

Guiding Responsible and Improved Disability Decisions (GRIDD) Act of 2015

The GRIDD ACT: To improve administration of Disability Insurance (DI), Senator Hatch is introducing the *Guiding Responsible and Improved Disability Decisions Act of 2015*, or GRIDD Act. The Act requires that the Social Security Administration (SSA) update its medical-vocational regulatory guidelines (“grid rules”) for determining disability by considering advances in treatment, rehabilitation, and technology, along with effects of prevalent languages.

Why is the GRIDD ACT Needed? A February, 2015 report by the Government Accountability Office (GAO)¹ and an April, 2015 report by SSA’s Office of Inspector General (OIG)² are the most recent confirmations that SSA’s grid rules are outdated and deficient. **The Act addresses grid rule antiquity by requiring that SSA follow through on its plans to update them.**

- Since 2003, GAO has classified SSA’s DI program as high risk. The GAO report referred to above finds that the program continues to “rely on outdated criteria to determine whether individuals should qualify for benefits,” and fails to employ “sufficient consideration of improvements offered by advances in medicine, technology, or changes in the modern work environment.” **It is time to stop deferring updates and modernization of the grid rules.**
- The OIG report referred to above identified at least 218 disability cases in Puerto Rico in which the grid rules created a presumption that inability to communicate in English would prevent the Spanish-speaking claimants from finding work, even though Spanish is an official language of Puerto Rico. The ability to speak, read, write, and understand English is considered an educational factor in determining a DI claim. As the OIG identifies “A claimant’s inability to communicate in English can lessen the relevance of work experience and education, potentially making it more likely the claimant will receive disability benefits.” **It is time to act on the OIG’s recommendation that SSA “Evaluate the appropriateness of the grid rules related to an inability to communicate in English” in cases such as the ones in Puerto Rico.**
- In response to the reports, SSA *plans* to study the effect of assistive technologies and accommodations on disability, and evaluate the appropriateness of its treatment of inability to communicate in English. **SSA agrees with what the GRIDD Act will require.**

SSA published the grid rules in 1979 in an attempt to minimize subjectivity and promote consistency in determining disability. The grid rules use age, education (including ability to communicate in English), past work experience, and capacity for work to create guidelines that assist or instruct decision-makers in determining whether an individual is or is not disabled.

However, the grid rules have not been updated to stay current with developments in medicine, technology, and modern workplaces, resulting in disability determinations that no longer accurately reflect claimants’ abilities. **As SSA itself agrees, it is time to update the medical-vocational grids, and the GRIDD Act ensures that updates and modernization will occur.**

Legislation identical to Senator Hatch’s *GRIDD Act of 2015* was introduced this year by House Ways and Means Social Security Subcommittee Chairman Sam Johnson.

¹ Report available at <http://www.gao.gov/assets/670/668415.pdf>.

² Report available at <http://oig.ssa.gov/sites/default/files/audit/full/pdf/A-12-13-13062.pdf>.