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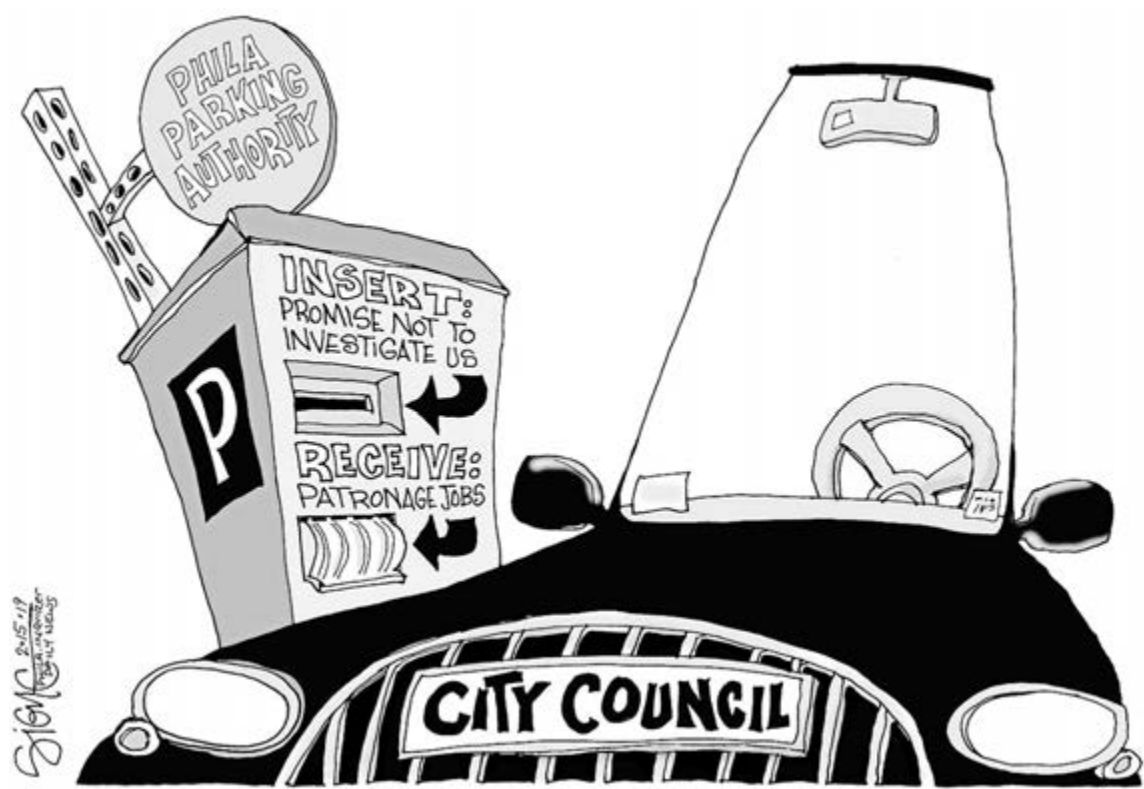
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## COMMENTARY

## Don't do benefits review in Pa.

By Dwight Evans, Brendan Boyle, and Jennifer Burdick

Adrianne Gunter's multiple sclerosis had gotten so bad, she could no longer work or go to school. Desperate to make ends meet, she applied for Social Security disability benefits.

Despite her well-documented illness, the Social Security Administration initially turned down her application, and she had to file an appeal. After waiting a burdensome 788 days for a hearing, and depleting all her savings, she was finally able to argue her case before a judge, who agreed her disability was severe enough that she could not work.

Adrianne had to wait two long years before she could qualify for the benefits that she needs to survive. Unfortunately, for many other people struggling to get by, the wait time could get even longer in 2019, if Social Security forces Pennsylvania to introduce a new step to the appeals process for disability determinations, called reconsideration review.

When someone applies for Social Security disability benefits, the case is first evaluated by a state disability agency. If the state agency finds that the person does not have a disability, the person can request a hearing before a Social Security judge. Reconsideration review is a mandatory second review by the state agency before the person can request a hearing. This second review does not usually involve any new evidence or contacting a claimant — it is often just a “rubber stamp” of the first decision, delaying the person's opportunity to make a case directly to a judge.

Social Security allowed Pennsylvania to abolish the reconsideration review step years ago. But starting in April, Social Security is planning to add reconsideration back to the appeals process. As a result, Pennsylvanians with dis-



U.S. Rep. Dwight Evans, left; Jennifer Burdick of Community Legal Services, and U.S. Rep. Brendan Boyle

abilities will have to appeal two times before getting to talk to a judge about their claims.

Social Security says that reconsideration will allow some applicants to receive decisions sooner. But the percentage of people who will receive an earlier decision is very small, around 12 percent, per the agency's numbers.

And the costs of this additional review step are huge and will extend the already too-long appeals process. Social Security data show that most people will have to wait more than 100 extra days before they can argue their cases before a judge. That's on top of the two years many people already have to wait.

Pennsylvanians already have some of the longest waits in the country for decisions on disability cases. During those long waits, people deplete their savings accounts or go into debt. They go without basic necessities that could keep them healthy, like prescription drugs, doctor's visits, and fresh food. Some people fall into homelessness. Pennsylvanians with disabilities should not be pushed into these positions.

Even worse, adding this level of review will prevent many qualified applicants from pursuing the appeals process. Many people will

become discouraged and others will miss extra appeals deadlines because they are struggling with their disabilities. Experts from the Office of the Chief Actuary estimate that roughly 7,500 applications would be withdrawn each year because of the new red tape. Adrianne says that that if she had to go through another step, she would have probably given up because she was so sick and going through the process was so discouraging.

Pennsylvania is one of 10 states that eliminated reconsideration in 1999. In its push to revive reconsideration, Social Security says that it wants every state to have the same review process.

If uniformity is the goal, let's instead raise our standards and eliminate reconsideration nationwide. States like Pennsylvania should not be forced to reintroduce it. We are making progress on our wait times. Reconsideration, we fear, would detract from this progress.

U.S. Reps. Dwight Evans and Brendan Boyle, Democrats from Philadelphia, are members of the House Ways and Means Committee, which oversees Social Security. Jennifer Burdick is supervising attorney at Community Legal Services of Philadelphia.

## Amazon's failed delivery

We're rarely inclined to cheer New York, but Thursday's announcement that Amazon has withdrawn its plans to open a second headquarters in Long Island City, Queens, is deserving of a shout-out.

Amazon changed its mind after fierce public and political opposition to its plans and the \$3 billion incentive package that officials offered the world's largest public company. There are lessons here for both Amazon and our local elected officials.

**Don't ignore the public.** Bad enough that the secretive Amazon bidding process had officials from around the country, including Philadelphia, stumbling over



Graffiti on a sidewalk expressed opposition to the location of an Amazon headquarters in Long Island City. MARK LENNIHAN / AP

but whether people believe that revenue will make a material improvement in their lives.

For example, New York has big infrastructure problems, particularly in its mass transit system — problems that are happening during relatively good times. That raises questions about how wisely public money is being managed and spent. And if people can't trust that, even a potential influx of billions isn't likely to impress them.

A case in point: the legalization of gambling in Pennsylvania has brought billions of dollars into the state in the last decade. That hasn't solved massive challenges the state faces, nor eased serious budget problems (in part because of the revenue allocated to the horse race industry). So when the next so-called salvation appears on the horizon — casinos, fracking, Amazon, whatever — people have learned to be skeptical about just how they will benefit.

Amazon says it is not going to search for a different location and will shift the employment to Virginia, its second site. Will Philadelphia officials be able to resist the temptation to try to change the company's mind? We hope so. The city spent more than \$500,000 on its bid that was done in secrecy. It was willing to give \$1.1 billion and the state was willing to give \$4.6 billion in tax breaks for Amazon to choose Philadelphia.

We're sure New York officials are apoplectic that Amazon had a tantrum and took its ball home. But maybe next time, they'll include the community in the decision-making.

## EDITORIAL

**Queens residents didn't want Amazon taking over their neighborhood. The voice of the people still matters.**

themselves to concoct the sweetest of sweetheart deals and expensive giveaways. The process also completely cut the public out of the equation and out of the conversation.

Had they held a community meeting or two in New York City, it wouldn't have come as a surprise to Amazon that many New Yorkers were not excited about winning the bid. Some doubted the job numbers promised by Amazon in exchange for tax breaks. Others just didn't want Amazon in their neighborhood. Concerns included pressure on an already burdened subway system and the gentrification that Amazon would bring with it. The algorithms Amazon built its business on will only take you so far. You can't win the long game if you cut out people.

**People don't trust political math.** New York officials first celebrating the Amazon win touted the unprecedented creation of 25,000 to 40,000 jobs, and the fact that revenues to the city and state would be about \$1 billion a year over 25 years.

The big question is not whether that math is correct,

## Shameful attempt to block lifesaving program

By Jeffrey A. Singer

On Feb. 6, prosecutors from the Office of the U.S. Attorney for the Eastern District of Pennsylvania joined with prosecutors from the U.S. Department of Justice in Washington in an attempt to block a group of privately funded citizens from establishing the first-in-the-nation safe injection facility in Philadelphia.

Last year, Philadelphia city officials gave the OK for the Safehouse nonprofit to establish the site. Recently Pittsburgh's mayor expressed an interest in allowing the same in his city. In the last year, leaders of Seattle, Denver, and New York City have also shown an interest.

Yet it is the position of the Department of Justice, expressed by Deputy Attorney General Rod Rosenstein last summer, that it violates federal law to permit and “facilitate” the use of federally banned substances, and the Feb. 6 lawsuit seeks a preemptive opinion from a federal judge. This obstruction of a method of harm reduction that has been shown for decades to save lives and reduce the spread of disease is shameful and medieval.

Harm reduction strategies be-

gin with the realistic, nonjudgmental premise that there has never been and will never be a drug-free society. Akin to my profession's credo — “First, do no harm” — harm reduction seeks to mitigate the harms caused by black-market drugs, fueled by drug prohibition. Instead, it aims at reducing the spread of disease and death from drug use.

“Safe syringe programs,” endorsed by the Centers for Disease Control and Prevention as well as the American Medical Association, reduce the spread of HIV, hepatitis C, and other infectious diseases. One form, needle exchange, has existed in the U.S. since 1988, and has reduced the spread of HIV by up to 58 percent. Unfortunately, once they exchange their needles, no one is around to rescue users in the event of an overdose. And users eventually can sell or share the replacement needles and syringes.

Supervised injection facilities, also called “safe consumption sites” or “safe injection sites,” go a step further. They ensure needles don't subsequently get shared or sold because they are used under supervision and returned after use. More important, staff are close by with the



Shey Hall (left), 35, and Evan Figueroa-Vargas, 37, protest a lawsuit by the U.S. Attorney's Office in Philadelphia. HEATHER KHALIFA / Staff Photographer

overdose antidote naloxone at the ready if needed, and nudge users into rehab programs. The Lancet reported a 35 percent drop in overdoses resulting from the safe injection site in Vancouver, British Columbia. About 120 safe consumption sites exist throughout Europe, Canada, and Australia. Canada's first facility, called “Insite,” opened in Vancouver in 2003.

The Canadian Medical Association Journal reported on Vancouver's experience with safe injection sites: “Twelve weeks after Insite opened in September

2003 ... the average daily number of drug users injecting in public dropped by nearly half while the average daily number of publicly discarded syringes and injection-related litter also fell significantly.”

And a report on the Swiss program begun in 1996 concluded, “Injecting rooms have enabled the adoption of less hazardous injecting practices, reduced the number of overdose deaths, minimized the nuisance to the community of injecting in public places and probably reduced HIV transmission ... Some [intra-

venous drug users] have entered treatment as a result of attending injecting rooms.”

Critics view safe consumption sites as flouting the law, express discomfort with what they see as government sanctioning of intravenous drug use and other illegal activities and argue that these sites do little to deter illegal drug use.

While these concerns are understandable, extensive evidence put forth in my recent policy analysis shows these sites save lives by reducing overdose deaths, by reducing the spread of deadly diseases, and by reducing the threat of violence against drug users.

Many of our inner cities are plague-ridden with people suffering from IV drug addiction. More and more of them are responding to the overwhelming evidence that safe consumption sites save lives.

If the goal of the federal government is to reduce the deaths and diseases that result from illicit drug abuse, it should get out of the way of those who can make that come to pass.

Dr. Jeffrey A. Singer practices general surgery and is a senior fellow at the Cato Institute.