February 27, 2013

Office of Regulations and Reports Clearance
Social Security Administration
107 Altmeier 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