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1973-2013

February 27, 2013

Office of Regulations and Reports Clearance
Social Security Administration
107 Altmeyer Building
6401 Security Boulevard
Baltimore, MD 21235-6401

Submitted on www.regulations.gov

RE: Docket No. SSA-2012-0066, Change in Terminology: “Mental Retardation” to “Intellectual Disability”

Dear Sir or Madam:

These comments are submitted on behalf of the undersigned members of the Consortium for Citizens with Disabilities (CCD) in response to the Social Security Administration (SSA) request for comments [78 Fed. Reg. 5755 (January 28, 2013)] on its Notice of Proposed Rulemaking (NPRM) regarding “Change in Terminology: ‘Mental Retardation’ to ‘Intellectual Disability.’”

CCD is a working coalition of national consumer, advocacy, provider, and professional organizations working together with and on behalf of the 57 million children and adults with disabilities and their families living in the United States.

CCD’s Social Security Task Force, which focuses on disability policy issues in the Title II disability programs and the Title XVI Supplemental Security Income (SSI) program, has previously urged SSA to no longer use the term “mental retardation.” The undersigned members of CCD support the proposed change in this NPRM. Specifically, SSA proposes to:

- Replace the term “mental retardation” with “intellectual disability” wherever it appears in the medical listings and in SSA’s other rules; and
- Replace the words “mentally retarded children” with “children with intellectual disability” in the examples in 20 C.F.R. §§ 404.2045(a) and 416.645(a).

This change in terminology is consistent with the widely expressed desire of people with intellectual disability for the use of modern, respectful language. Adoption of “intellectual disability” will align SSA’s medical listings and other rules with terminology used by many federal agencies under Rosa’s Law (P.L. 111-256) and by national organizations representing professionals practicing in the field, such as the American Association on Intellectual and Developmental Disabilities (AAIDD).

In making this change, it is vital that SSA give clear instructions to adjudicators that the term “intellectual disability” means the same thing and covers the same people as the former term “mental retardation” so that there will be no confusion or adverse results for individuals whose documentation and evidence uses the older terminology.

In closing, thank you for the opportunity to submit comments in support of this proposed rule.

Sincerely,

On behalf of the undersigned members of the Consortium for Citizens with Disabilities:

ACCSES

The Advocacy Institute

American Academy of Pediatrics

American Association on Health and Disability

American Association on Intellectual and Developmental Disabilities (AAIDD)

American Speech-Language-Hearing Association

American Therapeutic Recreation Association

The Arc of the United States

Association of Assistive Technology Act Programs

Association of University Centers on Disabilities

Autistic Self-Advocacy Network

Brain Injury Association of America

Community Legal Services of Philadelphia

Council for Exceptional Children

Epilepsy Foundation

Helen Keller National Center

Judge David L. Bazelon Center for Mental Health Law

Lutheran Services in America – Disability Network

Mental Health America

National Association of Councils on Developmental Disabilities

National Association of State Directors of Special Education (NASDSE)

National Association of States United for Aging and Disabilities (NASUAD)

National Center for Learning Disabilities

National Coalition on Deaf-Blindness

National Committee to Preserve Social Security and Medicare

National Council on Independent Living

National Disability Rights Network

National Down Syndrome Congress

National Industries for the Blind

National Organization of Social Security Claimants’ Representatives

National Rehabilitation Association

Paralyzed Veterans of America

Rehabilitation Engineering and Assistive Technology Society of North America

United Spinal Association