



News Release

SOCIAL SECURITY

Social Security Files Statement of Interest in California Lawsuit Challenging Furlough of Federally-Paid State Disability Workers

Michael J. Astrue, Commissioner of Social Security, today announced that the Department of Justice, on behalf of the Social Security Administration, has filed a “Statement of Interest” in *Union of American Physicians and Dentists v. Arnold Schwarzenegger, Governor of California*, which is currently pending in a state trial court in California. The Union of American Physicians and Dentists includes employees of the California Disability Determination Services Division (DDSD), Department of Social Services, who evaluate Social Security Disability and Supplemental Security Income claims. The Federal government fully pays for the salaries and overhead costs for these employees.

“For many months we have been trying to convince California officials that furloughing DDSD employees does not save the state a single penny, and actually *costs* the state money. It also unnecessarily harms their citizens with disabilities and their civil servants,” said Commissioner Astrue. “Unfortunately, our arguments have fallen on deaf ears. We hope our Statement of Interest will awaken state officials to the irreparable damage their furlough policy is causing.”

California’s furlough of DDSD employees costs the state \$849,000 per furlough day in administrative funding. More importantly, each furlough day results in a delay costing California’s disabled citizens over \$420,000 in much-needed Social Security benefits.

The Statement of Interest notes that California’s furloughs of DDSD employees are inconsistent with the state’s obligations and responsibilities under the Social Security Act. Specifically, implementing regulations obligate California to provide adequate facilities and qualified personnel to carry out the disability determination function and, “to the best of its ability, facilitate the processing of disability claims by avoiding personnel freezes, restrictions against overtime work, or curtailment of facilities or activities.”

“As Vice-President Biden noted in his recent letter to Governor Edward Rendell, Chair of the National Governor’s Association, ‘During these difficult economic times, it is critical that we all do what we can to ease the financial burdens on the American public,’” Commissioner Astrue said.

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