4,154 disabled persons in 1978. As a result of the audit, Florida may have to repay the federal government \$2.2 million in federal VR funds which was misspent on other services (Cook, 1979). The Florida example demonstrates that handicapped people are not better served by umbrella agencies and that their needs are better respected by categorical programs.

The June, 1978 Human Resources Organization Study (Note 1) contains an excellent statement of the central dilemma: "The desire for a flexible, pluralistic system of service agencies responding to specific client and community needs is difficult to reconcile if not in conflict with the preference for a coordinated and comprehensive service delivery system which can be administered according to a consistent set of goals and by administrative mechanisms broad enough to address the many needs of individuals and families". (p. 9)

The public administration authority, Orion White, Jr. said (1971):

"Any resolution of this paradox (great need for change vs. few possibilities for change) must start, it appears, from the realization that administrative-technical capabilities under conditions of great complexity and interdependence are both delicate and not susceptible to extensive alteration if the capability is to be maintained" (p. 160).

The June, 1978 Human Services Organization Study (Note 1) proposed a policy option which would consolidate Titles XX, IV-B, and IV-C of the Social Security Act with the Vocational Rehabilitation Act with an earmarking of funds to "continue to ensure that specific services are provided to designated beneficiaries and for incentives to

stimulate delivery of services to meet priority needs for at risk groups." (p. 67) This is an unnecessarily complicated means of consolidating programs while, at the same time, protecting minority group interests.

Federal Studies of Inter-Agency Coordination Problems

Several federally-financed studies have documented the types of interagency coordination problems faced by disabled consumers and their providers of services as a direct outgrowth of federal policy.

Services For Handicapped Youth: A Program Overview

A study prepared in May, 1973 by the Rand Corporation for the HEW Office of the Assistant Secretary for Planning and Evaluation documented that "over 50 major federal programs help provide services to handicapped youth" (p. 8) and that "in recent years all such programs expended nearly \$5 billion annually for a wide variety of services." (Kakalik, 1973, p. 8). The study identified 5 major problems with these 50 programs for handicapped children (ages 0-21): (1) inequity (2) gaps in services, (3) insufficient knowledge, (4) inadequate control, and (5) insufficient resources. The study concluded that "the vast system providing services to this nation's handicapped children is varied, fragmented, uncoordinated, and not particularly responsive to an individual's total needs." (p. 20)

The Rand study outlined a set of multiple criteria for measuring policy outcomes: current resource consumption, equity, future economic effects, and effects on the quality of life of the handicapped individual. All criteria were judged in terms of their impact on a target population, the handicapped child. This 1973 study concluded by defending the need for a categorical program. The basis for this conclusion is the assumption that only a specific focus on the target population, handicapped children, could insure solution to the five fold problems listed previously. Of these five problems, control and resources could best be guaranteed through a categorical focus.

Returning The Mentally Disabled To The Community: Government Needs To Do More

In January, 1977, a report by the U.S. General Accounting Office (GAO) documented that "at least

135 federal programs, operated by 11 major departments and agencies, have either a direct or indirect impact on the mentally disabled. An estimated 89 are operated by" . . . HEW (p. 5). The GAO report concluded that one of the primary factors contributing to problems in service delivery was the "lack of a planned, coordinated, and systematic approach to deinstitutionalization by federal agencies." (p. 17) Further, the report states that "although deinstitutionalization of the mentally disabled has been a national goal since 1963, federal agencies that can influence this goal have not yet developed a comprehensive and clearly defined national plan to achieve the goal." (p. 26)

The report made a series of recommendations all of which are targeted on improving coordination and case management for a target population—the mentally disabled.* Again, this 1977 study concluded by defending the need for a categorical program. Recommendations included the strengthening and expansion of categorical programs such as Developmental Disabilities and Community Mental Health Centers and the specific targeting of funds for the mentally disabled in generic funding programs such as Medicaid and Title XX Social Services.

Other Illustrations

In addition to these two major studies, one can further document illustrations of gaps and discontinuities in service to persons with handicaps caused by the lack of interagency coordination at the federal level (Gettings, Tapper, & Weinberg, Note 3; Gettings, Note 4). Some examples include:

1. The lack of a joint HEW-HUD (Department of Housing and Urban Development) policy on the provision of support services to handicapped persons in community housing, despite explicit statutory authority calling for such interagency cooperation;
2. The inadequacies of developmental screening under the Medicaid Early and Periodic Screening, Diagnosis and Treatment program;
3. The seeming inability of HEW and Congress to develop a rational, agency-wide policy on services to mentally and physically handicapped persons in non-medical, community residential settings;
4. The failure HEW to assign clear responsibility for the financing and provision of "related services" coordinated with "special education" under U.S.P.L. 94-142, the "Education for All Handicapped Children Act;"

* For purposes of the study the term mentally disabled includes the mentally retarded and developmentally disabled.

5. The difficulty in interfacing policies regarding U.S.P.L. 94-142 services with medical services under such programs as Medicaid and Crippled Children services;
6. The failure to balance mass transit accessibility initiatives with para-transit specialized services for handicapped persons in federal programs administered by DOT (Department of Transportation) and HEW; and
7. The failure of Congress, HEW, and DOL (Department of Labor) to address the relationship between income maintenance (such as SSI) and wage supplement proposals for persons employed in sheltered work environments.

The U.S.P.L. 95-602 Example

A dual approach to delivering certain services to persons with disabilities is reflected in U.S.P.L. 95-602, the "Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978". The new law reflects the attempt to coordinate, integrate, and consolidate certain programs and activities across all disability lines while recognizing the uniqueness of certain disability groups and the individual responses which are required to meet these unique needs.

Examples of the U.S.P.L. 95-602 (1978) concern with coordination and integration include:

1. Establishment of a National Council On The Handicapped to advise HEW on its policies, programs, and activities concerning persons with disabilities.
2. Establishment of a central clearinghouse for information and resource availability for persons with disabilities.
3. Establishment of a National Institute of Handicapped Research to provide a comprehensive and coordinated approach to the administration and conduct of research, demonstration projects, and related activities for the rehabilitation of persons with disabilities.
4. Establishment of an experimental demonstration program, Comprehensive Rehabilitation Centers, to provide a focal point in communities for the development and delivery of services designed primarily for handicapped persons.

This Comprehensive Rehabilitation Centers demonstration program, and the June 1978 Human Services Organization Study option proposal (which provides incentives for colocation of services in neighborhood centers), together or separately could undermine the scattered site, community dispersed, non-segregational approach currently being advocated and utilized in the disability field. It could also subvert the deinstitutionalization objective endorsed by the federal government.

Examples of the U.S.P.L. 95-602, 1978, recognition of unique needs and individualized responses include:

1. Expansion and continuation of the Developmental Disabilities program with the following declaration of Congressional findings.

"Individuals with disabilities occurring during their developmental period are more vulnerable and less able to reach an independent level of existence than other handicapped individuals who generally have had a normal developmental period on which to draw during the rehabilitation process;"

"General service agencies and agencies providing specialized services to disabled persons tend to overlook or exclude persons with developmental disabilities in their planning and delivery of services; and

"It is in the national interest to strengthen specific programs . . . to meet the needs of persons with developmental disabilities." (Statute 95, p. 3004)

U.S.P.L. 95-602, 1978, declares that "It is the overall purpose of this title to assist States to assure that persons with developmental disabilities receive the care, treatment, and other services necessary to enable them to achieve their maximum potential through a system which coordinates, monitors, plans, and evaluates those services and which ensures protection of the legal and human rights of persons with developmental disabilities." (Statute 95, p. 3004)

The fact that U.S.P.L. 95-602, (1978), modified the definition of developmental disabilities from a diagnostic label orientation (frequently referred to as a "categorical" definition) to a functional orientation based on substantiality of impairment related to major life activities does not contradict the arguments of this paper. U.S.P.L. 95-602, 1978, did not terminate the DD program nor consolidate it into an umbrella human services program; rather, the law reinforced the unique nature of the developmentally disabled as a target population requiring a separate program and focus.

2. Continuation of the Vocational Rehabilitation program continuing the focus on the vocational aspects of the program.
3. Establishment of a new Comprehensive Services for Independent Living program for persons whose disabilities are so severe that they do not presently have the potential for employment.
4. Establishment of "Special Federal Responsibilities" including services to individuals with spinal cord injuries, migratory workers, the Helen Keller National Center for Deaf-Blind Youths and Adults, reader services for the blind, interpreter services for the deaf, and special recreational programs.

Conclusion: U.S.P.L. 95-602 in the Proper Perspective

It must be emphasized that the U.S.P.L. 95-602 (1978) programs provide a vital but small portion of federal dollars for persons with disabilities. An estimated 80% of all HEW expenditures on behalf of persons with developmental disabilities are derived from Medicaid, Social Security, Social Services, and Supplemental Security Income (Gettings, et al., Note 3). Add to these such income-tested, non-cash assistance such as Food Stamps and Section 8 rent subsidies and one quickly sees where HEW's Rehabilitation Services Administration fits in the schema of federal benefits.

This point also demonstrates that advocates for the disabled do not merely fight for categorical programs only. If an entitlement approach is used, whereby all in need are served, then one will not hear categorical arguments. But without an entitlement and with financing ceilings, such as with Title XX, categorical arguments will remain.

Additionally, the federal government does not only have an income transfer responsibility but also has an important responsibility for stimulating and providing a national focal point for action on social issues which otherwise would not be addressed at the state and local level. Low incidence problems such as services to the developmentally disabled require national leadership, both in terms of ongoing support and the creation of new knowledge and technologies. The full, social ramifications of the problem can be perceived best from a national perspective. The provision of national leadership demands a categorical organizational focus within the federal structure, combined with a system for assuring that the various federal generic funding streams are appropriately interfaced so they address the true needs of the target population. Thus the importance is seen for HEW's Rehabilitation Services and Developmental Disabilities programs, the National Council on the handicapped, and the National Institute on Handicapped Research.

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- Author: E. CLARKE ROSS, D.P.A.** Candidate, School of Government and Business Administration. George Washington University. Director, Governmental Activities Office, United Cerebral Palsy Associations, Inc., Suite 141, 425 Eye Street, N.W., Washington, D.C. 20001.

Resisting Umbrella Agency Approaches: A Defense of Categorical Programs for the Handicapped

Public administrators have been debating for a decade the classic argument of whether publicly financed human services should be organized and administered through categorical or umbrella agencies. Conventional public administration "wisdom" argues that consolidated or umbrella agencies are efficient and effective units of governance. Let us review why advocates for persons with disabilities oppose umbrella agencies. Their advocacy efforts have been upheld consistently by federal studies and statutes.

From the advocate's perspective, the fundamental issue involves targeting of resources. As the Human Resources Organization Studies Group of the President's Reorganization Project concluded:

The primary disadvantage of program consolidation is that some desirable targeting of resources on very specific needs and problems may be lost. (President's Reorganization Project, July, 1978)

Low visibility groups, such as the disabled and subgroups within the disabled, tend to lose government resources unless funds are specifically targeted to their needs. Umbrella agency reform proposals do not guarantee a continuation of targeting.

UMBRELLA AGENCY MOTIVATIONS

There is a trend toward what some refer to as "the cybernetic state" which has a systemic rather than a functional orientation. Such a system tends to be guided by systems engineers, planners, and other generalists whose perspectives presumably transcend their functional specialities. The emphasis in such a system is on "central-guidance clusters," such as the Council of Economic Advisers and the Office of Management and Budget. In

E. Clarke Ross is Director, Governmental Activities Office, United Cerebral Palsy Associations, Inc., in Washington, D.C.

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Efficiency is not necessarily compatible with social equity. For years the term "efficiency" has been used as policy-making shorthand for reduced public expenditure. "Efficiency" may be defined as efforts to reduce the waste, duplication, and administrative costs associated with categorical programs. A classic argument in the public administration field is whether the emphasis should be placed on "public" or "administrative" goals. Let me stress that efforts must be taken to avoid inequity when making improvements in administrative efficiency. A word of caution—low visibility interest groups within society may tend to receive short shrift in organizational configurations if one emphasizes efficiency.

UMBRELLA AGENCY PERFORMANCE AND PERSONS WITH DISABILITIES

Despite the benefits frequently extolled for integrated human service systems, there is little empirical evidence that such systems result in more effective, efficient, and economical delivery of services. The 1974 "Allied Services" proposal of the Department of Health, Education, and Welfare (DHEW) was based upon the experiences of a few single facility providers (such as the Mon Valley Health Center) and not on any statewide or systemwide experience. Before the federal government recommends an approach similar to "Allied Services," it might be helpful to demonstrate and document the true impact of such systems on consumers when such efforts are taken at the statewide level.

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What has been the experience of persons with disabilities with umbrella agencies? Several years ago the state of Florida consolidated its Vocational Rehabilitation (VR) Program into an umbrella human service agency. A federal audit of the performance of the umbrella agency's rehabilitation of handicapped persons confirms this writer's assumption. Between 1973 when the Florida VR agency operated as a single state agency categorical program and 1977 after several years of umbrella experience, the total number of handicapped people served declined 52 percent. The auditors concluded that "there is evidence that considerable amounts of VR money also are being diverted" resulting in a suspension of services to 4,154 disabled persons in 1978. As a result of the audit, Florida may have to repay the federal government \$2.2 million in federal VR funds which were misspent on other services. The Florida example demonstrates that handicapped people are not better served by umbrella agencies and that their needs are better respected by categorical programs.

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needs is difficult to reconcile if not in conflict with the preference for a coordinated and comprehensive service delivery system which can be administered according to a consistent set of goals and by administrative mechanisms broad enough to address the many needs of individuals and families. (President's Reorganization Project, 1978)

FEDERAL STUDIES REINFORCING THE NEED FOR CATEGORICAL PROGRAMS

Several federally financed studies on the types of interagency coordination problems faced by disabled consumers and their service providers have concluded the need for maintaining categorical programs.

Services for Handicapped Youth: A Program Overview (May 1973 study prepared for the DHEW Office of the Assistant Secretary for Planning and Evaluation by the Rand Corporation)

The study documents that "over 50 major federal programs help provide services to handicapped youth" and that "in recent years all such programs expended nearly \$5 billion annually for a wide variety of services." This 1973 study concluded by defending the need for a categorical program. This conclusion was reached because of the assumption that only a specific focus on the target population—handicapped children—could insure solution to the five-fold problems of inequity, service gaps, knowledge, control, and resources. Control and resources could best be guaranteed through a categorical focus.

Returning the Mentally Disabled to the Community: Government Needs to do More (January 1977 report of the General Accounting Office)

The report documents that "at least 135 federal programs, operated by 11 major departments and agencies, have either a direct or indirect impact on the mentally disabled. As estimated 89 are operated by DHEW." Again, this 1977 study concluded by defending the need for a categorical

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program. Recommendations included the strengthening and expansion of categorical programs such as Developmental Disabilities and Community Mental Health Centers, and the specific targeting of funds for the mentally disabled in generic funding programs such as Medicaid and Title XX Social Services.

THE FLORIDA REORGANIZATION EXPERIENCE

In 1975, Florida reorganized its human services programs into an umbrella Department of Health and Rehabilitation Services which consolidated certain services and funding programs into a district level organizational arrangement. Under this system, there is no state vocational rehabilitation official responsible for the operation of the federally funded VR program which is contradictory to the Rehabilitation Act of 1973 (P.L. 93-112).

HEW disapproved the plan and threatened to withhold funds unless the plan was altered. Florida appealed the ruling but was turned down, first by the Federal District Court for Northern Florida, then by the Fifth Circuit Court of Appeals, and lastly by the U.S. Supreme Court.

Programs designed to help the handicapped are easy prey for irrational and inequitable financial assaults.

Umbrella agency proponents worked with Representative Dante Fascell (Fla) in winning acceptance in committee of Section 439 of the Department of Education authorizing legislation waiving requirements of statutes, such as the VR laws, and mandating specific state and local organizational structures. On the House floor a compromise was reached whereby Section 439 would not become effective, funds could not be withheld from a state for eight months, and congressional committees must attempt to reach a permanent resolution. Opposition to Section 439 is generated because of the resource targeting issue; Representative Jim Santini (Nev) speaking for the disabled said:

In these days of fiscal austerity, many worthwhile programs are competing for the federal dollar. Programs designed to help the handicapped are easy prey for irrational and inequitable financial assaults.

THE P.L. 95-602 EXAMPLE

P.L. 95-602, the "Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978," reflects a dual approach to delivering certain services to persons with disabilities.

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The new law reflects the attempt to coordinate, integrate, and consolidate certain programs and activities across all disability lines, while recognizing the uniqueness of certain disability groups and the individual responses which are required to meet these unique needs.

Examples of the P.L. 95-602 concern with coordination and integration include:

1. establishment of a National Council on the Handicapped to advise DHEW on its policies, programs, and activities concerning persons with disabilities;
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CONCLUSION: P.L. 95-602 IN THE PROPER PERSPECTIVE

It must be emphasized that the P.L. 95-602 programs provide a vital but small portion of federal dollars for persons with disabilities. An estimated 80 percent of all DHEW expenditures on behalf of persons with developmental disabilities are derived from Medicaid, Social Security, Social Services, and Supplemental Security Income. Add to these such income-tested, non-cash assistance such as Food Stamps and Section 8 rent subsidies and one quickly sees where DHEW's Rehabilitation Services Administration fits in the schema of federal benefits.

This point also demonstrates that advocates for the disabled do not merely fight for categorical programs only. If an entitlement approach is used, whereby all in need are served, then one will not hear categorical arguments. But without an entitlement, and with financing ceilings, such as with Title XX, categorical arguments will remain.

Additionally, the federal government has not only an income transfer responsibility, but also an important responsibility for stimulating and providing a national focal point for action on social issues which otherwise would not be addressed at the state and local level. Low incidence problems, such as services to the developmentally disabled, require national leadership, both in terms of ongoing support and the creation of new knowledge

and technologies, because the full, social ramifications of the problem can be perceived best from a national perspective. The provision of national leadership demands a categorical organizational focus within the federal structure, combined with a system for assuring that the various federal generic funding streams are appropriately interfaced so they address the true needs of the target population. Thus the importance of DHEW's Rehabilitation Services and Developmental Disabilities programs, the National Council on the Handicapped, and the National Institute on Handicapped Research is paramount.

The debate between categorical and umbrella agency responsibility will continue for years. This writer accepts the necessity for a categorical approach.

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