

Brazilian Interministerial Workgroup on a Definition of Disability: ICF and UN Convention

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Location: Brazilian WHO-FIC CC

Abstract Brazilian President established an Interministerial Work Group (IWG) in order to "evaluate the model of classification and valuation of disabilities used in Brazil and to define the elaboration and adoption of a unique model for all the country". Eight ministries and/or Secretaries participated in the discussion along 10 months, concluding that a proposed model should be based on UN Convention on the Rights of Person with Disabilities, ICF and supports theory.

Introduction

Recognize who are the persons with disability and which of them need the different social protection policies is one of the duties of the Government to promote equity in opportunities and warrant human rights and fundamental freedom. Through a Decree (Sept26th 2007), Brazilian President established an Interministerial Work Group (IWG) in order to "evaluate the model of classification and valuation of disabilities used in Brazil and to define the elaboration and adoption of a unique model for all the country".

IWG searched for models and tools used in other countries, in order to subsidize a proposal to Brazil, coherent with the new conception defined by the UN Convention on the Rights of Persons with Disabilities (UN, 2006), ratified by the Legislative Decree 186/2008, with a constitutional act equivalence.

ICF defines disability as more comprehensive than impairment, consisting in a generic term that includes impairments, activities limitation and participation restriction. The term disability indicates principally the negative aspects of the **interaction** of an individual (with a health condition) and the contextual factors (environmental and personal factors), involving a dynamic relation. An individual could present an impairment (body level) and not necessarily experience any kind of disability. In the other hand, a person could experience a disability without having any impairment, only by reason of stigma or prejudice (attitude barrier).

Independently of disease or organic sequel (monocular vision, palatal cleft, albinism, chronic disease, etc) any person could be evaluated by the proposed model and have the disability valued, according to important alterations in his/her functioning, considering the influences of social, economic, environmental factors, among others. In this way, not any disease will be excluded, but the valuation of impairment or disability will depend on the global evaluation of the individual, based on ICF and the Support theory (AAMR, 2006).

Methods & Materials

The IWG worked along 6-10 months, and were realized nine ordinary reunions for discussing the theme, from June to December 2008, and an extraordinary reunion on May 2009, besides discussion subgroups, IWG members electronic communications, and were listened specialists from different Associations, working on:

1. Presentations of the current definitions, based on different kinds of benefits, and consequently linked to different Ministries.
2. Search for international publications about laws, problems with definitions, parameters used for defining eligibility for social benefits, all over the world.
3. Elaboration of a proposal to be presented

Ministries involved in the IWG:

1. Human Rights Special Presidential Secretary – National Coordination of Integration of Persons with Disabilities (CORDE)
2. Ministry of Health – Coordination of Health for Persons with Disabilities
3. Ministry of Social Security – National Institute of Social Security (INSS)
4. Ministry of Social Development and Actions against Hungry – Department for Continuous Benefit for the Aged and Persons with Disabilities
5. Ministry of Work
6. Ministry of Education
7. Ministry of Transports
8. Planning Ministry
9. Specialists invited by Ministries from Universities and NGOs

As the disability concept is dynamic, the normatization that defines the model of classification and the respective tools, shall permit changes that will follow the evolution of the inner concept.

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Results

IWG worked on the necessity of creation of unique model of **classification and valuation**, that will originate tools adequate to the public policies directed to the needs of Brazilian citizens with disabilities, coherent with the following directives, that shall:

- not be based **uniquely** on clinical diagnosis of diseases, conditions or traumatic lesions;
- not be based **uniquely** in sequels diagnosis (organic consequences) of diseases, conditions or traumatic lesions (ex: monoparesia, paraplegia, afasia, low vision).
- consider, simultaneously and equanimously, personal factors (gender, instruction level, age, coping/resilience), environmental factors (accessibility, supports, attitudes), social factors economic factors that could favor or hamper the performance in activities and participation (functioning), as well as body structures and functions.

Conclusions

The proposed model shall be in harmony with ICF model, emphasizing that ICF is a classification, not an evaluation tool, since it doesn't establish the limits of who is or who is not a person with a disability.

The evaluation and valuation of disability shall originate an unique certification that will give access more equitable to the different affirmative actions or benefits.

It's necessary to create a network for evaluation, valuation and certification, with national coverage.

The certification should be emitted based on evaluation by multiprofessional team in an interdisciplinary model, specifying each benefits and/or affirmative actions for what the person with disability has eligibility.

The teams will have special training and it will be necessary a short and medium term study, with these items:

- Model detailing,
- Elaboration of instruments and routines,
- Validation of these instruments
- Monitoring and evaluation of social and economic impacts.