

SOCIAL SECURITY DISABILITY INSURANCE

THE IMPACT OF WORK ON BENEFITS

Presenters:

Elizabeth Jennings, National Disability Institute

Nakia Matthews, National Disability Institute

Special Guest Speakers

October 17, 2012 3:00pm – 4:30pm EST

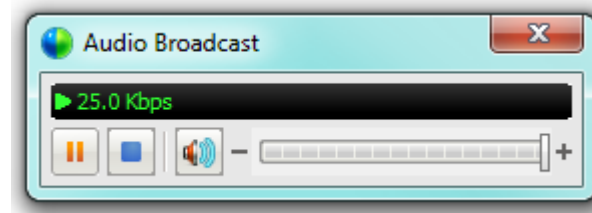
Today's Agenda

2

- Welcome - Elizabeth Jennings, NDI
- Housekeeping - Nakia Matthews, NDI
- Overview of Financial Wellness Survey Results and Importance of Economic Empowerment - Elizabeth Jennings, NDI
- Impact of Work on Disability Benefits - Elizabeth Jennings, NDI
- Peer Perspective - Special Guests, Maureen and Ron
- Suggested Next Steps - Elizabeth Jennings, NDI

Listening to the Webinar

- ❑ The audio for today's webinar is being broadcast through your computer. Please make sure your speakers are turned on or your headphones are plugged in.
- ❑ You can control the audio broadcast via the audio broadcast panel
- ❑ If you accidentally close the panel, you can re-open it from the top menu item: Communicate > Join Audio Broadcast



Listening to the Webinar

If you do not have sound capabilities on your computer or prefer to listen by phone, dial:

1-877-668-4490

Meeting Code: 969 627 576

You do not need to enter an attendee ID.

Webinar Housekeeping

- Please note in the lower right hand side of your screen we have closed captioning available for participants who are Deaf or Hard of Hearing or where English is a Second Language.
- You can close this down if you don't want to see this by minimizing that Multi-Media window, OR you can make the Multi-Media Window with the Closed Captioning bigger by minimizing the windows above it (the Chat Window, the Q&A Window, the Panelist Window).
- If you experience any technical difficulties, please use the chat box to send a message to **the host Nakia Matthews** you may also email ejennings@ndi-inc.org.

Housekeeping Continued

- For Q&A: Please use the chat or Q&A box to send your questions to Elizabeth Jennings and we will have our presenter answer them at the end of the presentation during Q&A.

If you are listening by phone and not logged in to the webinar, you may also ask questions by emailing questions directly to ejennings@ndi-inc.org

Please note: This webinar is being recorded and the materials will be placed on the National Disability Institute website at www.realeconomicimpact.org.

Special Thank You

7

Special THANK YOU
to our sponsor
Acorda Therapeutics

SSDI – Impact of Work on Benefits

8

We will discuss:

- Overview of Financial Wellness and relative strategies
- Social Security Disability benefit basics
- Doorways to employment supports
- Peer Experience
- Suggested Next Steps
- Q&A

What is Financial Wellness?

9

- We define financial wellness as the state of a person's finances with the intent of working towards financial behaviors that limit stress and the impact of stress on one's daily life.

Financial Wellness



National Poverty Estimates

11

Individuals ages 18-64

- For individuals without disabilities, 12.8% had income below the poverty level over the past 12 months
- For individuals with disabilities, more than 2x that rate - **27.3%** had income below the poverty level.

Source: U.S. Census Bureau, 2010 American Community

Survey

- No group in America is more in need and more deserving of economic recovery

- For millions of working age adults with disabilities a dependence on public benefits for income, health care, food, and housing becomes a trap that requires limiting income to remain eligible.

Why is Financial Wellness Important?

14

- Impacts mental and physical health.
- Impact positively self-concept.
- Changes status with other community stakeholders.
- Directly impacts quality of life.

Financial Wellness and MS

- A recent survey conducted by MSAA and NDI involving individuals with MS indicated:
 - 55.1% of households earn less than \$35k annually, 16.4% earn less than \$50k but more than \$35k annually.
 - When asked about the ability to pay all of their bills in a typical month, 32% have a “very difficult” time paying their bills in a typical month, 46.9% reported a “somewhat difficult time”.
 - 43% of respondents reported that their financial status has affected their ability to access medical care at some point.

Financial Wellness and MS

16

- A recent survey conducted by MSAA and NDI involving individuals with MS indicated:
 - 71.7% of respondents do not have enough savings to cover 3 months expenses.
 - 67.1% of respondents reported that their finances were worse since their MS diagnosis.
 - 73.7% of Respondents reported that they were not aware of/have not used financial stability programs (EITC, IDA, FSS, PASS – you will learn about these in subsequent webinars)

Financial Wellness Strategies Exist

17

Financial Literacy

Budgeting
Credit Repair
Getting Banked

Use of work incentives

Use of tax incentives
Volunteer Income Tax Assistance
Earned Income Tax Credit

State Medicaid

Buy-In
Programs

Family Self-Sufficiency Programs

Individual Development Accounts
Assistive Technology Loan Funds
Student Loans
Retirement Accounts

Post-secondary Education

Employment

Self-employment
Micro-Enterprise
Home Ownership

Protection and Advocacy, Taxpayer Advocates, Credit Counseling

Volunteer Income Tax Assistance, Benefits Planning

SSA Disability Benefits

- The Social Security Administration has two programs to support individuals with disabilities with an inability to work at a substantial level.
 - ▣ Social Security Disability Insurance (SSDI)
 - ▣ Supplemental Security Income (SSI)

- Many people with disabilities who receive SSDI and/or SSI, want to work or return to work but are unsure what will happen to their benefits when they do.

- SSA policy includes work incentives that make it possible for individuals to test their ability to work and continue to receive some or all of their cash and health benefits.

SSA Eligibility

Individuals must prove the following to be eligible for SSDI:

1. Prove that they have a documented medical disability that will last 12 months or longer or result in death.
2. Meet SSA's definition of disability:
The inability to engage in Substantial Gainful Activity (SGA, which is paid work) by reason of any documented medical impairment (physical or mental) that will last 12 months or longer and/or result in death.

Individuals who are blind do not have to prove that they are unable to work. They only have to prove that they meet SSA's level of blindness.

Substantial Gainful Activity (SGA)

SGA is a basic test used by SSA to establish disability status

- SGA is the performance of significant mental and/or physical duties for profit.
- It is usually determined to be gross earnings (before taxes) of an amount of money that is set January 1 of each calendar year based on the National Average Wage Index.
- To meet this test a person must not be working, or if working, earning less than the SGA level amount.

2012 SGA for non-blind individuals = \$1010/month

2012 SGA for blind individuals = \$1690/month

SSDI Eligibility

- ✓ Required Work Credits in FICA
- ✓ DAC –Disabled Adult Children
 - Disability Prior to Age 22
 - Never Legally Married to non Title II
 - Insufficient FICA or higher parent amount
 - Parent’s record is open (Deceased, Disabled, or Retired)
- ✓ Medical Insurance - MEDICARE
 - 24 month wait upon eligibility
 - Part A-Free, Part B/D-Premium
- ✓ 5 Month Waiting Period
- ✓ SGA
 - 12 months consecutive-initial eligibility
- ✓ No asset limit

Continuing Disability Review Process

- ❑ The Social Security Administration (SSA) is required by law to periodically determine whether beneficiaries continue to be disabled and therefore continue being eligible to receive either SSI and/or SSDI

- ❑ Under SSA's medical improvement standard, generally, once individuals are receiving benefits, evidence must show that medical improvement related to the ability to work and perform SGA can occur. This must occur before SSA can determine that individuals are no longer eligible to receive benefits.
 1. CDR's involve an interview at the local SSA office
 2. Filling out a form about current medical information (similar to initial eligibility process)
 3. SSA will forward form to DDS for review and medical determination.

Important Points- SSDI

- ✓ Obsessed with SGA
 - \$1010/month (non-blind individuals)
 - \$1690/month (blind individuals)

- ✓ As you work and earn SGA, SSA reviews your work effort and will take a person off the rolls if they show a pattern of being able to work and earn at the Substantial Gainful Activity level.

- ✓ No asset limit

Work Incentives Comparison Chart

Social Security Disability Insurance

- ✓ Trial Work Period
- ✓ Extended Period of Eligibility
- ✓ Impairment Related Work Expense
- ✓ Subsidies
- ✓ Unsuccessful work attempt
- ✓ Unincurred Business Expenses (self-employed only)
- ✓ Continuation of Medicare
- ✓ Section 301
- ✓ Expedited Reinstatement
- ✓ Ticket to Work
- ✓ Medicaid Buy-In

Supplemental Security Income

- ✓ Student Earned Income Exclusion
- ✓ Impairment Related Work Expense
- ✓ Blind Work Expense
- ✓ 1619 (a)
- ✓ 1619 (b)
- ✓ Property Essential For Self Support
- ✓ Plan for Achieving Self-Support
- ✓ Subsidies (only at time of application)
- ✓ Section 301
- ✓ Reinstatement without new application
- ✓ Expedited Reinstatement
- ✓ Ticket to Work
- ✓ Medicaid Buy-In

Trial Work Period - TWP

SSDI beneficiaries are entitled to a 9 month Trial Work Period (TWP) to test work skills while maintaining monthly cash benefits. During this TWP full benefit checks will continue regardless of the amount of money earned. The 9 months of TWP do not need to be earned in a row.

- TWP months are counted when an individual earns a specific amount of income. (Determined January 1 each year by SSA)
 - In 2012, the TWP amount is \$720 per month
- The TWP ends when an individual has 9 months of TWP within a 60 month consecutive period of time (5 years).
- Once all 9 months of TWP have been earned within the 60 month window a person then enters **Extended Period of Eligibility (EPE)**.

Extended Period of Eligibility (EPE)

- At the conclusion of the 9 month TWP beneficiaries will immediately enter into the 36 month EPE as long as the medical eligibility continues.
- The 36 month period begins in the month following the 9 month TWP whether a person is determined to be earning SGA or not.
- During EPE cash benefits continue only for months SGA is not earned. Any month SGA is earned the individual is not eligible for the cash benefit. The first month of SGA (grace months) benefits continue. Next two months are considered grace months and if SGA is earned benefits continue.
- When EPE is complete, a person earning gross wages below SGA will continue to receive a benefit check as long as medical eligibility continues. If a person is earning SGA or above and the EPE is completed, a person is no longer eligible for a cash benefit.
- For self-employment, an individual determination of SGA will be established during EPE. An SSDI claims representative will look at hours and income when making SGA determination.

Impairment Related Work Expenses-IRWE

- Purpose: IRWE is used to enable SSDI beneficiaries to reduce SGA due to out of pocket expenses that support a disability to allow a person to earn income, even if those items or services are needed for non-work activities.

- Examples of Allowable Expenses:
 - The expenses must be directly related to supporting the disability
 - Cost must be paid out of person's pocket and not covered by other funding sources
 - Expense must be paid in a month wages are earned or had earned
 - Expense must be reasonable.

IRWE's, continued

□ **Features:**

- No time limits in using IRWE's
- IRWE's do not have to be a monthly expense
- IRWE's may be a one-time expense deducted all in one month or spread over several months while earning wages

□ **Reporting IRWE's:**

1. The first month you use an IRWE, make an appointment to submit your receipts and the reason for the costs, with your paystubs to your local SSA field office
2. The SSDI claims representative will review the IRWE's and, if approved, adjust your benefit accordingly.
3. Discuss with the claims representative the frequency in which they would like you to continue to report these expenses.
4. Continue to keep receipts, in the event SSA requests proof of expenses.

Subsidies

- **Subsidies and special conditions allows you to deduct the value of:**
 - **Services provided by an employee**
For example: extra supervision, lower productivity, etc.
 - **Services provided by an organization**
For example: Job Coach, Supported Living Coach, etc.

- **Subsidies** apply to **SSDI** during the initial eligibility process as well as when an individual is working and earning income.

- **Financial Value:** The dollar amount of the subsidy is subtracted from gross monthly earnings, potentially reducing gross wages below the SGA level

- A Subsidy may be employer sponsored (Subsidy), or agency sponsored (Special Conditions)

Subsidies, continued

- Evidence of receiving a subsidy may include
 - Extra Support or supervision on the job
 - Lower Productivity for the same job at the same wage
 - Different job functions than co-workers

- **Reporting Subsidies:**
 1. Make an appointment to meet with a claims representative at the local SSA field office to report your wages and discuss receiving a subsidy
 2. The SSDI claims representative may want to discuss the subsidy with your employer or the agency providing support
 3. The SSDI claims representative will review the subsidy and, if approved, adjust your benefit accordingly.
 4. Discuss with the claims representative the frequency in which they would like you to continue to verify a subsidy is at play
 5. Continue to document support, in the event SSA requests proof of a subsidy

SECTION 301

- ❑ Section 301 allows individuals who improve medically and are no longer considered medically eligible through a CDR (Continuing Disability Review) to continue receiving a cash benefit if:
 - ❑ Participating in an approved vocational rehabilitation program (public or private) at the time the eligibility ceases; or
 - ❑ Continued benefit payments to students age 18 to 21 who medically recover, or whose disability is determined to have ended as a result of age 18 re-determination, while participating in an individual education program. (Effective July 2005)
 - ❑ It is determined by SSA, with the aid of information from the vocational program that the vocational program will likely increase the permanent independence and self-sufficiency of the individual.

Note: Medicare and Medicaid and any State supplements also would continue under Section 301

EXPEDITED REINSTATEMENT

Individual who become ineligible for SSDI benefits due to work at the SGA level may request to reinstate benefits without filing a new application.

- ❑ The beneficiary must be unable to work and earn SGA because of the same or similar medical condition
- ❑ The beneficiary must file the request for reinstatement with Social Security within 60 months from the month their benefits are terminated.
- ❑ SSA will provide up to six months of provisional benefits (including Medicare) while a case is being reviewed.
- ❑ Beneficiaries found not disabled, do not repay the provisional benefits

Note: Individuals always have the option of re-applying for benefits.

TICKET TO WORK

- ❑ A voluntary program for people on SSDI (or SSI) who want to work.
- ❑ Participating in the Ticket program provides:
 - ❑ Greater Choice through an increased network of Vocational Service Providers
 - ❑ Suspension of the Continuing Disability Review when actively using their Ticket
- ❑ The National Program Manager for SSA is MAXIMUS
1-866-968-7842 / 866-833-2967 (TTY/TDD)
<http://www.chooseworkttw.net/>
- ❑ Employment Networks are:
 - ❑ Contractors with SSA to provide vocational services
 - ❑ State Vocational Rehabilitation offices are also a required Employment Network

Medicaid Buy-In Programs

Purpose of the Program: To provide an opportunity to purchase Medicaid coverage for persons with disabilities who are working.

Sample Eligibility Criteria:

1. Between the ages of 16 and 65
2. Have a permanent disability
3. Be employed (full or part time)
4. Meet the income and asset guidelines

To locate a Medicaid Buy-in program:

http://cwd.aphsa.org/links/medicaid_buyin_resources.asp

Peer Perspective

35

Special Guests

Ron

Maureen

Supports to Assist You

Benefits Planners *typically*

- Provide benefit and work incentives planning and assistance;
 - Refer beneficiaries with disabilities to appropriate Employment Networks or State VR agencies based on individual needs and impairment types; and
 - Provide general information about health benefits coverage available to beneficiaries once they enter the workforce
 - May work for an array of entities, SSA used to fund a cohort of providers, those former organizations are a good starting point for locating a Benefits Planner
- List of Providers - <https://secure.ssa.gov/apps10/oesp/providers.nsf/bystate>

Supports to Assist You

Protection and Advocacy

Advocates are available to provide assistance with the following at not cost:

- Access to Community Services
 - Special Education and Transition
 - Transportation , Housing, Health Care
 - Disability Benefits and Work Incentives
 - Rights and Conditions of employment
 - Vocational Rehabilitation and preparation
 - Rights, Responsibilities, and Reasonable Accommodations under the ADA
 - Wage and hour issues
 - Assistance with removing barriers to a beneficiary' s return to work goal
- ▣ List of Providers - <https://secure.ssa.gov/apps10/oesp/providers.nsf/bystate>

Doorways to Employment Supports

38

- State Vocational Rehabilitation Agency
- Department of Labor – One Stop Centers
- Independent Living Resource Centers
- SSA Ticket to Work Program
- Federal Hiring of People with Disabilities

State Vocational Rehabilitation (VR)

39

- The VR program is a state-federal partnership that promotes the employment of people with disabilities.
- VR counselors have extensive specialized training, to work with you to:
 - ▣ Identify your employment goals
 - ▣ Provide assessments to measure your skills and aptitude
 - ▣ Provide access to assistive technology and other employment supports
- State Agencies and contacts - <http://rsa.ed.gov/people.cfm>

Department of Labor – One Stop Centers

- The Workforce Investment Act of 1998 (WIA), which became effective July 1, 2000, established the One-Stop Career Center system.
- One-Stops are community centers that provide employment, education and training services all in one place.
- To learn more and/or locate a One Stop near you use:
<http://www.servicelocator.org/>

Disability Employment Initiative

41

- DEI is funded through a contract with the Department of Labor, to twenty-three states, to improve education, training, and employment opportunities and outcomes of youth and adults who are unemployed, underemployed, and/or receiving Social Security disability benefits.
- DEI Projects hire staff with expertise in disability and workforce development to serve as Disability Resource Coordinators (DRCs).
- To locate a DEI site near you: <http://www.dei-ideas.org/>

Independent Living Resource Centers

42

- Centers for Independent Living (CILs) are grassroots, advocacy-driven organizations run by and for people with disabilities.

- Independent Living Centers have four core services,
 1. Individual and Systems Advocacy
 2. Information and Referral
 3. Peer Support
 4. Independent Living Skills Training

To locate an Independent Living Center near you:

<http://www.ncil.org/directory.html>

SSA Ticket to Work Program

43

- SSA's Ticket to Work program provides you an opportunity to shop around for the return to work service you may need.
- When you use a participating organization Employment Network (EN), you receive services, support and CDR protections from SSA. The EN you choose will receive payments as you work and earn at certain levels.
- To better understand or to locate an EN:
<http://choosework.net/>

Federal Hiring of People with Disabilities

44

- The Federal government provides employment opportunities for individuals with disabilities through Schedule A hiring.
- Schedule A is a hiring authority available to federal agencies to hire individuals with disabilities without competing for the job.

To learn more:

- <http://www.opm.gov/disability/PeopleWithDisabilities.asp>
- http://www.dol.gov/odep/pubs/scheduleA/abc_Job_Applicants_ODEP_508%20compliant.pdf

Working Resources

45

- State Vocational Rehabilitation Agency
 - ▣ <http://rsa.ed.gov/people.cfm> - Click on State Agencies
- Department of Labor – One Stop Centers
 - ▣ <http://www.servicelocator.org/>
- Independent Living Resource Centers
 - ▣ <http://www.ilru.org/html/publications/directory/index.html>
- SSA Ticket to Work Program
 - ▣ <http://choosework.net/>
- Federal Hiring of People with Disabilities
 - ▣ <http://www.opm.gov/disability/PeopleWithDisabilities.asp>
 - ▣ http://www.dol.gov/odep/pubs/scheduleA/abc_Job_Applicants_ODEP_508%20compliant.pdf

Assistance with Accommodations

46

- JAN – Job Accommodation Network
 - ▣ <http://askjan.org/>

- ADA National Network
 - ▣ <http://adata.org/Static/Home.aspx>

Suggested Next Steps

1. Register with one of the employment support programs noted.
 - Vocational Rehabilitation - <http://rsa.ed.gov/people.cfm>
 - Department of Labor – One Stop Centers - <http://www.servicelocator.org/>
 - SSA Ticket to Work Program - <http://choosework.net/>
2. Meet with a Benefits Planner to make an informed choice about the impact of work on your benefits.
<https://secure.ssa.gov/apps10/oesp/providers.nsf/bystate>

Suggested Next Steps

48

3. Set a goal to complete items 1 and 2 over the next three months.

4. Share with us your experience.
 - We will send out emails over the next few months to offer you a chance to share your experience.

Contact Information

NDI - www.realeconomicimpact.org

Elizabeth Jennings

202-296-2045 or ejennings@ndi-inc.org