

Disability Rights Nebraska

Protection and Advocacy for People with Disabilities

**Testimony on LB 424
Before the Urban Affairs Committee
Nebraska Legislature
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Good afternoon Senator McKinney and members of the Committee. For the record my name is Brad B-R-A-D Meurrens M-E-U-R-R-E-N-S and I am the Public Policy Director at Disability Rights Nebraska. We are the designated Protection and Advocacy organization for people with disabilities in Nebraska. I am here in support of LB 424.

People with disabilities comprise almost 13% of our state’s population—just shy of 250,000 people—and there are Nebraskans with disabilities in every county.¹ Over one-fifth (21.9%) of Nebraskans with disabilities ages 18-64 live in poverty, just shy of the national 25.4%. Only 10.7% of their peers without disabilities live in poverty. The gap between employed Nebraskans with disabilities and those without is 32.2 percentage points (52.6% versus 84.8%). When they are employed, Nebraskans with disabilities are likely to earn approximately 10,000 less than their non-disabled peers.

Living with a disability is expensive. Stabile and Allen (2012) estimate the additional annual cost per family with children with disabilities: \$10,830 (including direct and indirect costs)². Indirect and direct costs associated with disability “have a deleterious long-term impact on family finances, including later life asset accumulation and financial security”³. People with disabilities are more likely to experience being in poverty over 1 year.⁴

Poverty limits housing options and disability limits those options even further. For some, their disability requires housing to be physically accessible, yet accessible housing is scarce. Forced into unfavorable neighborhoods, people with disabilities are more likely to be victims than perpetrators of crime. Poverty compromises the ability to make rental deposits or other

¹ Paul, S., Rogers, S., Bach, S., & Houtenville, A.J. (2023). Annual Disability Statistics Compendium: 2023. Durham, NH: University of New Hampshire, Institute on Disability. Annual Disability Statistics Compendium: 2023 | Disability Statistics & Demographics, available at www.disabilitycompendium.org

² Stabile, M. & Allin, S. (2012). “The Economic Costs of Childhood Disability”, *The Future of Children*, v. 22, pp. 65-96

³ Ghosh, S. et al (2015), “Deprivation Among U.S. Children With Disabilities Who Receive Supplemental Security Income”, *Journal of Disability Policy Studies*, Vol. 26, No. 3, p.174

⁴ Peiyun She & Gina A. Livermore, 2009, “Long-Term Poverty and Disability Among Working Age Adults”, *Journal of Disability Policy Studies*, v. 19, no. 4, p. 247

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ancillary housing expenses. For many Nebraskans with disabilities, their future consists of long waiting lists and decreased availability of affordable, safe, decent housing.⁵

Consequently, the overlap between disability and homelessness is significant. The National Association of County and City Health Officials (NACCHO) reports that people with disabilities are disproportionately likely to experience homelessness: “Point-in-time counts ... suggest that nearly ***one quarter of individuals experiencing homelessness have a disability***, including ***physical, intellectual, and developmental disabilities***, as well as mental health and/or substance abuse disorders.”⁶ (emphasis added)

Vincent Litwinowicz’s [story](#) on KETV demonstrates in stark reality the issues at play here: the interplay between housing, disability, homelessness, and public policy.⁷ Homeless shelters are not always accessible to people with disabilities, especially those persons who rely on assistive technology or equipment (e.g., power wheelchair). Staff may not be adequately trained to work with people with disabilities. Shelters may not have the appropriate technology, equipment, or protocols to address the needs of people with various disabilities. Thus, relying on shelters is an insufficient answer to the issue of homelessness and people with disabilities. Moreover, when denied access to shelters, nearly 7 in 10 people with disabilities who experience homelessness stay in dangerous locations (e.g., on sidewalks or under bridges), directly affecting their health outcomes.⁸

Housing has a significant impact on people with disabilities⁹:

“Housing is the centerpiece of an individual’s personal life across their lifespan and a cornerstone to living independently. Accessible, affordable housing for people with disabilities, older adults, and people experiencing homelessness is vital to supporting overall wellbeing. Multi-sector partnerships can leverage resources to expand housing options, especially for populations that have disproportionately high rates of housing instability and homelessness.”

LB 424 intends that “Every resident of the state should have access to safe, decent and affordable housing”. LB 424 charges the new department with several goals pertinent to Nebraskans with disabilities:

- To administer programs providing for the housing needs of ***all*** Nebraska residents, with a ***focus*** on affordable housing, workforce housing, and missing middle housing;

⁵ Nebraska Office of Public Guardian “Annual Report 2015” at page 73. Available at: <https://supremecourt.nebraska.gov/sites/default/files/opg-2015-annual-report.pdf>

⁶ Thomas, E and Vercruyse, C (2019), “[Homelessness Among Individuals with Disabilities: Influential Factors and Scalable Solutions](#)” *NACCHO Voice*, June 14.

⁷ “Handicap, homelessness a growing problem in Nebraska”, KETV News, August 13, 2015. Available at <https://www.ketv.com/article/handicap-homelessness-a-growing-problem-in-nebraska/7183625>

⁸ Ibid.

⁹ U.S. Department of Health and Human Services, Administration for Community Living, Housing Resource Center “Accessible, Affordable Housing”, <https://acl.gov/HousingAndServices/Accessible-Housing>

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- Be the lead agency for addressing the shortage of ***all types of housing*** in the state;
- Address homelessness; and
- Coordinate efforts to address housing shortages, homelessness, and ***other housing-related issues***¹⁰.

In order to meet those intents and demands, housing policy and focus must be inclusive of people with disabilities. Nebraskans with disabilities have the right to live in their communities, as anyone else does. While building more affordable housing is needed and laudable, especially for Nebraskans with disabilities, the goal is defeated if the housing is not accessible (e.g., steps to the front door prevent a person using a wheelchair from entering). There is no question that a significant need exists for more affordable, good, and safe housing, but accessibility should be as equally important.

Having a centralized housing department will provide a location where the disability community can bring their issues without having to figure out which state department, division, or staff they should approach. A centralized department also increases visibility of underlying housing issues such as accessibility and provides an opportunity for all parties to use the same vocabulary (e.g., “accessibility” may have different interpretations between people with disabilities and housing developers).

Ideally, we would like the bill to acknowledge the need for “accessibility” in housing policy, including a focus on accessibility as well as affordability¹¹ and workforce. Additionally, we would encourage the committee to consider requiring a person with a disability on the Housing Advisory Commission to help provide an additional perspective. If safe and affordable housing were ***built*** accessible there would be less need to modify or retrofit, decreasing future costs for all involved and increasing the quantity of housing opportunities for Nebraskans with disabilities—so that they may live, remain, and thrive in their communities¹²:

“Accessible housing is housing that people with disabilities can easily enter and use. Accessible housing has features people may need to live independently, like wider doorways, clear floor space for wheelchairs to move throughout the home, low

¹⁰ See “Supportive Housing: The Most Effective and Integrated Housing for People with Mental Disabilities”, Bazelon Center for Mental Health Law, available at <http://www.bazelon.org/wp-content/uploads/2017/04/supportive-housing-fact-sheet.pdf>:

“People with mental disabilities can successfully live in the community like everyone else, as envisioned by the Americans with Disabilities Act. Supportive housing makes this possible. Supportive housing gives them their own apartment or home while making available a wide variety of services to support recovery, engagement in community life and successful tenancy. A growing body of evidence confirms that supportive housing works for people with mental disabilities, including those with the most severe impairments. Indeed, these individuals may benefit the most from supportive housing.”

¹¹ Affordability also affects people with disabilities. See Fred Clasen-Kelly, “High Rents Outpace Federal Disability Payments, Leaving Many Homeless”, National Public Radio, September 15, 2023 available at <https://wamu.org/story/22/09/15/high-rents-outpace-federal-disability-payments-leaving-many-homeless/>

¹² Supra note 9.

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countertops, assistive technology, and grab bars in bathrooms. Housing can be built or modified for accessibility, which would enhance housing stability, prevent falls, and enable community participation for people with disabilities and older adults.”

Disability Rights Nebraska is happy to assist where we can and share information and resources.

We recommend this committee advance LB 424.