

**SOCIAL WORK DEPARTMENT**  
**Student Research Brief**

*Mental and Physical Disability Policies* Title here

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**Introduction**

Over the past decades, people with mental and physical disabilities have received their rights back. There are three main policies that I have focused on for my research; The Mental Health Parity Act of 1996, The American with Disability Act of 1990, and HIPPA. Each one of these acts promotes justice for people with physical and mental disabilities. The Mental Health Parity Act was signed into office on September 26, 1996, the act was designed to help put no limits on mental health benefits, which would make companies pay no less than they would for any other medical and surgical benefits offered by a group health plan (U.S. Department of Labor Employee Benefits Security Administration February 2007). The Americans with Disability Act (ADA), prohibits state and local government agencies, employment agencies, public transportation and labor unions from discriminating against qualified individuals with disabilities (NAMI). HIPPA laws protect the public's health information, records and personal information. People have the right to know and control how their personal information is used (Health and Human Services, 2003).

**DATA AT A GLANCE**  
 In 2002, 51.2 million people (18.1 percent of the population) had some level of disability and 32.5 million (11.5 percent of the population) had a severe disability (Steinmetz, 2006).

individual with a disability as a person who; has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment (NAMI). The UK has a very similar policy called Disability Discrimination Act of 1995. The DDA states that its main goal is to end discrimination that affects people who have a mental or physical disability. The act allows people employment, education, access to services and buying or renting property. The act requires that employees promote equal opportunity for people with disabilities. The DDA protects the mentally ill and people with physical and mental disabilities (Disability Discrimination Act). HIPPA is a huge privacy law that affects medical agencies and psychiatric hospitals. HIPPA's main goal is to assure that individual's health information is protected while allowing health professionals the access to personal information needed to provide and promote the best services they can provide. The law permits important documentation to be given to a professional, while protecting the privacy of people who seek help (Health and Human Services).

**Summary of Primary Findings**

The Mental Health parity Act of 1996, covers mental illnesses, only to employers that offer mental health benefits, but does not cover people with substance abuse or if they have a chemical dependency. The law allows many companies the opportunity to have cost-shifting mechanisms, such as adjusting limits on mental illness inpatient days, prescription drugs, outpatient visits, deductibles, and modifying the definition of medical necessity (NAMI). The Americans with Disability Acts defines an

**Implications for Social Work Practice**

Social Workers can promote social justice for clients and the community. Social workers can help clients find local resources and educate employers. Social workers can also do some local research on new policies for people with disabilities. It is very important that the client knows when their rights are being violated and can seek the appropriate help.

**10 Recommendations for Practice with Systems of All Sizes**

- 1.) Make sure clients know their rights in the work force, housing and transportation.
- 2.) Make sure the client has a job that meets their needs.
- 3.) Make sure the clients have the proper knowledge about their employers policies, so they know what is expected of the.
- 4.) Give clients the encouragement to reach their personal goals.
- 5.) Educate the client about their medical Insurance rights.
- 6.) Make sure that the client knows when their rights are being violated.
- 7.) Make sure the clients know how to get in contact with their local resources.
- 8.) Make sure the clients know how to get in contact with the ADA, if their employers are not following the laws.
- 9.) Make sure the social worker is aware of the different policies for people who have a mental or physical disability.
- 10.) Educate your local community about discrimination against people with mental and/or physical disabilities.

### Conclusion

In conclusion times are changing and people are not as discriminated as they once were. All three of the policies intertwine with each other; HIPPA applies to all medical and mental companies. Americans with Disability Act is congruent with United Kingdoms' Discrimination Disability Act of 1995. They both give people with disabilities justice and equality.

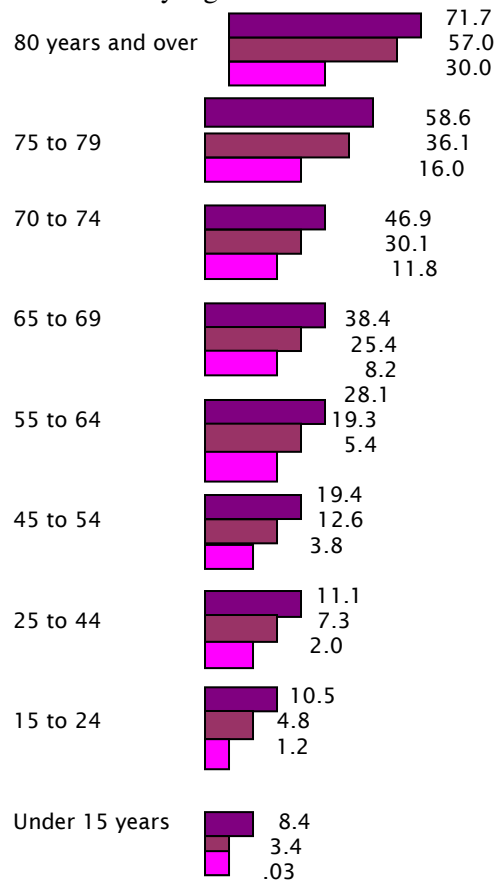
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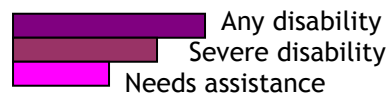
### About the Author

My name is Jamie Garretson; I am currently a senior at the University of Tennessee at

Figure 2. Disability Prevalence and the Need for Assistance by Age: 2002



Note: Children under 6 years old were not asked about activities of daily living. U.S Census Bureau, survey of Income and Program Participation, June-September 2002.



(Steinmetz, 2006)

Chattanooga, in the social work department. I am looking forward to graduating in May of 2008 and attending graduate school at the University of Tennessee at Knoxville.



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