

Public Hearing
California State Assembly, Human Services Committee
180 Howard Street, 4th Floor Board Room
Tuesday, June 28, 2022
1:30 p.m.

Testimony of Ayesha Lewis, DREDF Staff Attorney

Madame Chair and Committee Members

I'm pleased to speak on behalf of the Disability Rights Education & Defense Fund, which strongly supports passage of SJR8. DREDF is a leading civil rights law and policy center that aims to advance the civil and human rights of people with disabilities.

Social Security benefits are a key resource for many people with significant disabilities, but due to current federal law and policy, recipients often cannot marry without reducing or losing their benefits. Disabled Adult Child, also known as DAC, is a Social Security benefit for adults who became disabled prior to the age of 22. DAC is available for people who have disabilities so serious that they cannot substantially participate in the workforce. DAC provides a monthly stipend, Medicare and a special pathway for Medicaid. Under federal law, DAC recipients automatically lose benefits if they marry. SSI, another Social Security program, also has severe marriage penalties. For people with significant disabilities, access to healthcare can be an issue of life or death. These policies are cruel, outdated, and infringe on the fundamental right to marry. They also restrict religious freedom by preventing people from taking part in a union that holds religious or spiritual significance for many Californians. Unmarried couples also face higher barriers for adoption, making it harder for disabled people to build their families. Finally, being unable to marry is another of the myriad obstacles that prevent people with disabilities from being fully integrated into their communities. These issues are very important within the disability community, as you can see by the statements of support submitted by organizations such as Disability Rights California,

Disability Rights Legal Center, Justice in Aging, and Disability Voices United.

DREDF has spoken with California couples who have been waiting years to be able to marry, but have not due to fear that marrying would jeopardize their life-sustaining benefits. People with disabilities deserve the same right to form families with the people they love as anyone else. Rep. Jimmy Panetta (CA-20), has introduced H.R. 6405, which would change federal law to end the DAC marriage penalty. Passage of this resolution in California would help support passage of H.R. 6405 in Congress. For these reasons DREDF supports passage of this resolution. Thank you.