

PAYMENT AND SERVICES SYSTEM FOR PERSONS WITH DISABILITIES IN ALBANIA

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ABSTRACT

The Social Services have been developed to protect, assist, empower and prevent situations of abuse, neglecting and exclusion from the system of social services as well as prevent the poverty and crisis situations. In addition to that, it aims to protect the vulnerability of individuals, families and children. This paper intends to thoroughly analyze the current system of assessment, payment and services for persons with disabilities in Albania, seen in the light of the need for its reformation. The structure is composed in two parts, where the second part is dedicated to the essential points related with the reform. The dominant model of Social Services in Albania is focused in allocation of cash payment for economic assistance, payment for various categories of persons with disabilities as a way to tackle poverty and social problems. This model intends to alleviate poverty and minimize social exclusion for communities, families and individuals in need. While cash benefits such as economic assistance and pensions might contribute in reducing vulnerability, the tackle of poverty problem requires comprehensive systems whose aim is to support individuals to avoid social exclusion as well as to encourage participation in the community as citizens with full rights and responsibilities. The method used in this paper is the empirical one, through which we aim to investigate about this current issue by objectively interpreting and analyzing data.

Keywords: Disability, bio psychosocial evaluation, Electronic register, reform.

INTRODUCTION

The reformation of the system came in response of tremendous changes of social economic status of the Albanian society. While the Albanian Parliament has ratified important international conventions guaranteeing political, economic, and human rights, and in this context, Albanian legislation has been increasingly aligned with European Union standards and principles. In the context of fulfilling the obligations which arise from signing of the Stabilization and Association Agreement, the social protection system has been reformed and the social legislation and policies are standardized. In this context, the Law No. 9355 date 10.03.2005 "For the Social Aid and Social Services" (Qendra e Botimeve Zyrtare, 2005) is initially compiled which is then updated with the Law No. 57/2019 "The Social Assistance in Republic of Albania" (Council, Qendra e Botimeve Zyrtare, 2019). This updated law aims to transform the economic aid program into a social reintegration program, in particular to alleviate poverty and social exclusion for individuals and families in need as well as to create opportunities for their reintegration, by providing a system of services to improve their lives. Laws such as: Decision of Council of Ministers No. 618 date 07.09.2006 (Koco, 2006) "The Determination of the criteria, documentation and the amount of payment for persons with disabilities", Decision of Council of Ministers No. 431, date 08.06.2019 (Qendra e Botimeve Zyrtare, 2016) "The Determination of the criteria, documentation and the amount of payment

for persons with disabilities and payment of personal assistant as well as the Council of Ministers No. 722 date 11.11.2019 (Qendra e Botimeve Zyrtare, 2019)“The determination of the measures, the criteria, the procedures and the documentation, on the assessment and benefit of the payment for disability and that of personal assistant and their responsible structures and duties” regulate the evaluation of the persons with disability as well as the system of payment and services for this group of beneficiaries.

DETERMINATION OF CRITERIA, DOCUMENTATIONS, PROCEDURES AND AMOUNT OF PAYMENT FOR PERSONS WITH DISABILITIES

The parties that benefit the payment for disability are as follow:

1. Persons with disabilities as a result of physical, sensory, intellectual, psycho / mental impairments, born or acquired during life from accidents, illnesses, temporary or permanent, and not from causes, related with employment, assessed by the Medical Commission for the Assignment of Work Aptitude. If the latter determines that this target group needs care, they also receive a paid caregiver.
2. Paraplegic and tetraplegic persons, who are declared from assessment of the Medical Commission for the Assignment of Work Aptitude to have become such, regardless of cause and age. If the latter determines that this target group needs care, they also receive a paid caregiver.

The Medical criteria for the assessment of the persons with disabilities are set out in the regulation approved by the Minister of Health and Social Protection by (Sociale, 2018). It sets out the rules for the organization of the work of the Medical Commission on the Assessment of Persons with Disabilities, and the work of Medical Commission on the Determination of Blindness.

The Amount of Payment For Persons With Disabilities

The amount of benefit for persons with disabilities is currently 10653 Albanian Leke per month and this amount is indexed by the Consumer Price Index. The guardian of the paraplegic and tetraplegic invalid currently receives a payment of 11190 Albanian Leke per month. The period of service of the guardian for a paraplegic and tetraplegic disabled person who is not economically active and does not benefit from compulsory social insurance scheme, is considered an insurance period so that the guardian benefits pension, maternity payment as well as other payments which arise from the accident while working or professional disease. Families that consist of two or more disability persons based on the decision of the Medical Commission that they need a guardian, the guardian receives the benefit on the amount 16785 Albanian Leke.

People with disabilities who attend secondary education, while they are working or not or when they are enrolled in training courses receive the amount of 21306 Albanian Leke. The amount of 31959 Albanian Leke is allocated to them when pursuing higher education or postgraduate studies while they are working or not and have defended scientific thesis. The Payment for scientific degrees is permanent and is made on the basis of certificate issued by the competent authorities. People with disabilities who attend secondary or tertiary education and a qualification course receive only one of the benefits. People with disabilities who attend secondary, tertiary education or post graduate degree while they are working or not during this period get the payment only during the education cycle. People with disabilities benefit the extra payment even if the studies last for one year longer than the normal duration of the education cycle. Payment for persons with disabilities and their guardians is paid through Banks or Albanian Post Office near the place where the beneficiary is located. The

financial effects arising from the implementation of the monthly payments of this target group are covered by the budget of each year approved for the Ministry of Health and Social Protection. The latest amendment adopted by the new Law No.57 / 2019 (Qendra e Botimeve Zyrtare, 2019) is essential, through which there is no longer any prohibition of payment received from the disabled persons even though they are employed.

Therefore, starting from this year any person with a disability can be employed in accordance with the legislation in force and the disability payment will no longer be suspended.

Documents For Receiving This Payment

Persons who seek to be evaluated for disability must submit to the social care section of the municipality or local administrative unit the following documents:

- a) Certificate of Marital Status
- b) Personal certificate or copy of the ID card;
- c) The previous decision taken from Medical Commission for the Assignment of Work Aptitude, which certifies the degree of disability of the person;
- d) Guidance Sheet issued from Medical Commission for the Assignment of Work Aptitude when the person is first commissioned;
- e) The medical reference, whenever the person is commissioned.

If the Medical Commission decided that the person with disabilities needs care beside the above mentioned documents, the following other documents must be submitted:

- a) Copy of the identity card of the guardian
- b) The Court Decision for the guardian chosen from the person with disabilities
- c) Medical Legal Report which certifies that the guardian is capable, physically and mentally.

Persons with disabilities attending secondary or tertiary education while they are working or not, in addition to the above mentioned documentation, they must also submit a certificate signed by the Head of education institution and the secretary for attending school by the beneficiary for each and every three months where it is written the person's name, type of study, duration of study as well as a notarized copy of each year's education institution report. A notarized copy of diploma when the high school is finished or when the person is graduated from the university must be submitted. Also notarized copies of qualification courses as well as proof that he has paid off obligations for each semester of university degree must be submitted. Persons with disabilities who continue their postgraduate studies, in addition to the above documentation, must also submit a certificate for each and every three months issued from the institution where they continue their postgraduate studies for the attendance of studies by the beneficiary stating the name of the person, type of study and duration, accompanied by a notarized copy of the diploma or proof of completion of postgraduate studies or defense of a scientific degree.

Formerly this documentation was submitted personally by the disabled person or a person, family member authorized by him but today with the legal changes since the beginning of 2018, the persons no longer appear in Medical Commission for the Assignment of Work Aptitude. Therefore, the submission of documents is officially done by Health Care Center to then to the Hospital, to the Municipality/ Local Government Unit and finally to Regional Directorate of State Social Service.

PROCEDURES AND STRUCTURES RESPONSIBLE FOR ALLOCATION OF DISABILITY PAYMENT BENEFIT

The Medical Committee for Work Capacity Assignment is established and operates at the Social Security Institute, where the doctor who is an employee of State Social Service participates as a voting member. The wages of members of this commission are covered by the budget of the Social Security Institute except for the payment of a doctor who is an employee of State Social Service. It is expected that this Commission will soon be exclusive depended from State Social Service. The doctor of the Regional Directorate of State Social Service compiles the register of people with disabilities, evaluated by the Medical Commission for the Assignment of Work Aptitude and sends, in each municipality/ local administrative unit, the list of persons and the decision of the above mentioned commission for each person. The State Social Service is a subordinate institution of the Ministry of Health and Social Protection. Its mission is to implement social protection policies by assessing the needs for social care services, controlling the implementation of legislation for social assistance. The State Social Service also offers accommodation in residential institutions for individuals in need.

Based on the Statute of the State Social Service this institution has the following competencies in the field of disability:

- a) Programming and controlling the usage of state budget funds for disability as a separate item in the social assistance fund
- b) Administration and use of data from the National Electronic Registry, which includes applicants and beneficiaries of disability payments;
- c) Monitoring the implementation of legislation for disability in the framework of social assistance. The procedure for conducting the control is determined by a decision taken by the Council of Ministers;
- ç) Gathering and processing information and statistics for the beneficiary categories of the disabled persons

The State Social Service through the Regional Directorates in the 12 Regions of the country enables the realization of the assigned functions, namely through the Disability Payment Sector.

The State Social Service through their Regional Directorates in 12 Districts of the country enables the realization of the above mentioned functions. The Regional Directorates are assigned the task of organizing and leading the process of inspection of the implementation of the legislation for the allocation of Disability Funds. They collect and analyze information and statistics on the allocation of funds for Persons with Disabilities and then report periodically to the Head Office of State Social Service.

TOWARDS REFORMING THE DISABILITY PROGRAMME

The Disability Payment is part of the Social Protection program and serves to support people with disabilities in order to improve their quality of life. The Disability Payment is currently the only mechanism for their support, as they are assessed for the level of Disability by the Medical Commission on Disability Assistance. Disability payments have increased dramatically in recent years and now they comprise a major part of Social Protection expenditures. However, like many other transition countries, there are some serious issues regarding the functioning of the scheme for persons with disabilities. The current evaluation system is purely based on medical analysis and does not necessarily reflect the severity of disability or functional impairment based on International Health standards. A nationally

representative study conducted on 2011 suggested that 14% of people with disabilities who benefit fund have no disability and 15% only a moderate disability.

The Albanian Government is undertaking a reform of the scheme for persons with disabilities supported by the World Bank, which aims specifically at:

1. Reforming the system of evaluation of persons with disabilities, implementing the new system of evaluation according to the "Social Model" and reducing to 10% the abusive cases of beneficiaries
2. Increasing the transparency of the scheme for persons with disabilities through the establishment of an Electronic Register of people with disabilities
3. Creating of system of services that combine social care services with cash payments.
4. Establishing and strengthening the mechanism for monitoring and inspecting the quality of service delivery for persons with disability at local and central level, guaranteeing the generation of quarterly performance reports of the scheme which is delivered to policymakers. It is also intended to assess the risk profile and to detect abuses.

Reform of the Disability Assessment System, Implementing The New Social Model

The compilation of new criteria for the assessment and determination of persons with disability will include the improvement and fulfillment of existing criteria in order to make possible the bio psychosocial assessment of the persons with disabilities based on the conceptual model of International Health standards issued from the World Health Organization. Also, these new criteria are compiled in order to provide a more detailed description of each condition in order to ensure uniformity and consistency in assessment of those people with disability. The objective is to establish and strengthen multidisciplinary assessment structures at regional and central level especially for those pilot countries. Currently based on Council of Ministers Decision No. 431, date 08.06.2016 (Qendra e Botimeve Zyrtare, 2016) "On the definition of criteria, documentation, procedures and amount of the payment of persons with disabilities and personal assistant as well as responsible structures and their duties" the pilot areas are in Administrative Units no. 6 and no. 7 of the District of Tirana. According to the Decision of Council of Ministers No. 722, date 11.11.2019 (Qendra e Botimeve Zyrtare, 2019) "On the determination of the amount, criteria, procedures and documentation for the assessment and of the persons with disability and personal assistant as well as their responsible structures and tasks" the pilot areas are Tirana, Durrës and Elbasan. Recently at the premises of Regional Directorate of State Social Service in Tirana there is established the office of administrating the process of assessment of the persons with disabilities. Also, it is established the multidisciplinary Disability Assessment Commission in regional level consisting of full time employees and composed by one doctor as well as a social worker, psychologist who are trained for assessing the persons with disabilities through bio psycho model.

Increasing the Transparency of The Scheme Through The Establishment of An Electronic Register For The People With Disabilities

One year ago, the Ministry of Health and Social Protection undertook the initiative for creation and development of a system for managing the information related with the scheme of people with disabilities including a National Electronic Register and ensuring a data base for each beneficiary. The Electronic Register is being developed in Albanian through the support of the World Bank. This register will ensure the efficient administration of the relevant scheme.

Creating An Integration Services System That Combines Social Care Services With Cash Payments

The Reform for people with disabilities plans to provide an integrated service package for people with disabilities. The Social administrators, part of the local government will be the point of contact referring of persons with disabilities at the responsible agencies.

Establishment And Strengthen The Mechanism For Monitoring And Inspecting The Quality of Service Delivery To The Persons With Disabilities At Central And Local Level, Guaranteeing The Generation of Quarterly Performance Reports To Policy Makers And Assessing The Risk Profile And Detecting Abuses

Improved control is related with a reduction in the number of beneficiaries from 14% to 10%. The objective is to establish an evaluation system that provides monitoring, promotes accountability, fosters professional capacity building and realizes inter-institutional relationships. This creates a coherent evaluation system and an integral system of quality assurance and inspection to prevent abuse. It will also strengthen human capacities in the relevant field of evaluation to promote continuous improvement of the system.

CONCLUSIONS

A person with disability is a person whose disability is caused by physical, sensory, intellectual, mental / mental impairment, born or acquired during life by accident, illness, temporary or permanent, which within the meaning of our law does not arise from employment-related causes, as certified by the Medical Commission for the Assignment of Work Aptitude, thus benefiting from this disability payment. Assessment Program of disability is the one that sets out the criteria, assessment procedures for persons claimed to have a disability, and the manner of payment after crossing the assessment threshold.

Disability is an attribute that cannot be immediately identified as gender or age. It is a complex and dynamic interaction between a person's state of health and the environment. It is really difficult to measure the level of disability in the current conditions of our legislation. Thus there was a need to refine this evaluation structure, moving towards the bio-psycho-social model.

Currently, disability in Albania is evaluated by specialized committees composed of specialists of different disciplines, such as: pediatricians, ophthalmologists, psychiatrists etc. Before going at the Commissions, the disable person must first go to the family doctor and specialist doctor (specified by the type of illness). With the extension of the disability reform, which is based on the standards of the International Functional and Health Classification (ICF), it is expected that this program will take another dynamic. It is expected that the focus of disability determination will shift from the cause of the impairment to the perspective of the injured person's development and their daily participation in social life, as well as to the concrete measures to be taken to avoid, minimize and compensate for these restrictions. At the same time, the focus on the policies to be followed will shift from Disability to the ability and competence of the injured. Disability policies are no longer understood as minority policy, but their objectives based on the principles of equality, non-discrimination, inclusion and self-determination will be considered an important part of a civil rights approach to politics, being convinced that these policies have a positive effect not only on people with disabilities.

This social policy initiative should be seen as a challenge for the whole society, as it should be a society's duty to build structures that ensure full inclusion of people with disabilities in all areas of daily life.

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