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Washington, DC 20510-8025

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Congress of the United States
OFFICE OF TECHNOLOGY ASSESSMENT
WASHINGTON, DC 20510-8025

July 20, 1992

Maureen West
Office of Senator Robert Dole
141 Hart Senate Office Building

Dear Maureen,

It was a pleasure to speak with you last week. I am glad that you are interested in endorsing the OTA study concerning the ADA's employment provisions for people with mental disorders. This study, the working title for which is "The Americans with Disabilities Act, Employment, and Mental Illness," will address the following questions: 1) What barriers to employment do people with mental disorders face? 2) What type of mental disorders will be covered by the ADA? 3) What has research and past experience taught us about the reasonable accommodation of individuals with mental disorders in the workplace? 4) What special concerns (e.g., stigma, costs, the danger presented by an individual with a mental disorder, the use of psychotropic medication) are raised by the ADA's employment provisions for people with mental disorders? Enclosed is a draft of the study proposal, which provides a brief discussion of the study and some background information.

I have included a draft of an endorsement letter, which I hope is helpful. Senator Kennedy initially requested this director-approved study. In addition, we have received a letter of endorsement from several members of the House Working Group on Mental Illness and Health Issues (including Congressman Mike Kopetski, Congressman Ron Machtley, Congressman Bob Wise, Congresswoman Marcy Kaptur, Congressman Dave Hobson, and Congressman Jim McDermott.)

Finally, I have included some information on the American Bar Association's meeting in San Francisco. As I mentioned, there is a session on the very topic of our study.

I am excited that you are interested in endorsing this study. If I can be of any assistance, or if you have any questions or comments, please do not hesitate to call me at 86696. I look forward to working with you in the future.

Sincerely,


Laura Lee Hall, Ph.D.
Study Director and Analyst
Biological Applications Program

enc.

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Congress of the United States
OFFICE OF TECHNOLOGY ASSESSMENT
WASHINGTON, DC 20510-8025

June 30, 1992

no west


Ms. Sheila P. Burke
Chief of Staff
The Honorable Robert Dole
United States Senate
S-230 Capitol Building
Washington, D.C. 20510

Dear Sheila:

I understand that Senator Dole is interested in the ADA and its implementation. As described in the attached, OTA is beginning to look into ADA, mental illness and employment. We will also be talking to knowledgeable people like Jane West of Milbank who has worked with your staff.

Since the study is approved we need no letters, but if, on looking at the attached description, Senator Dole would like to be involved as a requestor or endorser or you'd like Dr. Hall to keep in touch with one of your staff, I hope you'll let us know.

Sincerely,


Roger C. Herdman, M.D.
Director
Health and Life Sciences Division

enclosure

OTA PROJECT PROPOSAL

THE AMERICANS WITH DISABILITIES ACT, EMPLOYMENT, AND MENTAL ILLNESS

PROJECT DESCRIPTION: The Americans with Disabilities Act (ADA), signed into law on July 26, 1990, is the first comprehensive civil rights law covering individuals with disabling physical or mental impairments. Title 1 of the ADA requires employers to provide "reasonable accommodations" for job applicants or employees who request them, unless such changes impose undue physical or financial hardship on the organization. It is this provision of the ADA that may provide far-reaching employment rights to people with mental disorders, who traditionally have faced a large obstacle to seeking and maintaining jobs.

While many look to the ADA to help people with mental disorders overcome the barriers to employment that they face, a host of questions and concerns - on the part of policy makers, advocates for people with mental disorders, consumers, and employers - surround this application of the law. Who, exactly, will be covered by the ADA's mandate? What practices and interventions are useful accommodations for individuals with mental disorders in the workplace? How much will it cost to implement the law? Will the promise of the ADA even be realized by people with mental disorders? The potential far reach of the law and the unique cast that its provisions must assume for people with mental disorders warrant a careful consideration of how the employment provisions of the ADA will affect people with such conditions.

This assessment will address the following questions: 1) What barriers to employment do people with mental disorders face? 2) What type of mental disorders will be covered by the ADA? 3) What has research and past experience taught us about the reasonable accommodation of individuals with mental disorders in the workplace? 4) What special concerns (e.g., stigma, costs, the danger presented by an individual with a mental disorder, the use of psychotropic medication) are raised by the ADA's employment provisions for people with mental disorders?

CONGRESSIONAL INTEREST: A letter requesting the proposed director-approved study has been received from Senator Edward Kennedy, Chairman, Senate Committee on Labor and Human Resources. A letter of endorsement has been received from several members of the House Working Group on Mental Illness and Health Issues, including Congressman Mike Kopetski, Congressman Ron Machtley, Congressman Bob Wise, Congresswoman Marcy Kaptur, Congressman Dave Hobson, and Congressman Jim McDermott.

SCHEDULE AND PLAN: The assessment would be carried out over 14 months, beginning in July, 1992. Study activities would include: identification of issues; development and letting of a contract; organization of a workshop; draft and external review of report; delivery to TAB in July, 1993; and publication in September 1993.

OTA STAFF CONTACT: Laura Lee Hall, Biological Applications Program, telephone - 202/228-6696; fax - 202/228-6293; internet - lhall@ota.gov.