



July 20, 2022

Majority Leader Chuck Schumer
U.S. Senate
Washington, DC 20510

Minority Leader Mitch McConnell
U.S. Senate
Washington, DC 20510

Speaker Nancy Pelosi
U.S. House
Washington, DC 20515

Minority Leader Kevin McCarthy
U.S. House
Washington, DC 20515

Dear Majority Leader Schumer, Minority Leader McConnell, Speaker Pelosi, and Minority Leader McCarthy:

The National Disability Rights Network (NDRN) writes to urge you to quickly pass legislation that would ban the use of electrical stimulation devices. NDRN has long opposed the use of electrical stimulation devices on people with disabilities. We appreciate Congress' on-going efforts to ban the use of these devices as it will protect children and adults with disabilities from both physical and mental harm caused by the use of these devices. To achieve this end, we urge Congress to pass into law the House passed Food and Drug Amendments of 2022 (H.R. 7667) or the Food and Drug Administration Safety and Landmark Advancement Act of 2022 (S. 4348) both of which ban the use of electrical stimulation devices.

NDRN is the nonprofit membership organization for Protection & Advocacy (P&A) agencies, a nationwide network of congressionally mandated, cross disability organizations. The P&A agencies operate in every state, the District of Columbia, Puerto Rico, and the U.S. territories (American Samoa, Guam, Northern Mariana Islands, and the US Virgin Islands). There is also a P&A affiliated with the Native American Consortium which includes the Hopi, Navajo, and San Juan Southern Paiute Nations located in the Four Corners region of the Southwest.

Both H.R. 7667 and S. 4348, would ban electrical stimulation devices which apply noxious stimulation to a person's skin. Electrical stimulation devices are ineffective methods of treatment, and place individuals at risk of burns,

ulcers, anxiety, panic, trauma, depression, and other physical and psychological harms. A number of P&A agencies have represented individuals who have been burned, scarred, and traumatized from exposure to these devices. In addition to FDA evidence of the psychological and physical risks of these devices, the FDA has noted evidence of the ineffectiveness of electrical stimulation as a response to self-injurious or aggressive behavior, instead supporting alternative treatment.¹ There are numerous evidence-based supports that do not include electro-shock that have successfully served individuals with disabilities who are exhibiting self-injurious or dangerous behavior.

Again, we thank Congress for its work up to this point on the elimination of electrical stimulation devices. We urge Congress to achieve this important policy objective by passing a ban into law so that individuals with disabilities no longer have to be subjected to ineffective and harmful practices under the guise of “treatment”. Please contact Cyrus Huncharek (Cyrus.Huncharek@ndrn.org), Senior Public Policy Analyst should you have any questions.

Sincerely,



Eric Buehlmann
Deputy Executive Director for Public Policy
National Disability Rights Network

¹ “FDA Takes Rare Step to Ban Electrical Stimulation Devices for Self-Injurious or Aggressive Behavior,” FDA News Release, March 4, 2020, <https://www.fda.gov/news-events/press-announcements/fda-takes-rare-step-ban-electrical-stimulation-devices-self-injurious-or-aggressive-behavior>