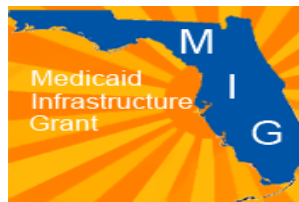




agency for persons with disabilities
State of Florida

INTRODUCTION TO SOCIAL SECURITY WORK INCENTIVES

**Presented by
APD Certified Trainers**



This Social Security Work Incentive Manual and Training Program are funded by the Medicaid Infrastructure Grant (MIG) #1QACMS030231 awarded APD by the United States' Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS)

2013

**THIS PAGE INTENTIONALLY LEFT BLANK
FOR DOUBLE-SIDED PRINTING AND COPYING.**

TABLE OF CONTENTS

SECTION 1: <i>INTRODUCTION</i>	1
Work Incentive Training For Successful Employment	3
Principles of Training	4
Building Blocks for Self-Determination	4
Person-Centered Planning	4
Person-Centered Planning Strategies	5
SECTION 2: <i>ADVOCACY</i>	7
Serving as a Resource.....	11
Checklist for Success – ALWAYS DO THESE.....	12
Benefits Planning Query (BPQY).....	14
SECTION 3: <i>ELIGIBILITY</i>	17
Initial Eligibility Determination	19
Step 1: Disability Report Form (Application)	19
Checklist - Developing an Initial Application – SSI/SSDI	22
Mandatory Reading Assignment: 2013 SSA Red Book	23
SSA Definition of Disability	23
Basic Conditions for the Disability Requirement	23
Benefits for People Who are Legally Blind	24

Substantial Gainful Activity (SGA) 24

2013 SGA for Blind Beneficiaries - \$1,740 25

Eligibility of Benefits – SSDI..... 26

 Social Security Disability Insurance – SSDI..... 26

Medicare..... 26

Eligibility of Benefits – SSI 30

 Supplemental Security Income - SSI 30

Overview of What Could or Could Not be a Resource 30

 SSI and Medicaid - Resource Example 30

 SSI Resources COUNTED - Maybe..... 31

 SSI Resources EXCLUDED - Maybe 31

What is a Special Needs Trust? 32

 Special Needs Trusts 32

 FUNDING Special Needs Trusts..... 33

 Trust Administration..... 34

 Other Resources Regarding Trusts: 35

ANNUAL COLA CHART / National Average Wage Index 36

How to Find Benefit Changes 37

Fact Sheet: 2013 Social Security Changes 38

Basic SSI Calculation..... 40

Special Groups of Former SSI Recipients 42

SECTION 4: EFFECTS OF EARNED INCOME ON SSDI..... 45

Getting Started 47

 Wage Formula..... 47

SSA Work Incentives 48

 SSA Work Incentives Comparison Chart 48

Trial Work Period - SSDI Only (an SSA Work Incentive) 49

Extended Period of Eligibility (EPE) – SSDI Only..... 50

Extended Period of Eligibility (EPE) – SSDI Only..... 50

Extended Medicare Coverage (SSDI) 51

Continuation of Medicare (SSDI) 52

Rules for Individuals who are Blind (SSDI) 53

SSDI Eligibility Status – How to Determine from the BPQY if the TWP and/or EPE have been used 54

SSDI Beneficiary Work Record..... 55

SECTION 5: EFFECTS OF EARNED INCOME ON SSI 57

SSI - Earned Income Calculation Sheet 59

 Solely Based on Earnings..... 59

 SSI – Earned Income Calculation Sheet..... 60

SSI - Earned and Unearned Income Calculation Sheet 61

Sample Memorandum Tool 62

REPORTING WAGES: *Don't forget to be able to show proof of reporting*..... 62

Quick Review on Wages and SSA 63

SECTION 6: SSDI AND SSI WORK INCENTIVES..... 67

SSI - Earned Income Calculation Sheet 69

Using Work Incentives 69

SSI Wage Calculation Sheet..... 71

SSA Work Incentives: SSI - ONLY Work Incentives 72

 Student Earned Income Exclusion (SEIE) - SSI Only 72

 Blind Work Expense (BWE) – SSI Only 74

 1619(a) Continued SSI Payment – SSI Only..... 75

 1619(b) Continued Medicaid- SSI Only 75

 Plan for Achieving Self Support (PASS) - SSI Program..... 77

 Property Essential for Self-Support (PESS) - SSI Only 78

SSA & SSDI Work Incentives..... 79

 Impairment Related Work Expense (IRWE)—SSI & SSDI 79

 SAMPLE TOOL: Letter Reporting Employment Earnings and Impairment Related Work Expenses (IRWEs) 81

 Special Conditions – Subsidies - SSI and SSDI 82

 Special Condition vs. Subsidy..... 82

 Special Condition 83

 Subsidy..... 83

Special Condition Report 84

Subsidy Report (Employer Only) 85

Unsuccessful Work Attempt – Both SSDI and SSI 86

Section 301 – SSI and SSDI 87

Expedited Reinstatement – Both SSDI and SSI 89

Ticket To Work – Both SSI and SSDI 91

Self-Employment 93

 The Three Tests..... 93

 The Countable Income Test 93

A Self-Employment Specific Incentive 94

 Unincurred Business Expense – SSDI (SSI for initial eligibility) 94

SECTION 7: *RESOURCES*..... 97

Program Resources 99

 Medicaid Waivers & Demonstrations..... 99

 Department of Economic Opportunity’s Disability Program Navigator Initiative (DPN) 99

 Department of Vocational Rehabilitation (VR) 100

 Florida Benefits Information Referral Network (FBIRN) 100

 Ticket-to-Work (TTW) - <http://www.ssa.gov/work/overview.html> 101

 Protection & Advocacy of Beneficiaries on Social Security (PABSS) 101

 Changing Face of Benefits (Social Security Work Incentive Course)..... 101

Other Work Incentives 102

 Individual Development Accounts (IDA) 102

 To find an IDA near you: 103

http://cfed.org/programs/idas/directory_search/ 103

National Resources 103

 Assets for Independence (AFI) Project Locator 103

 Association for Enterprise Opportunity (AEO)..... 104

 Corporation for Enterprise Development (CFED) 104

Housing and Urban Development (HUD)..... 105

Work Opportunity Tax Credit (WOTC)..... 106

 Congress Passes WOTC Legislation 106

 What is WOTC? 107

 How does WOTC work? 107

 Who can I hire? 108

 How are the tax credits calculated? 108

 What are the WOTC Tax Credit Amounts? 109

 How do I apply? 110

 Forms/Further Information: 110

 WOTC Resources 110

Earned Income Tax Credit 111

Internal Revenue Service (IRS) Program 111

EITC Requirements 112

2012 Tax Year 113

Tax Year 2012 Maximum Credit..... 113

VITA – Volunteer Income Tax Assistance..... 114

SECTION 8: *GLOSSARY OF IMPORTANT TERMS, ACRONYMS AND WEBSITES ...* 115

Alphabet Soup and Terminology 117

Glossary of Terms 122

Websites of Importance..... 128

Federal and State Websites of Importance! 128

Federal Links 128

Websites to Advocacy..... 133

Florida Links 134

**THIS PAGE INTENTIONALLY LEFT BLANK
FOR DOUBLE-SIDED PRINTING AND COPYING.**



agency for persons with disabilities
State of Florida

SECTION 1: INTRODUCTION

**THIS PAGE INTENTIONALLY LEFT BLANK
FOR DOUBLE-SIDED PRINTING AND COPYING.**

WORK INCENTIVE TRAINING FOR SUCCESSFUL EMPLOYMENT

Unemployment and underemployment among working-age Americans with disabilities continues to be an almost intractable problem. At a time when more than 69 percent of working-age Americans are in the work force, less than one-fifth (20.5%) of people with disabilities are considered participating in that same workforce. Even sadder is the fact that only about 8.8 percent of those counted are currently working and that doesn't count job seekers with disabilities who have never been employed (ODEP, January 2013). Clearly, there is still much work to be done to improve competitive employment opportunities for people with disabilities. (Retrieved January 2013 from

<http://www.dol.gov/odep/topics/DisabilityEmploymentStatistics.htm>.)

Although there are many reasons for this, one of the most significant barriers to employment is the fear of losing public benefits, both Federal and State, especially medical coverage, when individuals begin to earn income. Within the Social Security program, incentives to work do exist. However, they are complicated and difficult to understand, limiting their use by professionals, people with disabilities, and their families.

This project is intended to increase access to accurate information about federal and state benefits and work incentives for people with disabilities, their families and professionals. The next two days will:

- Provide training on federal and state eligibility programs, advantages to earning wages, work incentives, community resources to professionals, and a network of support; and,

- Demonstrate innovative ways of using the systems offered and understanding the use and value of work incentives to increase individuals' income, assets, etc.

PRINCIPLES OF TRAINING

1. Information provided in this training is just one tool for decision making about employment.
2. Good decisions are the result of good planning.
3. Trainings are based on the philosophy of self-determination and person-centered planning.

BUILDING BLOCKS FOR SELF-DETERMINATION

1. A person has the **FREEDOM** to dream, to make his or her own decisions and plan his or her own life.
2. A person has the **AUTHORITY** to control how money is spent for his or her supports.
3. A person has the **SUPPORT** needed from friends, family, and other people the person chooses.
4. A person takes **RESPONSIBILITY** to do what he or she says he or she will do.
5. **CONFIRMATION** – the recognition that individuals themselves be a major part of the design of long-term services and supports.

PERSON-CENTERED PLANNING

Person-centered planning started during the development of the self-advocacy movement to assist people, moving from institutional settings, in obtaining the information they needed to make decisions and obtain supports that would lead to the life they desired in the community.

Person-centered planning is a structured but informal process. It starts with a person's strengths, choices, preferences and interests. It leads to a plan to achieve a desired goal. Examples of these goals include having a career, living in a home of your own, developing a network of friends, participating in community activities, etc. The focus is on supporting people in building and sustaining a life that they want that includes what is important to them.

The people who help achieve this goal are chosen by the person, i.e. family member(s), friends, and professionals with expertise related to the desired outcome. For example, if a person is interested in buying a home, professionals such as real estate agents, general contractors, mortgage brokers, etc. may be needed to help make this happen.

When interested in employment, it is imperative that family member(s), friends, and professionals are knowledgeable about the rules and regulations of the Social Security Administration's programs, including, Social Security Work Incentives.

PERSON-CENTERED PLANNING STRATEGIES

1. Person Futures Planning, John O'Brien (1987).
2. McGill Action Planning System MAPS/PATH, Forrest and Snow, (1987); Vandercook and York, (1988).
3. Circles of Support, Mount, Beeman, Ducharme, (1988).
4. Essential Lifestyle Planning, O'Brien and Lovett, (1993).

All of the above strategies have the same focus: How do we assist someone in working towards his or her desired goals? These strategies all use a team approach and look at a person's history, current life experiences, and future dreams and ambitions.

"The only acceptable reason to plan is to help someone move toward the life they desire."

- Michael Smull, 1998



agency for persons with disabilities
State of Florida

SECTION 2: ADVOCACY

**THIS PAGE INTENTIONALLY LEFT BLANK
FOR DOUBLE-SIDED PRINTING AND COPYING.**

RULES OF ENGAGEMENT

“Before any rules are discussed, all parties must be clear what benefits a person is receiving from all sources, private and public, before information is exchanged.”

Sharon Brent, Director

Training and Technical Assistance



RULES OF ENGAGEMENT

- Age?
- SSI?
- SSDI?
- Dual Eligible?
- Married?
- Live in HUD housing?
- On Food Stamps?
- Over 18 living at home?
- And any other information pertinent to their financial situation.

SERVING AS A RESOURCE

- **You do not need to be the expert!**

There are people who are experts in ALL of this complex information and who have many, many years of technical experience (many of whom also have personal experience as beneficiaries or parents of beneficiaries, and now work within the field).

- **You do need to know how VALUABLE this information is to individuals with disabilities!**

It is critical for individuals to receive accurate and detailed information regarding SSA and other work incentives in order to make informed choices about work which affects their livelihood. Never provide information unless you are one-hundred percent (100%) certain that the information is correct!

- **You do need to help educate people about available resources on SSA and other work incentives, since education can help alleviate their fear.**

Many people are afraid to even discuss their benefits and the various work incentives because it can all sound very complex. However, you can help lessen the anxiety people feel by providing good, accurate resources that break down the information.

- **You do need to know about the variety of useful tools and resources that can be passed on to customers.**

There are many useful tools and resources available on a wide variety of topics including: how to find out if a person may be eligible for benefits, how to apply and file for benefits, who can help in understanding the work incentives, which can assist with appeals, and many other topics.

CHECKLIST FOR SUCCESS – ALWAYS DO THESE

1. When you call SSA (**1-800-772-1213**), keep a record:
 - Date
 - Name of person to whom you spoke.
 - What you asked.
 - What they told you.

2. **Make copies** of all documents you give to SSA (Social Security Administration) – those documents you fill out and those from your file that they want. Do not lose your copies!

3. Promptly **open and read all mail** sent to you by SSA. If you do not understand what is being explained, seek help immediately. When SSA gives a deadline, they will not allow exceptions. Keep all paperwork, letters, and mailing envelopes in your file. Do not lose them!

4. You must **report pay stubs** each month to SSA. Be sure you report to the correct field office (the Zip Code of the payee is the key). Report by mail, or walk into an SSA Field office. Keep wage records in your file.

5. If you receive SSI (Supplemental Security Income), remember to keep all **resources below \$2,000*** for an individual or **\$3,000*** for a couple in any month, in order to maintain eligibility. If you are eligible for Medicaid, you must also maintain your resources below this resource level and any State resource limitation requirements.

6. When there is a **change in your life**, such as address, job, living arrangements, marriage, divorce, resources, children, and so on, immediately report the change to SSA in writing to your local office and by phone: 1-800-772-1213. It is best if you notify SSA both ways!!!

*** Amount may change.**

SSA

Benefits Planning Query Handbook

(BPQY)

- **Free of charge if request is made by:**
 - Beneficiary
 - Representative Payee

Note: If a person has a Rep Payee, the payee must request the BPQY.

BENEFITS PLANNING QUERY (BPQY)

Analysis of an individual's disability and work status is the first step in planning a successful return-to-work initiative. A BPQY provides information about a beneficiary's disability cash benefits, health insurance, scheduled medical reviews, representative payee, and work history, as stored in SSA's electronic records. It is an important planning tool for an AWIC, CWIC, PASS Specialist, benefits counselor, or other individual who may be developing customized services for a disability beneficiary who wants to start working or stay on the job.

SSA provides BPQYs to beneficiaries, their representative payees and their authorized representatives of record on request. Beneficiaries can request a BPQY by contacting their local SSA office or by calling **SSA's toll free number, 1-800-772-1213, between 7 a.m. to 7 p.m., Monday through Friday**. People who are deaf or have a hearing impairment may call SSA's toll-free TTY/TDD number, 1-800-325-0778, between 7 a.m. and 7 p.m. Monday through Friday.

If someone other than the beneficiary, representative payee, or authorized representative (a benefits counselor, for example) wishes to receive a BPQY, they must submit two forms SSA-3288 (Consent for Release of Information) that have been signed by the beneficiary: one to authorize the release of Social Security records and the other to authorize the release of Internal Revenue Service earnings records. Both releases must contain the beneficiary's Social Security Number or the Claim Number of the worker under whose work record the benefits are paid.

PLEASE DOWNLOAD AND PRINT OUT THE BPQY HANDBOOK AND BRING IT TO CLASS WITH YOU!!!

SEE THE BPQY HANDBOOK AT SSA WEBSITE:

http://www.socialsecurity.gov/disabilityresearch/documents/BPQY_Handbook_Version%205.2_7.19.2012.pdf

Also please note: Michael J. Astrue, Commissioner of Social Security, announced that the agency (SSA) is expanding the services available with a *my Social Security* account, a personalized online account that people can use beginning in their working years and continuing throughout the time they receive Social Security benefits. More than 60 million Social Security beneficiaries and Supplemental Security Income (SSI) recipients can now access their benefit verification letter, payment history, and earnings record instantly using their online account."

Social Security beneficiaries can also change their address and start or change direct deposit information online. People age 18 and older can sign up for an account at www.socialsecurity.gov/myaccount. Once there, they must be able to provide information about themselves and answers to questions that only they are likely to know. After completing the secure verification process, people can create a "My Social Security" account with a unique user name and password to access their information.

The full press release is available online at:

<http://www.socialsecurity.gov/pressoffice/pr/my-social-security-pr.html>.

**THIS PAGE INTENTIONALLY LEFT BLANK
FOR DOUBLE-SIDED PRINTING AND COPYING.**



agency for persons with disabilities
State of Florida

SECTION 3: *ELIGIBILITY*

**THIS PAGE INTENTIONALLY LEFT BLANK
FOR DOUBLE-SIDED PRINTING AND COPYING.**

INITIAL ELIGIBILITY DETERMINATION

Step 1: Disability Report Form (Application)

A. Call 1-800-772-1213, TTY 1-800-325-0778; download from on-line at www.socialsecurity.gov; or obtain application from local SSA field office.

- Complete forms from SSA and make copies before submitting.
- Collect information about the disability and about work history.
- Keep appointment with Social Security Representative.

B. 1. Interview will take place and information will be entered into the computer securing the date of application.

2. Paperwork will be mailed that is required to be completed and returned within a timeline.

a. Computer generated document will also be mailed to be signed for accuracy during the phone interview.

b. Before mailing, copy all documents after they are filled out, including the computer generated document for signature sent by SSA.

c. Second interview will be set up to take place:

- i. By phone; or,
- ii. Face to face in a local SSA field office.

Step 2: SSA will send Disability Report Form to the Disability Determination Service (DDS)

- A. Medical history information will be collected by DDS using signed release of information forms. DDS will make the request 2 times only. Collected medical information will be reviewed.

- B. DDS may or may not request more information such as:
 - 1. Work history;
 - 2. When disability began;
 - 3. What treatment has been given.

- C. DDS may request on behalf of SSA a medical exam (SSA pays for exam, and chooses physician).

- D. Medical determination made by DDS will be sent to SSA (estimated 3 months):
 - 1. Medical determination is made and a person will begin receiving a check; or,
 - 2. Denial is made and Reconsideration can be requested with-in 60 days; if second denial occurs;
 - 3. File an Appeal with-in 60 days.

NOTE: In the state of Florida, the Department of Health provides this service.

Example of Forms and Numbers

Form	Title/Description
SSA-3381	Medical and Job Worksheet – Adult http://www.socialsecurity.gov/online/ssa-3381.pdf
SSA-546	Worker's Compensation/Public Disability Questionnaire http://www.socialsecurity.gov/online/ssa-546.pdf
SSA-789	Request for Reconsideration - Disability Cessation http://www.socialsecurity.gov/online/ssa-789.pdf
SSA-3441BK	Disability Report – Appeal http://www.socialsecurity.gov/online/ssa-3441.pdf
SSA-3820	Disability Report, Child http://www.socialsecurity.gov/online/ssa-3820.pdf
SSA-3368	Online Version of Adult Disability Report http://www.socialsecurity.gov/online/ssa-3368.pdf

CHECKLIST - DEVELOPING AN INITIAL APPLICATION – SSI/SSDI

1. Review the application before you make contact to SSA:
 - a. Get copy on the SSA website www.socialsecurity.gov.
 - b. Look at the Adult Starter Kit also on website.
 - c. Review with an advocate or your case manager, doctor, service provider: They might help complete the application. If so, it should be duly noted on the document. Their work should be written in **Third Person**.

2. Review the definition of the disability according to SSA:
 - a. Understand the SSA medical definition:
<http://www.ssa.gov/disability/professionals/bluebook>.
 - b. Understand the value of Substantial Gainful Activity.
 - c. Think about a person's most difficult day.

3. Gathering evidence while preparing the application:
 - a. Making this part of the application.
 - b. Who are the sources?
 - c. Requesting letters related to ability to work and disability.

4. If possible get a vocational assessment:
 - a. Current within the last 12 months.
 - b. Detail of a person's work history.

5. Know the application process and the timelines:
 - a. Fill out application then.
 - b. Copy.
 - c. Always remember what you tell SSA.

MANDATORY READING ASSIGNMENT: 2013 SSA RED BOOK

The 2013 version of the Red Book - A Guide to Work Incentives is now available online at: www.socialsecurity.gov/redbook. Print it out and read it.

SSA DEFINITION OF DISABILITY

The SSA defines disability for both programs, **SSI and SSDI**, as the inability to engage in **Substantial Gainful Activity (SGA)**, which is paid work, by reason of any medical (physical or mental) impairment.

BASIC CONDITIONS FOR THE DISABILITY REQUIREMENT

- Individuals must have a disability that a qualified medical examiner can document
- Individuals must also meet or equal a certain level of disability
- The disability must be expected to last 12 months or more or be expected to result in death.
- Individuals:
 - Cannot be working at the time of application or,
 - If working, not be earning more than the Substantial Gainful Activity (SGA).
 - However, individuals who are blind and applying for SSI do not need to meet an SGA test but rather need a test to ascertain their level of blindness.

BENEFITS FOR PEOPLE WHO ARE LEGALLY BLIND

A person may qualify for SSDI or SSI if legally blind. SSA considers someone to be legally blind if vision cannot be corrected to better than 20/200 in your better eye, or if your visual field is 20 degrees or less in your better eye. If a person's vision does not meet the legal definition of blindness, he or she may still qualify for disability benefits if the vision problems alone, or combined with other health problems, impair the person's ability to work. This decision is made by SSA.

SUBSTANTIAL GAINFUL ACTIVITY (SGA)

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

SGA is the performance of significant mental or physical duties for profit. It is usually determined to be gross earnings in excess of the annual SGA level determined January 1 of each year.

To meet this part of the disability test, individuals must not be working, or if working, must make less than the SGA level.

As of January 1, 2001, the amount of SGA both of the individual with a disability and for an individual who is blind is based annually on the national average wage index.

2013 SGA

\$ 1,040 – (non-blind)

\$1,740 – (blind)

2013 SGA FOR BLIND BENEFICIARIES - \$1,740

- SSA decides the SGA of self-employed individuals who are blind solely on their earnings. They do not look at time spent in the business or services rendered as they do for non-blind self-employed individuals.
- Special rules apply after an individual who is blind turns 55 years old.
 - Contact the SSA if you meet SSA's definition of blindness and if, upon turning 55, you are earning SGA but your work requires a lower level of skill and ability than the work you did before age 55.

ELIGIBILITY OF BENEFITS – SSDI

Social Security Disability Insurance – SSDI

- Required Work Credits in F.I.C.A.
- 12 months non-SGA income (Medical Connection).
- SGA:
 - Initial Eligibility and beyond.
- Medical Eligibility:
 - DDS (STATE) Determines Medical Eligibility (Dept. of Health in FL).
- DAC –Disabled Adult Children
(a/k/a Childhood Disability Beneficiary [CDB]):
 - Disability Prior to Age 22.
 - NOT Married to a non-Title II beneficiary.
 - Insufficient FICA or less than DAC/CDB parent connected amount.
 - Parent is deceased, retired or disabled.
 - Possible continuation of Medicaid as DAC/CDB eligible.
- 5-Month Waiting Period for Cash Benefit.
- Medicare (Medical Insurance):
 - 24 months upon eligibility determination.
 - Part A/Hospitalization Free.
 - Optional Part B and D - Has Premium Cost.

MEDICARE

Medicare is a Federal health insurance program

- People age 65 or older;
- People under age 65 with certain disabilities; and,
- People of all ages with End-Stage Renal Disease (permanent kidney failure requiring dialysis or a kidney transplant).

Medicare has:

- **Part A Hospital Insurance** - Most people don't pay a premium for Part A because they or a spouse already paid for it through their payroll taxes while working.

Medicare Part A (Hospital Insurance) helps cover inpatient care in hospitals, including critical access hospitals, and skilled nursing facilities (not custodial or long-term care). It also helps cover hospice care and some home health care. Certain conditions must be met to get these benefits.

Cost: Most people don't have to pay a monthly payment, called a premium, for Part A. This is because they or a spouse paid Medicare taxes while working. If a beneficiary doesn't get premium-free Part A, they may be able to buy it if they (or their spouse) aren't entitled to Social Security under the following circumstances:

- If they didn't work or didn't pay enough Medicare taxes while working;
- Are age 65 or older; or,
- Are disabled but no longer get free Part A because they returned to work.

NOTE: Part A Hospital Insurance - If they have limited income and resources, their state may help them pay for Part A (see page 60). For more information, they can visit www.socialsecurity.gov on the web or call the Social Security Administration at 1-800-772-1213. TTY users should call 1-800-325-0778.

➤ **Part B Medical Services** - Most people pay a monthly premium for Part B.

Medicare Part B (Medical Insurance) helps cover doctors' services and outpatient care. It also covers some other medical services that Part A doesn't cover, such as some of the services of physical and occupational therapists, and some home health care. Part B helps pay for these covered services and supplies when they are medically necessary.

Cost: The monthly Medicare Part B premium is usually higher if the beneficiary didn't sign up for Part B when they first became eligible. The annual premiums change January 1 each year.

Caution: If the beneficiary didn't take Part B when they were first eligible, the cost of Part B will go up 10% for each full 12-month period that they could have had Part B but didn't sign up for it, except in special cases. They will have to pay this penalty as long as they have Part B.

They also pay a Part B deductible each year before Medicare starts to pay its share. The Part B deductible is set January 1 each year. The beneficiary may be able to get help from their state to pay this premium and deductible.

➤ **Part D PRESCRIPTION DRUG COVERAGE** - Most people will pay a monthly premium for this coverage. Starting January 1, 2006, new Medicare prescription drug coverage became available to everyone with Medicare. Everyone with Medicare can get this coverage that may help lower prescription drug costs and help protect against higher costs in the future. Medicare Prescription Drug Coverage is insurance. Private companies provide the coverage. Beneficiaries choose the drug plan and pay a monthly premium. Like other insurance, if a beneficiary decides not to enroll in a drug plan when they are first eligible, they may pay a penalty if they choose to join later.

NOTE: If on SSI, and therefore also on Medicaid, or if on Medicaid through other means, Medicaid will pay for the Medicare premiums.

ELIGIBILITY OF BENEFITS – SSI

Supplemental Security Income - SSI

- Unearned Income (Not Wages)- examples:
 - SSDI, Veterans Administration, Annuities, Child Support, Alimony, Unemployment, Workers' Compensation.
- Income (Earned Wages):
 - 12 months no SGA income (initial eligibility).
 - SGA factor at initial eligibility only.
 - Once on SSI, SGA is not an eligibility factor (1619(a)).
- Resources (NOT Wages or Unearned Income):
 - \$2,000/month/Individual.
 - \$3,000/month/Couple.
- Medical Eligibility:
 - DDS (STATE Contracted with SSA) Determines Medical Eligibility (Dept. of Health in FL).
- Medicaid (Medical Insurance):
 - SSI connected, State Administered.
 - Regulations may be different State-to-State.

OVERVIEW OF WHAT COULD OR COULD NOT BE A RESOURCE

SSI and Medicaid - Resource Example

The SSI/Medicaid programs have specific resource limitations in order to be eligible to receive and/or maintain benefits. The monthly maximum amount for SSI (Federal) is \$2,000/individual, \$3,000/couple. Medicaid (State) may vary the allowed amount for eligible status based on State rules. (These must not exceed the specific amount at the beginning of each month).

SSI Resources COUNTED - Maybe

- Cash, Savings Accounts, Stocks, Bonds, CD's, IRA's etc.
- Land (Owned but not lived on).
- Anything owned which is converted to cash and used for Food, Shelter and Utilities.
- Wages and resources of a spouse and Wages and resources of parent if beneficiary is under 18 (minor).

SSI Resources EXCLUDED - Maybe

- An owned home in which you live and the land it sits on.
- Household goods and personal property in total (as of March, 2005).
- Clothing someone might give or gift to a beneficiary (as of March 2005).
- Burial Space for beneficiary and immediate family.
- Burial funds up to \$1500 for individual and spouse.
- Life Insurance with a combined face value of not more than \$1,500.
- Retroactive SSI or SSDI amount for up to 9 months (Keep receipts on how money is spent).
- Approved Specific Needs Trust.
- A bank account for Plan for Achieving Self-Support (PASS).
- Earned Income Tax Credit (EITC).
- An Individual Development Account (IDA).
- Property Essential for Self-Support (PESS).
- One automobile, regardless of value (as of March 2005):
 - Employment or medical treatment.
 - Modified for use by an individual with a disability.
 - Geographic climate, terrain, distance, or similar factors impeding the performance of essential daily activities.

WHAT IS A SPECIAL NEEDS TRUST?

“What is going to happen when I die or if I become incapacitated?” There are a number of different possible responses to that realistic question. Parents need to be concerned with numerous issues, including future financial planning, the orderly distribution of assets to the family member with a disability, as well as other children, and the preservation of governmental benefits, and instructions or philosophy of the quality of life a person with a disability and family wants once parents may no longer be in the picture. **The Special Needs Trust Must Be Approved by the SSA.**

Proper planning requires investigation into options, what services are required legally, usually through an attorney familiar with disability related issues, and may involve other professionals such as financial planners, insurance, trust administrators, social workers, employment specialists, other family members, just to name a few.

Special Needs Trusts

The Special Needs Trust differs from the typical Trust in that it is designed to leave benefits to and for the benefit of a person with a disability without impairing the person's eligibility for governmental benefits which are based upon need, i.e. Supplemental Security Income (SSI), Medicaid, housing subsidies, food stamps, and other need based benefits a person with a disability may qualify for due to their inability to earn enough income from wages.

Although Special Needs Trusts have been utilized for many years, Congress first ratified and confirmed the use of Special Needs Trusts in 1993. By creating an exception to the Imposed ban on Medicaid Qualifying Trusts, under the Omnibus Budget Reconciliation Act (OBRA-93), Congress provided for the creation of Special Needs Trusts to hold assets for the benefit of a person who is

disabled or chronically ill. Under the Special Needs Trust, those assets would not be deemed countable for the purposes of eligibility for need-based benefits.

Congress also carved out an exception under the OBRA-93 for the creation of “Pooled Trusts” otherwise known as “Umbrella Trusts”, so that people with disabilities and their families may join with others in the same situation to create a Trust, perhaps to assure the perpetuation of a person's quality of life.

FUNDING Special Needs Trusts

Special Needs Trusts may be funded in a number of different ways. Families may designate a share of their estate to be directed into the Special Needs Trust for the benefit of the individual with a disability. They may set up a separate Irrevocable Special Trust and spend it during their lifetimes. They may purchase annuities which would have designated maturity dates to fund Trusts during their lifetime for such extraordinary expenses such as a new home, special transportation, costly medical or dental care not covered in a quality manner by public need-based benefits.

Regardless of the amount of money intended to benefit a person with a disability, the Special Needs Trust is critical. Families who have a small estate to leave for the benefit of a family member with a disability have more reason to concern themselves with the preservation of assets in order to maintain eligibility to need-based benefits to protect the quality of life when family members are no longer physically able to do so or have passed away.

Life insurance is often purchased to fund Special Needs Trusts. The purchase of life insurance products is a guarantee that there will be funds available for the family member with a disability bar any financial crisis which might occur during the lifetime of the insured. The purchase of life insurance products, which vest

into the Trust upon the death of the insured, is clearly a funding alternative that makes sense.

Trust Administration

The administration of a Special Needs Trust may be appropriately delegated to a responsible sibling or friend who is familiar with the nature and needs of the person with a disability. When there is not a sibling or friend to take or want this responsibility as Trust Administrator, a Professional Trust Administrator may be designated within the Trust to serve as Trustee. The banks or trust companies routinely charge a nominal fee for their services. Professional administrators will take good care of the money but often know little about the nature and needs of a person with a disability. It is wise when utilizing a corporate Trustee to also designate a sibling or friend who is familiar with the person with a disability to serve as Co-Trustee. This Co-Trustee will provide guidance to the Corporate Trustee regarding the beneficiary's needs and care in order to provide a better quality of life to the family member with the disability.

A properly drafted Trust would include provisions authorizing the expenditure of funds from the Trust for the quality of life of the person with the disability. This would assure that the funds will be utilized in the manner in which it is intended.

The family's intention as to the life style of the person with the disability should be clear. It should also be carried out throughout the lifetime of the person with the disability. An example would be: *"At all costs we want our son/daughter to live in a family setting or in his/her own household with support, rather than being placed in a residential facility or nursing home."*

Remember that a Special Needs Trust is a legal document. It is recommended that you obtain legal assistance from attorneys that are experienced with the

laws regarding Special Needs Trust in order to prevent difficulties when the Trust is funded and utilized.

See SSI Spotlight on ... TRUSTS and POMS (Program Operating Manual Systems) Handout.

Nationalplanalliance.org

non-profits

Specialneedsalliance.org

referral services

See Qualified Income Trust Website:

http://www.dcf.state.fl.us/programs/access/docs/qualified_income_trust_factsheet.pdf

Note: The Department of Children and Families advises use of Qualified Income Trusts to exclude a Medicaid or waiver recipient's earnings from the asset/resources and income limitations.

Other Resources Regarding Trusts:

- **Lighting the Way to Guardianship and Other Decision-Making Alternatives** – A manual for Individuals and Families (a Florida Developmental Disabilities Council (free) publication).
 - <http://www.fddc.org/about/guardianship-priority-notice>
- **The Planning Ahead Guide** (a Florida Developmental Disabilities Council (free) publication)
 - http://www.fddc.org/sites/default/files/file/publications/PlanningAheadFinal_0.pdf

ANNUAL COLA CHART / NATIONAL AVERAGE WAGE INDEX**FEDERAL BENEFIT and STATE BENEFIT RATES**

Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
*% of COLA	2.1%	2.7%	4.1%	3.3%	2.3%	5.8%	0%	0%	3.6%	1.7%
*SSI Individual	\$564	\$579	\$603	\$623	\$637	\$674	\$674	\$674	\$698	\$710
Couple	\$846	\$869	\$904	\$934	\$956	\$1,011	\$1,011	\$1,011	\$1,048	\$1,066
*TWP	\$580	\$590	\$620	\$640	\$670	\$700	\$700	\$720	\$720	\$750
*SGA Non-Blind	\$810	\$830	\$860	\$900	\$940	\$980	\$980	\$1,000	\$1,010	\$1,040
Blind	\$1,350	\$1,380	\$1,450	\$1,500	\$1,570	\$1,640	\$1,640	\$1,640	\$1,690	\$1,740
*SEIE Monthly	\$1,370	\$1,410	\$1,460	\$1,510	\$1,550	\$1,640	\$1,640	\$1,640	\$1,700	\$1,730
Annual	\$5,520	\$5,670	\$5,910	\$6,100	\$6,240	\$6,600	\$6,600	\$6,600	\$6,840	\$6,960
State Medicaid										
Medicaid Waivers										
HUD Section 8 Voucher HUD Housing										
Food Stamps										

- Keeping Historical Data will be useful in monthly disputes that cross from one year to the next.
- Remember Earned Income may change eligibility monthly

* These are posted on the SSA web site www.ssa.gov annually.

HOW TO FIND BENEFIT CHANGES

- Social Security
 - www.socialsecurity.gov
 - www.socialsecurity.gov/disability
 - www.ssa.gov

- Medicaid
 - <http://www.medicaid.gov/>

- Federal Poverty Guidelines
 - <http://aspe.hhs.gov/poverty/12poverty.shtml>

- SNAP – Supplemental Nutrition Assistance Program (Food Stamps)
 - www.fns.usda.gov/snap/

- HUD
 - <http://portal.hud.gov/portal/page/portal/HUD>

FACT SHEET: 2013 SOCIAL SECURITY CHANGES

Cost-of-Living Adjustment (COLA):

Based on the increase in the Consumer Price Index (CPI-W) from the third quarter of 2011 through the third quarter of 2012, Social Security and Supplemental Security Income (SSI) beneficiaries will receive a 1.7 percent COLA for 2013. Other important 2013 Social Security information is as follows:

Tax Rate:	2012	2013
Employee	7.65%	7.65%
Self Employed	15.30%	15.30%

Note: The 7.65% tax rate is the combined rate for Social Security and Medicare. The Social Security portion (OASDI) is 6.20% on earnings up to the applicable taxable maximum amount (see below). The Medicare portion (HI) is 1.45% on all earnings.

Maximum Taxable Earnings:	2012	2013
Social Security (OASDI only)	\$110,100	\$113,700
Medicare (HI only)	No Limit	No Limit

Quarter of Coverage (SSDI):	\$1,130	\$1,160
------------------------------------	---------	---------

Retirement Earnings Test Exempt Amounts:		
Under full retirement age	\$14,640/yr. (\$1220/mo.)	\$15,120/yr. (\$1260/mo.)

Note: \$1 in benefits will be withheld for every \$2 in earnings above the limit.

The year an individual reaches full Retirement age:		
	\$38,880/yr. (\$3,420/mo.)	\$40,080/yr. (\$3,340/mo.)

Note: Applies only to earnings for months prior to attaining full retirement age. One dollar in benefits will be withheld for every \$3 in earnings above the limit. There is no limit on earnings beginning the month an individual attains full retirement age.

Social Security Disability Thresholds:

	<u>2012</u>	<u>2013</u>
Substantial Gainful Activity (SGA)		
Non-Blind	\$1,010/mo	\$1,040/mo
Blind	\$1,690/mo.	\$1,740/mo.
 Trial Work Period (TWP)	 \$720/mo.	 \$750/mo.

SSI Federal Benefit Standard:

Individual	\$698/mo.	\$710/mo.
Couple	\$1,048/mo.	\$1,066/mo.

SSI Resource Limits:

Individual	\$2,000	\$2,000
Couple	\$3,000	\$3,000

SSI Student Exclusion:

Monthly Limit	\$1,700	\$1,730
Annual Limit	\$6,840	\$6,960

BASIC SSI CALCULATION

This is a very basic calculation used by the Supplemental Security Income (SSI) Program:

Daisy has no income except what she earns and what SSI gives her monthly. She makes \$800 per month:

Basic SSI Calculation – Earned Income Only	
Earned Income	\$800
General Exclusion (Taken here if no unearned income)	- \$ 20
Earned Income Exclusion	- \$ 65
Countable Earned Income	\$715
Divide by (÷)2	\$357.50
Total Countable Income	\$357.50
2013 Federal Benefit Rate (FBR)	\$710
- Total Countable Income	- \$357.50
New Monthly SSI Benefit	\$352.50
Earned Income	\$800
Monthly SSI Benefit	\$352.50
Total Monthly Income	\$1152.50

Mike is earning \$800 as well but he is also receiving \$362 from SSDI.

Basic SSI Calculation – <u>U</u>neared & <u>E</u>arned Income	
<u>U</u> neared Income (SSDI, VA, Pension, Annuity, etc.)	\$362
General Exclusion	- \$ 20
Countable <u>U</u>neared Income	\$342
Earned Income	\$800
General Exclusion (Taken here if no unearned income)	- \$ 0
Earned Income Exclusion	- \$ 65
Countable <u>E</u>arned Income	\$735
Divide by (\div)2	- \$367.50
Total Countable <u>E</u>arned Income	\$367.50
Countable <u>U</u> neared Income	\$342
Countable <u>E</u> arned Income	\$367.50
Total Countable Income	\$709.50
2013 Federal Benefit Rate (FBR)	\$710
- Total Countable Income	- \$709.50
New Monthly SSI Benefit	\$.50
<u>U</u> neared Income	\$362
Earned Income	\$800
Monthly SSI Benefit	\$.50
Total Monthly Income	\$1162.50

FLORIDA**Protected Medicaid for Special Populations**

**Social Security Administration Policy Site:
POMS (Program Operation Manual System)
Section SI 01715.015 (Excerpt below)**

SPECIAL GROUPS OF FORMER SSI RECIPIENTS

A. BACKGROUND

Categorical Medicaid eligibility for the aged, blind and disabled is directly related to receipt of SSI in most States. Loss of SSI payments can result in loss of Medicaid coverage.

To preserve Medicaid coverage for certain groups of individuals who lose SSI payments, Congress enacted special Medicaid continuation provisions. These provisions require the State Medicaid agencies to continue to consider specified groups of former SSI beneficiaries as SSI beneficiaries for Medicaid purposes, as long as they would otherwise be eligible for SSI payments. In addition, Medicaid agencies are required to determine if the individual would be eligible for Medicaid under any other group.

B. POLICY – CONTINUATION GROUPS**1. Section 1619 Eligibles**

Individuals who are utilizing the section 1619(b) work incentive provision do not receive SSI payments. In order to continue Medicaid eligibility, section 1619(b) participants are deemed by law to be receiving an SSI payment for Medicaid purposes.

Reminder: SSA promotes use of the SSI work incentives. If an SSA Field Office (FO) discovers that a section 1619 participant does

not have Medicaid coverage, and there is no Medicaid bar on the SSR, the FO should either contact the Medicaid agency by telephone or prepare a note for the beneficiary to take to the Medicaid agency.

Example: If Daisy gets a major promotion increasing her salary dramatically or Mike gets even the slightest raise, they will lose their SSI cash benefits. However, they will retain their Medicaid.

2. Title II COLA (“Pickle Amendment”)

Effective July 1, 1977, Medicaid eligibility was protected for SSI recipients who lost SSI eligibility because of SSDI (Title II) cost-of-living adjustments (COLAs).

Under section 503 of Public Law 94-566, the “Pickle Amendment,” Title II beneficiaries who would continue to receive SSI payments (or would continue to be eligible for SSI under section 1619b) but for their Title II COLAs, continue to be considered SSI recipients for Medicaid purposes. If an individual's other income would not have precluded continuing SSI eligibility without the Title II COLAs, the State must continue to consider the individual to be an SSI recipient for Medicaid purposes.

SSA informs all States annually about potential members of this group at COLA time — each State gets two separate files to help them locate potential eligibles. SSI recipients who go into payment status EØ1 because of COLA's are also potential members of this group.

Example: If the 2013 COLA increased SSDI by one more dollar, bringing Mike's SSDI to \$363 (rather than \$362), he would have lost

his SSI payment and, therefore, Medicaid paying his Medicare Premiums.

3. Disabled Adult Children (Childhood Disability Beneficiaries)

This provision requires States to consider Title II childhood disability beneficiaries (also known as disabled adult children, DACs) who lose SSI eligibility as if they were still SSI recipients for Medicaid purposes so long as they would have remained otherwise eligible for SSI benefits but for their entitlement to (or increase in) Title II benefits on or after July 1, 1987.



**SECTION 4: *EFFECTS OF
EARNED INCOME ON
SSDI***

**THIS PAGE INTENTIONALLY LEFT BLANK
FOR DOUBLE-SIDED PRINTING AND COPYING.**

GETTING STARTED

Wage Formula

1. The example is to be used **before** someone actually starts earning income, using the hourly wage amount that their new job will pay.

Wage Formula Example:

1. Number of hours x rate of pay = weekly gross income
2. Take the weekly gross income x 4.3/weeks in a month

Step 1: 30 hours per week x \$8.00/hour = \$240.00 per week

Step 2: \$240.00 week x 4.3 weeks month = \$1,032.00 per month

NOTE: When someone is **already** earning income and is receiving pay stubs:

- a. Disability Insurance (SSDI) counts wages when (at the time that) you earn the wage – (the date that you worked the hours for which you are being paid).
- b. Supplemental Security Income (SSI) counts wages when you get paid the wages (based on the date as listed on the paycheck).

SSA WORK INCENTIVES

SSA Work Incentives Comparison Chart**Social Security Disability Insurance****Supplemental Security Income****SSDI****SSI**

Trial Work Period (TWP)

Continuation of SSI

Extended Period of Eligibility (EPE)

Student Earned Income Exclusion (SEIE)

Continuation of Medicare

Blind Work Expense (BWE)

Special Rules for the Blind (Higher SGA)

1619(a)

1619(b)

Plan To Achieve Self-Support (PASS)

Property Essential for Self-Support (PESS)

SSDI and SSI Work Incentives

Impairment Related Work Expense (IRWE)

Section 301

Subsidies

Unsuccessful Work Attempt

Expedited Reinstatement

Ticket To Work Program

TRIAL WORK PERIOD - SSDI ONLY (AN SSA WORK INCENTIVE)

Unless medical recovery is an issue, SSDI beneficiaries are entitled to a 9-month Trial Work Period (TWP) for testing work skills while maintaining the monthly cash benefit. During this TWP, full benefit checks will continue regardless of the monthly amount of earned income received. The 9 months of TWP are not necessarily in a row.

- TWP months are counted when an individual earns a specific amount of income. (This amount is determined January 1 of each year.)
- The TWP ends only if individuals have 9 months of trial work within a rolling period of 60 consecutive months (5 years).
- Once all 9 months of TWP have been earned a person then enters the Extended Period of Eligibility (EPE).

2013 Trial Work Period Amount: \$750

EXTENDED PERIOD OF ELIGIBILITY (EPE) – SSDI ONLY

- At the conclusion of the 9-month TWP (Trial Work Period), beneficiaries will immediately enter into the 36-month EPE.
- The 36-month period begins in the month immediately following the last month of the 9-month TWP, whether a person is earning SGA or not.
- During the EPE, any month that earnings exceed SGA, the check will stop for that month. If a person earns below SGA, they continue to receive a check for that month.
- Grace Period: During or After the EPE, when a person initially earns SGA, they will enter a 3-month Grace Period. For the three grace months they will continue to receive their SSDI cash payment.
- Once the Grace Period is used, any month that earnings exceed SGA, the check will stop for that month.
- Once the EPE is completed (including Grace Period), if a person earns SGA, he or she will not get an SSDI check. If a person then earns below SGA, either a new application must be filed or a request for Expedited Reinstatement must be filed to continue to receive an SSDI cash payment. (Expedited Reinstatement, covered later, is a Work Incentive used for both SSI and SSDI.)
- When the EPE is complete:
 - ✓ If a person is earning gross wages below SGA the SSDI benefit check continues.
 - ✓ If a person is earning SGA or above, and the EPE is complete, a person is no longer eligible for a cash benefit (unless a subsidy can be applied or if

countable earnings can be reduced below the SGA): "If a person needs support in order to earn income, documentation and record keeping of this support is crucial." (See Special Conditions and Subsidy Work Incentive Section 5).

- For self-employment, an individualized determination of what qualifies as SGA during the EPE will be established. The claims representative (SSDI program) who looks at hours and income, will make this determination based on NESE (Net Earnings from Self-Employment).

Only SSA Can Calculate Net Profit and NESE but the basic calculation for NESE follows:

1. Net Profit * .9235 = NESE
2. .9235 = 1 - .0765 (.0765 is the employer portion of F.I.C.A.)

See more on Self-Employment later in this manual.

EXTENDED MEDICARE COVERAGE (SSDI)

SSDI beneficiaries who lose their cash benefit entitlement due to performance of SGA, but continue to be disabled, are eligible for extended Medicare coverage.

The extended coverage is for a minimum of 36 months (EPE) following the conclusion of the 9 month TWP.

- The time of coverage under Medicare changed with the passing of Ticket to Work and The Work Incentive Improvement Act of 1999.
 - ✓ As of October 1, 2000 Medicare coverage for people with disabilities who return to work will continue to receive Medicare Part A free for an additional 4 ½ years.

- ✓ EPE must have started after June, 1997.
- ✓ Must maintain employment.

CONTINUATION OF MEDICARE (SSDI)

After the ninth month of the Trial work Period (TWP), most individuals with disabilities who work will continue to receive *at least* 93 consecutive months (over 7 & 1/2 years) of hospitalization (Part A), supplementary medical insurance (Part B), and prescription drug coverage (Part D) under Medicare. Although cash benefits may cease due to work, you have the assurance of continued health insurance.

Note: You must arrange for continued Premium Payments for Parts B and D.

The following regulations are still in place:

- The 93 months start the month after the last month of your TWP.
- You must work and perform SGA, but not improve medically.
- You must satisfy your Medicare waiting period (24 months). Once that is complete, your continued Medicare coverage can start and continue for at least the remainder of the 93 consecutive months.

*** In addition, legislation has made it possible for individuals to buy into the Medicare program once the extended Medicare coverage is exhausted. If the premiums are paid timely, a person is able to maintain Medicare coverage indefinitely, regardless of their age.

RULES FOR INDIVIDUALS WHO ARE BLIND (SSDI)

- Under SSDI, blindness (see Redbook for SSA's definition of blindness) has to have lasted or is expected to last at least 12 months.
- There is no duration requirement for blindness under SSI.
- SSA changes the SGA level for beneficiaries who are blind every year to reflect changes in general wage levels.

SSDI ELIGIBILITY STATUS – HOW TO DETERMINE FROM THE BPQY IF THE TWP AND/OR EPE HAVE BEEN USED

Please fill in the following information based on SSA records that will update records of work history. This information will be used to develop an employment plan and utilize all programs available through SSA as employment is achieved.

- 1. **Date of SSDI Eligibility**_____
- 2. **Date Medicare becomes active**_____
- 3. **How many Trial Work months have been used and the dates they were earned since the date of eligibility was determined?**
 - 1. _____ 2. _____ 3. _____
 - 4. _____ 5. _____ 6. _____
 - 7. _____ 8. _____ 9. _____
- 4. **Has the Extended Period of Eligibility started?** _____ **Date started**_____
- 5. **Is the beneficiary in a Vocational Rehabilitation Program?** _____
- 6. **Is the beneficiary in SSDI overpayment status?** _____ **Amount \$**_____
- 7. **Is the beneficiary receiving SSI?** _____ **Amount \$**_____
- 8. **Is there a representative Payee?** _____

Name_____ **Phone** _____

9. The SSI and/or SSDI Claims Representative:

Name_____ **Phone** _____

Name_____ **Phone** _____

SSDI BENEFICIARY WORK RECORD

Trial Work Period and Substantial Gainful Activity

Beneficiary Name: _____

Address: _____

Phone: _____ SSN#: _____

YEAR	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TWP--SGA
1989													\$75 -- \$300
1990													\$200--\$500
1991													\$200--\$500
1992													\$200--\$500
1993													\$200--\$500
1994													\$200--\$500
1995													\$200--\$500
1996													\$200--\$500
1997													\$200--\$500
1998													\$200--\$500
1999													\$200--\$700
2000													\$200--\$700
2001													\$530--\$740
2002													\$560--\$780
2003													\$570--\$800
2004													\$580--\$810
2005													\$590--\$830
2006													\$620--\$860
2007													\$640--\$900
2008													\$670--\$940
2009													\$700--\$980
2010													\$720--\$1000
2011													\$720--\$1000
2012													\$720--\$1010
2013													\$750--\$1040
2014													

**THIS PAGE INTENTIONALLY LEFT BLANK
FOR DOUBLE-SIDED PRINTING AND COPYING**



SECTION 5: *EFFECTS OF EARNED INCOME ON SSI*

**THIS PAGE INTENTIONALLY LEFT BLANK
FOR DOUBLE-SIDED PRINTING AND COPYING**

Supplemental Security Income (SSI)

Calculation Sheets

How to calculate SSI Cash Benefits

SSI - EARNED INCOME CALCULATION SHEET SOLELY BASED ON EARNINGS

SSI – EARNED INCOME CALCULATION SHEET

SSI and Earned Income (No Unearned Income)**Step 1**

\$ _____ Earned Income (monthly gross wages)
- \$ 20.00 General Exclusion
- \$ 65.00 Earned Income Exclusion
\$ _____ **Countable Earned Income**

Step 2

\$ _____ *Countable* Earned Income (from Step 1)
- \$ _____ Subtract division answer
\$ _____ **Final Countable Earned Income**

Step 3

\$ _____ Maximum SSI Benefit (Federal Benefit Rate)
- \$ _____ Final *Countable* Earned Income (Step 2)
\$ _____ **New Monthly SSI Benefit**

Step 4

\$ _____ Gross Earned Income (Step 1)
+ \$ _____ New Monthly SSI Benefit (Step 3)
\$ _____ **Total Monthly Gross Income**

SSI - EARNED AND UNEARNED INCOME CALCULATION SHEET**SSI, Earned and Unearned Income****Step 1**

\$ _____ *Unearned Income (SSDI, VA, Pension, Annuity, etc.)*
 - \$ 20.00 *General Exclusion*
 \$ _____ **Countable Unearned Income**

Step 2

\$ _____ *Earned Income (monthly gross wages)*
 - \$ 65.00 *Earned Income Exclusion*
 \$ _____ **Countable Earned Income**

Step 3

\$ _____ *Countable Earned Income (from Step 2)*
 ÷ by 2 = \$ _____ *(division answer)*
 - \$ _____ *Subtract division answer*
 \$ _____ **New Countable Earned Income**

Step 4

\$ _____ *Countable Unearned Income*
 + \$ _____ *New Countable Earned Income (Step 2)*
 \$ _____ **Final Total Countable Income (Unearned & Earned)**

Step 5

\$ _____ *Maximum SSI Benefit (FBR)*
 - \$ _____ *Final Total Countable Income (Unearned & Earned) (Step 4)*
 \$ _____ **New SSI Cash Benefit**

Step 6

\$ _____ *Gross Earned Income (Step 2)*
 + \$ _____ *New SSI Benefit (Step 5)*
 + \$ _____ *Unearned Income (Step 1)*
 \$ _____ **Total Monthly Gross Income**

SAMPLE MEMORANDUM TOOL

REPORTING WAGES: Don't forget to be able to show proof of reporting

TO: Social Security Administration
Address
City, State, Zip Code
Program (SSI or SSDI)

FROM: Beneficiary Name
SSN#
Address
City, State, Zip Code
Telephone Number

DATE: Current Date

RE: Reporting Wages

1. The payee, name, address and phone number.
2. Name of Company (employer), Address, City, State, Zip Code, Telephone Number, and supervisor.
3. List any supports received in order to earn income. Name of Agency/or person providing support, Address, City, State, Zip Code, telephone number.
4. From MONTH, DAY, YEAR through MONTH, DAY, YEAR gross wages earned \$_____. Attached are copies of my pay stub receipts.
5. Please post the earnings received each month. The money received from SSI plus earned income received each month are crucial to the support of food, shelter and utilities. Please do not estimate wages over a period of time.
6. If there are questions please contact the beneficiary or payee above.

QUICK REVIEW ON WAGES AND SSA

A. Social Security Disability Insurance (SSDI-Title II)

- Earn less than SGA per month and your earned income will NOT affect your SSDI check.
- Earn over TWP per month and your earned income will earn you a *Trial Work Period* month (TWP, 9 months, over rolling 60/months), and the amount of your SSDI check will NOT change and your SSDI check continues.
- When you have completed the 9th month of TWP (earning over Annual TWP or more per month for total of 9 months within a period of 60 rolling months), and earning income of more than annual Substantial Gainful Activity (SGA), you are no longer eligible to receive your SSDI monthly check. **IF YOUR SSDI CHECK CONTINUES TO COME, DO NOT SEND IT BACK TO SSA AND DO NOT SPEND IT! Instead, hold onto it and call SSA immediately.** Also, remember to report wages every month!
- When you have completed the 9-month TWP, you then enter the Extended Period of Eligibility (EPE).
- During the EPE, if earnings are below annual monthly SGA, or you stop working (for any reason) during the EPE, you are eligible to receive your SSDI monthly check (without reapplying).
- Grace Period: The first month a person earns SGA will be called a grace period. There are three months in the grace period during which you will receive your SSDI check. Following the 3-month

grace period (used in a row), if you are still earning SGA, you will then lose your benefit check.

- The EPE is 36 months in a row, and will continue even if you stop working. During the EPE you will continue to be eligible for Medicare even though you may not be receiving a monthly SSDI check.
- When the EPE is over if you continue to be eligible for SSDI monthly benefits you will continue to be eligible for Medicare. If you are not receiving a cash benefit, you will continue to receive Medicare Part A free for another 4 ½ years and continue to pay for Parts B and D. You will have the opportunity to buy into the Medicare Program once your 93 months end. **MAKE SURE YOU ARRANGE TO MAKE PREMIUM PAYMENTS.**

B. Supplemental Security Income (SSI-Title XVI)

- There is a standard formula that will be used each month wages are earned. For every \$2.00 a person earns per month, \$1.00 of SSI will be deducted from the monthly benefit check (after exclusions).

Example:

\$ 785.00	Gross Earned Income
- 20.00	General Exclusion
- 65.00	Earned Income Exclusion
\$ 700.00	
<u> </u>	<u>÷by 2</u>
\$ 350.00	Countable Earned Income
\$ 710.00	SSI Monthly Benefit (2013 FBR)
<u>\$ -350.00</u>	<u>Countable Earned Income</u>
\$ 360.00	New SSI when you earn \$785.00/wages

Total Monthly Amount = \$ 785.00 Gross Wages
 \$ 360.00 New SSI
 \$1,145.00 Total Gross

- You will continue to receive Medicaid
- If wages exceed formula above and your SSI is reduced to \$0, Medicaid could continue under a Federal Work Incentive called 1619 (b).
- If earnings stop/change, report to SSI immediately and your SSI benefit will be adjusted and/or reinstated. If you are under the 1619 (b) program you maintain your SSI eligibility even though not receiving a cash payment.

C. When you receive both benefits (SSI/SSDI) (Dual Eligible) BOTH sets of rules above apply (A and B)

D. SSA's Work Incentives

- It is important to ask about other programs offered by SSA. There are many Work Incentives that will enhance earning income, and allow you to maintain eligibility to both SSDI and SSI and Medicare and Medicaid. You can access the Office of Employment Support at the <http://www.socialsecurity.gov/org/orgdcrdp.htm#oesp2> for more details on work incentives.
- Also, read the 2013 SSA Red Book for learning about the employment-related provisions of SSDI and SSI. The Red Book is free and is available online at:
<http://www.socialsecurity.gov/redbook/index.html>.
- If you are a recipient of services from Vocational Rehabilitation, you may obtain free Social Security benefits and work incentives counseling services upon request. Please ask your VR counselor for any help needed regarding SSA work incentives.

- Florida Benefits Information Resource Network (**FBIRN**) provides free benefits counseling referral services. FBIRN members are located throughout the state, and FBIRN members' contact information is found on APD's Employment webpage shown below:

<http://apd.myflorida.com/customers/supportedemployment/docs/fbirn-contacts.apd>.



SECTION 6: SSDI AND SSI WORK INCENTIVES

**THIS PAGE INTENTIONALLY LEFT BLANK
FOR DOUBLE-SIDED PRINTING AND COPYING.**

Supplemental Security Income (SSI)

Calculation Sheets

How to calculate SSI Cash Benefits

SSI - EARNED INCOME CALCULATION SHEET

USING WORK INCENTIVES

**THIS PAGE INTENTIONALLY LEFT BLANK
FOR DOUBLE-SIDED PRINTING AND COPYING**

SSI WAGE CALCULATION SHEET

Unearned Income and Earned Income and Work Incentives

Step 1

Unearned Income (including SSDI)	\$	_____	
*General Exclusion (GE)	- \$	20.00	(If a person has no unearned income, use this \$20 GE with the Earned Income Exclusion. See Step 2.)
Total Countable <u>Unearned</u> Income	\$	_____	

Step 2

Gross Earned Income	\$	_____	
*Student Earned Income Exclusion	-\$	_____	
New Countable Earned Income		_____	
*Earned Income Exclusion	- \$	65.00	(Also subtract an additional \$20 if GE was not used in Step 1.)
New Countable Earned Income	\$	_____	
*Impairment Related Work Expense	-\$	_____	
New Countable Earned Income	\$	_____	
÷ by 2 = \$_____>>>	-\$	_____	
New Countable Earned Income	\$	_____	
*Blind Work Expense (if Blind)	- \$	_____	
Total NEW Countable Earned Income	\$	_____	

Step 3

Total Countable <u>Unearned</u> Income	\$	_____
Total NEW Countable Earned Income	+\$	_____
Total NEW Countable <u>Unearned</u> & Earned Income	\$	_____

Step 4

NEW Total Countable Unearned & Earned Income (From Step 3)	\$	_____
*PASS Plan	- \$	_____
NEWEST Total Countable Income	\$	_____

Step 5

SSI (2013 Federal Benefit Rate)	\$	710.00
NEWEST Total Countable Income (Step 4)	- \$	_____
New Adjusted SSI Payment	\$	_____

* *Italics indicates a work incentive*

SSA WORK INCENTIVES: SSI - ONLY WORK INCENTIVES

Student Earned Income Exclusion (SEIE) - SSI Only

- Student Earned Income Exclusion allows individuals under the age of 22 who regularly attend school to exclude earned income up to a certain amount. (changes annually) –

**2013: \$1,730.00 per month excludable earnings,
up to a total limit of \$6,960.00 excluded per year.**

- Amount earned is reviewed by SSA monthly (with a maximum per year).
- This exclusion applies before any other exclusion, i.e. earned income. (See Work Incentives Calculation sheet.)
- Individuals not able to claim the full amount in a month can carry the balance over to the next month.
- This exclusion applies only to the student's earned income while they are a student "regularly attending school" **and** are under the age of 22.
- Report the following to the SSI claims representative:
 - Proof of regularly attending school at least one month during the current calendar quarter or expectation to attend school at least one month in the next quarter; and,
 - Pay stubs showing the amount of earned income while considered a student and under the age of 22.
- Qualifying students earning the above amount or less can keep receiving their entire SSI cash payment!

EXAMPLE ONLY
Copy on school Letterhead

VERIFICATION OF STUDENT EARNED INCOME EXCLUSION ELIGIBILITY

Student Name _____ SSN _____

The information on this form is required to verify student status for the purpose of determining the appropriate SSI Payment for the named individual.

STUDENT INFORMATION

I am attending _____, which is a

High school College Other (describe): _____

I attend school _____ hours each week.

Student Signature _____

SCHOOL VERIFICATION

Please verify the student's status by checking the appropriate statement.

Student is attending a college/university under a quarter/semester system.

Student is attending high school _____ hours per week and is taking the general high school curriculum.

Student is not taking the general high school curriculum, but is attending school _____ hours per week and taking special courses designed to prepare him/her for gainful employment.

School Official's Signature _____

Title _____ Date _____

Blind Work Expense (BWE) – SSI Only

SSI will not count any earned income when primary diagnosis is blindness, which is used to meet any expense reasonably attributed to earning the income.

Income is not counted in determining SSI eligibility and monthly cash payments if the individual is:

- under the age of 65; or,
- Age 65 or older and received SSI cash payment due to blindness for the month before they turned 65.

The expense need not relate directly to blindness or a work related expense, but must be out of pocket.

Examples of Expenditures

- Guide Dog
- Any Fees
- Transportation to and from work
- Training to use an impairment-related item or an item which is reasonably attributed to work
- Taxes
- Prosthesis
- Equipment and Services
- Non-Medical Equipment and Services
- Medication and medical services essential to enable person to work
- Physical Therapy
- Expendable medical supplies
- Mandatory Pension Contributions
- Meals during work hours
- Attendant Services
- Child Care

1619(a) Continued SSI Payment – SSI Only

- Enables a person who continues to be disabled even though earnings exceed the SGA level to still receive a cash payment and eligibility to Medicaid.
 - Now, SSI uses the individual Break Even Point (BEP) rather than SGA:
 - Example: \$1505 BEP vs. \$1040 SGA for an individual in 2013 with earned income only (using no work incentives).
- Requirements for Eligibility:
 - Have been eligible for an SSI payment for at least 1 month before you begin earning at SGA level;
 - Still be disabled; and,
 - Meet all other eligibility rules, including resource test.
- SSA will continue to calculate income as before.
- This happens automatically when wages are reported monthly.

1619(b) Continued Medicaid- SSI Only

When a beneficiary earns enough income to no longer receive an SSI monthly cash payment but maintains medical eligibility, 1619 (B) provides for the continuation of Medicaid.

- Qualifications:
 - Eligible for an SSI cash payment for at least 1 month.
 - Still be disabled.
 - Meet all eligibility rules, resources & unearned income.
 - Need Medicaid to work.
 - NOT enough income to replace SSI and Medicaid (including personal assistance services).
- How much can be earned? There is a “state threshold amount” used to measure if earnings are high enough to replace SSI and Medicaid:

- The amount of earnings causing the SSI cash payment to stop in the State;
- Annual per capita expenditure for Medicaid in the State.
- Individual Calculation: Can Exclude Countable Earnings Higher than “STATE Threshold Amount” if person has:
 - Impairment Related Work Expenses (Work Incentive)
 - Plan For Achieving Self-Support (Work Incentive)
 - Medicaid funded Personal Assistance Services
 - Medical expenses above the state per capita amount

2013 FLORIDA INCOME THRESHOLD = \$30,786.00

Plan for Achieving Self Support (PASS) - SSI Program

PASS is an income and resource exclusion that allows a person who is disabled to set aside income and/or resources for an *occupational objective*.

- PASS can help an individual to establish or maintain SSI eligibility.
- PASS can increase or help maintain the individual's SSI payment amount as the person gains the capacity for self-support.

SSI will not count the income or resources that are set aside in a PASS when they figure your SSI payment amount.

➤ Requirements:

- Must be approved by SSA PASS Cadre in State's Region.
- Must use the SSA 545 Form:
<http://www.socialsecurity.gov/online/ssa-545.html>.
 - Additional Resource: <http://ilr-edi-r1.ilr.cornell.edu/pass/>.

The PASS Plan will be reviewed periodically to assure the plan is working.

Money set aside in a PASS will not be considered a resource by SSI, Medicaid, HUD, Food Stamps, etc.

PASS Cadre – Birmingham, Alabama

1-800-254-9489

Or Locally

1-205-801-444

Property Essential for Self-Support (PESS) - SSI Only

- SSI will NOT count certain resources that are essential to a person's means of self-sufficiency:
 - Utilized when initially applying.
 - Maintain resource eligibility.
- Includes property used in a trade or business (inventory).
- Includes property used for work as an employee (required tools, equipment, transportation) etc.

SSI recipients can utilize PESS to maintain ownership of their business and their business assets.

The funds/value of the business assets are not counted (PESS).

Examples

Business Property

- SSI will not count total value of inventory of any business owned by recipient of SSI.
- SSI will not count total value of any equipment/tool/vehicle of a recipient of SSI that is necessary to use in one's job as employee or business owner, e.g., value of a painter's truck; value of all tools needed to perform work.

Non-Business Property

- SSI will not count up to \$6,000 of equity value of non-business property which is used to produce goods or services essential to daily activities (such as land used to produce food for consumption).
- See SSA representative, Red Book and/or SSI Spotlight on Property Essential for Self-Support for more information.

SSA & SSDI WORK INCENTIVES

Impairment Related Work Expense (IRWE)—SSI & SSDI

- IRWEs are used to enable beneficiaries of SSI to reduce gross income and/or those receiving SSDI 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.
- IRWE
 - **I** The expenses must be directly related to supporting the **impairment**.
 - **R** Expense must be **related** to work and must be reasonable.
 - **W** The expense must allow someone to **work**.
 - **E** The **expense** must be paid out of person's pocket and not be covered by other funding sources.
- Examples:
 - Transportation (maybe).
 - Medications which allow someone to work.
 - Medical Devices (wheelchair, prosthetic).
 - Certain personal care assistant services.
- Features
 - No time limits in using IRWEs.
 - IRWEs do not have to be a monthly expense. An IRWE may be a one-time expense deducted all in one month or spread over several months while earning wages, e.g., cost of a wheelchair, computer, vehicle modification, or other vocational out-of-pocket expense approved by the Social Security Administration.

- How To Apply for IRWEs:
 - Submit the first month via letter the reason and cost of the expense attaching receipts and pay-stubs to SSI, SSDI or both for dual beneficiaries.
 - It is necessary to submit receipts and pay-stubs for each month.
 - The SSI/SSDI claims representative will review and adjust the benefit accordingly.
 - **TIP:** It is easier if one month of the expense has already been spent, using the receipt as proof.

SAMPLE TOOL: Letter Reporting Employment Earnings and Impairment Related Work Expenses (IRWEs)

Date

Social Security Administration
Street
City, State, Zip Code

Re: Name of Beneficiary
Social Security Number
Address
City, State, Zip Code
Telephone Number

Dear:

SSDI Claims Representative _____ and/or
SSI Claims Representative _____.

Enclosed please find receipts for the month of _____ in the amount of \$_____. I paid for these expenses due to the disability I have in order to work at _____. My total gross income in the month was \$_____.

I am claiming Impairment Related Work Expense this month. Please see attached receipts along with my pay stubs for this month.

Please take the expenses for my out-of-pocket money and calculate my gross income accordingly.

When you have completed this calculation please inform me how it has been applied to my benefits in order for me to keep an accurate accounting each month.

Thank you for your attention in this matter.

Respectfully,

Sign

Special Conditions – Subsidies - SSI and SSDI

- Subsidies and special conditions refer to the support a beneficiary receives on the job that could result in receiving more pay than the actual value of the service the beneficiary is performing.
 - SSI – used during initial eligibility only for medical determination (There is no value in using Subsidies for SSI after becoming eligible for SSI – because SGA does not apply).
 - SSDI – used at initial determination and beyond (the value of subsidies and special conditions are deducted from earnings when determining if a person is working at SGA).

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

- Qualifications or Evidence of Eligibility for a Subsidy or Special Condition, included but not limited to:
 - Extra Support.
 - Supervision.
 - Lower Productivity.
 - A job function different from co-workers.

Special Condition vs. Subsidy	
Special Condition	Subsidy
Support or help on-the-job by employer, agency, or others (VR, APD, Job Coach, etc), resulting in employee earning more than the actual worth of their efforts.	Employer support resulting in employee earning more than the actual worth of their efforts.

Special Condition

- Compare the time, energies, skills and responsibilities of the workers with disabilities to workers without disabilities performing the same or similar duties
- Estimate the proportionate value of the work being done by the worker being supported according to the pay scale for such work; and,
- Determine how frequently the agency support monitors the worker, and how involved the support is with the actual function of the job.

Job coaching services are a strong indication that the work is subsidized.

Subsidy

- Specific Subsidy: Employers designate a specific dollar amount after calculating the reasonable value of the employee's services.
- Non-Specific Subsidy: employers are unable to designate a dollar amount as the subsidy. Instead, the amount of the subsidy is determined by comparing the work in terms of time, skills, and responsibilities with that of a person without a disability in similar work, and the proportional value of the employee's work must then be estimated according to the prevailing pay scale.

The information above must be recorded and submitted to SSA.

Special Condition Report

Beneficiary Name _____ SSN _____

For the month of _____ Year _____ Date _____

Check those that apply and provide cost per month to the agency. The individual's hourly wage should be used as the basis in most instances.

1. Job Coaching: _____ hours at Employee's \$ _____ per hour. Describe: _____ Cost: \$ _____

2. Vocational rehabilitation support staff. _____ Hours at Employee's \$ _____ per hour.

3. Residential Staff. _____ hours at Employee's \$ _____ per hour. Describe: _____ Cost: \$ _____

4. Transportation services. _____ hours at Employee's \$ _____ per hour. Describe: _____ Cost: \$ _____

5. Wage Subsidy. () Specific () Non- Specific Explain Computations: _____ Cost: \$ _____

6. Special equipment/adaptations provided to support individual. Describe: _____ Cost: \$ _____

7. Other items or services. Describe and provide method of computation: _____ Cost: \$ _____

8. Document costs of agency-provided subsidies. Attach documentation when special condition is first claimed.

Subsidy Report (Employer Only)

Beneficiary Name _____ SSN: _____ Date: _____

Employer _____

For the month of _____ Year _____ Date _____

Check those that apply and provide cost to employer

1. Extra Supervision
Number of hours per month _____ x Employee's \$ _____ per hour. Cost: \$ _____

2. Employer allows extra time to perform duties. _____ Hours per week.
Describe: _____ Cost: \$ _____

3. Employer allows lower productivity. _____ % level of productivity.
Describe: _____ Cost: \$ _____

4. Employer provides special accommodations.
Describe: _____ Cost: \$ _____

5. Employer provides special transportation.
Number of hours per month _____ x Employee's \$ _____ per hour. Cost: \$ _____

6. Employer adjusts work schedule.
Describe: _____ Cost: \$ _____

7. Employer adjusts duties.
Describe: _____ Cost: \$ _____

8. Other accommodations:
Describe: _____ Cost: \$ _____

Unsuccessful Work Attempt – Both SSDI and SSI

An unsuccessful work attempt is an effort by a person with a disability to do substantial work that either stopped or produced earnings below the Substantial Gainful Activity level after 6 months or less because of:

- The individual's disabling condition; or,
- Elimination or cessation of the special services or assistance provided that were required by the individual in order to work.

SSDI – SSA does not count earnings reported during an unsuccessful work attempt when determining if a person's disability continues or ceases to exist because of their work.

During the EPE, SSA considers a UWA as part of the SGA decision for months up to and including the month SSA decided the disability had ceased. Accordingly, a UWA can occur during the EPE.

The SSA will not consider a UWA during the TWP however, or after a decision has been made that the disability has ceased.

SSI – SSA only considers UWA at the time a person files their initial claim for SSI. Unsuccessful Work Attempts are not factors when SSA calculates SSI payment amounts, after a person begins to receive SSI payments.

For additional information on UWA, see:

http://www.socialsecurity.gov/OP_Home/rulings/di/03/SSR84-25-di-03.html.

Section 301 – SSI and SSDI

- 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,
 - While participating in an Individual Education Plan (IEP), such as students age 18 to 21 who medically recover during re-determination (Effective July 2005).

Section 301 is determined by SSA, with the aid of information from the vocational program. SSA must determine that the vocational program will likely increase the permanent independence and self-sufficiency of the individual.

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

➤ **Eligibility and Ramifications of Section 301**

To establish Section 301 eligibility, individuals should work with their SSA claims representative and vocational rehabilitation counselor.

Information that will be considered includes:

- Current vocational rehabilitation status.
- Specific vocational objective.
- Completion date of vocational program.

While under Section 301, if SSA determines that continued participation in a rehabilitation program will not increase the likelihood that individuals will be permanently removed from the disability rolls, benefits will be terminated the month following the decision. Additionally, if individuals stop participating in the program for more than 30 days, benefits will be stopped and not be restarted.

Expedited Reinstatement – Both SSDI and SSI

Effective January 1, 2001, when a person's cash benefit stops due to wages, they can request reinstatement of benefits without filing a new application.

Beneficiaries unable to work or continue earning SGA because of their **worsening** medical condition can request Expedited Reinstatement. They must file the request with Social Security within 60 months from the month their benefits are terminated. In addition, they may receive temporary benefits—as well as Medicare and/or Medicaid—for up to six months while their case is being reviewed.

- If they are found not disabled, these benefits will stop after 6 months but the recipient will not be required to pay benefits back.
 - They may not file an appeal if found not disabled.
 - May not be able to use the denied medical diagnosis as their primary disabling condition in the future under a new application. If reapply using same condition, must also provide new evidence of disability.

Expedited Reinstatement for:

SSDI

- Expedited Reinstatement is available only after the EPE ends.
- When the beneficiary has received 24 months of reinstated benefits, he/she may be entitled to another Trial Work Period and Extended Period of Eligibility.
- There is a 60-month period to request reinstatement following SSDI termination for work.

- There are provisional benefits paid for 6 months while SSA is deciding on the reinstatement request.
- A person may also decide to apply for new eligibility determination.

SSI

- SSI is always suspended for one year prior to termination.
- Expedited Reinstatement occurs only after a one-year suspension.
- There is a 60-month period to request reinstatement following SSI termination for work.
- There are provisional benefits paid for 6 months while SSA is deciding on the reinstatement request.
- A person may also decide to apply for new eligibility determination.

Ticket To Work – Both SSI and SSDI

The Ticket to Work and Self-Sufficiency Program is an employment program for people with disabilities who are interested in going to work. The Ticket Program is part of the Ticket to Work and Work Incentives Improvement Act of 1999. This legislation is designed to remove many of the barriers that previously influenced people's decisions about going to work because of the concerns over losing health care coverage.

The goal of the Ticket Program is to increase opportunities and choices for SSA beneficiaries to obtain employment, vocational rehabilitation (VR), and other support services from public and private providers, employers, and other organizations.

Under the Ticket Program, the Social Security Administration provides disability beneficiaries with a "Ticket" they may use to obtain the services and jobs they need from a new group of organizations called Employment Networks (ENs).

Day-to-day administration of the Ticket Program is the responsibility of a private company with whom SSA contracts.

How Does the Program Work?

The Ticket Program is flexible and voluntary – SSA beneficiaries are not mandated to participate and, in most cases, ENs can choose which services they want to provide, where, and to whom. Beneficiaries receiving Tickets can contact one or more ENs to discuss services. Once an agreement between the beneficiary and EN is reached, the two will work together to develop a work plan to assist the beneficiary in reaching his or her employment goal. Every month that a Ticket-holder is employed at a certain wage level, the EN's receive a payment.

While a beneficiaries Ticket is in assignment, there will be no Continuing Disability Review (CDR).

The Ticket to Work Program is a relatively new program that is available to most Social Security Administration beneficiaries with disabilities who meet certain criteria. The Social Security Administration notifies those beneficiaries who are eligible to participate in the Ticket Program by issuing them a Ticket. Beneficiaries receiving a Ticket are referred to as Ticket-holders. More than 10 million Ticket-holders are eligible to participate in this nationwide Program and many are already working.

For more information go to:

- <http://www.ssa.gov/work/overview.html>.

SELF-EMPLOYMENT

The way the Social Security Administration looks at Self-Employment can be considered complicated, to say the least.

Work is evaluated under the Three Tests or the Countable Income Test to determine if work activity is SGA, depending on when the beneficiary works.

The Three Tests

Self-employment work activity is SGA if:

- You render significant services to the business, and you had average monthly earnings over the SGA level (\$1,040 in 2013); or,
- Your work is comparable to the work of persons without disability in your community engaged in the same or similar businesses; or,
- Your work is worth more than the SGA level earnings in terms of its effects on the business or when compared to what you would have to pay an employee to do the work.

The Countable Income Test

We apply the countable income test if a beneficiary has received SSDI benefits for at least 24 months. SSA only uses the Countable Income Test to determine whether a beneficiary has engaged in SGA and if the disability has ended as a result of that SGA.

In 2013, if monthly countable earnings average more than \$1,040 (SGA), SSA determines that your work is SGA unless there is evidence that the beneficiary is not rendering significant services in the month. If the

monthly countable earnings average less than \$1,040, SSA will decide that the work is not SGA.

Different rules apply if you are self-employed and your disability is blindness.

See the Red Book for more information: www.socialsecurity.gov/redbook.

A SELF-EMPLOYMENT SPECIFIC INCENTIVE

Unincurred Business Expense – SSDI (SSI for initial eligibility)

"Unincurred business expenses" refer to self-employment business supports that someone provides to the beneficiary's business at no cost. In deciding whether an individual is working at the SGA level, SSA deducts unincurred business expenses from his/her net earnings from self-employment. As a result, the unincurred expenses are not part of "countable earned income" for purposes of determining SGA.

Examples of unincurred business expenses follow:

1. The value of a computer provided by the Department of Vocational Rehabilitation and used in a graphic arts business; and/or,
2. A friend works for the business as unpaid help.

For an item or service to qualify as an unincurred business expense:

- It must be an item or service that the IRS would allow as a legitimate business expense if you had paid for it; and,
- Someone other than you must have paid for it.

One way to identify an unincurred business expense is that the Internal Revenue Service (IRS) does not allow you to deduct the cost for income tax purposes because someone gave you the item or services.

SSI -- SSA does not deduct unincurred business expenses from earnings when computing your SSI payment amount.

**THIS PAGE INTENTIONALLY LEFT BLANK
FOR DOUBLE-SIDED PRINTING AND COPYING.**



SECTION 7: RESOURCES

**THIS PAGE INTENTIONALLY LEFT BLANK
FOR DOUBLE-SIDED PRINTING AND COPYING.**

PROGRAM RESOURCES

Medicaid Waivers & Demonstrations

<http://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Waivers/Waivers.html>

Med-Waivers enable states to waive the usual requirements that individuals must reside in an institution in order to receive Medicaid funding for services. In this way, Medicaid funds certain community-based alternatives to institutional care.

The website above contains information about state-specific Medicaid waiver and demonstration programs. Users can access Fact Sheets, copies of proposals, approval letters, and other documents related to state-specific programs.

APD's Yellow Notebook provides Florida's specific information about Waivers for persons with disabilities:

<http://apd.myflorida.com/yellow-notebook/>

Department of Economic Opportunity's Disability Program Navigator Initiative (DPN)

<http://www.floridajobs.org/office-directory/division-of-workforce-services/workforce-programs/disability-program-navigator-initiative>

The Disability Program Navigator assists job seekers with disabilities by facilitating:

- Connections with employers;
- understanding of earnings on social security benefits; and,
- Eliminates barriers to employment facilities and One-Stop Career Centers.

Department of Vocational Rehabilitation (VR)

www.rehabworks.org

VR is a federal-state institution that assists job seekers with disabilities to obtain and prepare for employment. It also provides SSA Work Incentives and Benefits counseling and planning for people who work or wish to work. Services provided follow:

- SSA Work Incentives and Benefits Counseling
- Medical and Psychological Assessment
- Vocational Evaluation and Planning
- Career Counseling and Guidance
- Training and Education After High School
- Job-Site Assessment and Accommodations
- Time-Limited Medical and/or Psychological Treatment
- Job Placement
- Job Coaching
- On-the-Job Training
- Supported Employment
- Assistive Technology and Devices

Florida Benefits Information Referral Network (FBIRN)

<http://apd.myflorida.com/customers/supported-employment/docs/fbirn-contacts.pdf>

This organization consists of approximately 80 members all of whom attended and successfully completed an intensive 10 or 7 day training course conducted by a national expert on Social Security Work Incentives and Benefits. The members serve to assist people with disabilities in locating and securing expert assistance with benefits issues and application of work incentives in order to maximize earnings while maintaining necessary benefits and healthcare. See the APD webpage for more information on FBIRN.

Ticket-to-Work (TTW) - <http://www.ssa.gov/work/overview.html>

The TTW program offers SSA disability beneficiaries greater choice in obtaining the services they need to help them go to work and attain their employment goals.

Protection & Advocacy of Beneficiaries on Social Security (PABSS)

<http://www.ssa.gov/work/protectionadvocacy.html>

PABSS was created to assist SSA beneficiaries with disabilities in obtaining information and advice about receiving vocational rehabilitation & employment services and to provide advocacy or other related services that beneficiaries may need to secure or regain gainful employment. Each PABSS project can:

- Check out any complaint against an employment network (EN) or other service provider helping an individual return to work;
- Give information and advice about vocational rehabilitation and employment;
- Explain SSA's work incentives;
- Provide consultation and legal representation to protect the rights of anyone wanting to return to work; and
- Assist with problems concerning work plans under the Ticket to Work program.

Changing Face of Benefits (Social Security Work Incentive Course)

Course: www.floridabenefits.org or Workbook:
http://www.realeconomicimpact.org/data/files/other%20documents/the_changing_face_of_benefits.pdf

Prepared by National Disability Institute, funded by Florida Developmental Disabilities Council.

OTHER WORK INCENTIVES

Individual Development Accounts (IDA)

What are Individual Development Accounts?

Individual Development Accounts (IDAs) are special savings accounts that are designed to help people build assets for increased financial self-sufficiency and long-term economic security. IDA holders (sometimes called IDA participants) save their own dollars in these accounts for a specified period of time. After reaching their individual savings goal, these savers receive matching funds to be used for a specific purpose. These purposes include, but are not limited to:

- Buying a home.
- Postsecondary education.
- Starting (or expanding) a small business.
- Other possibilities include retirement accounts or youth accounts.

Savings are matched on a per dollar basis by public and/or private funders. These matching funds are typically raised by the community-based organization that is hosting the IDA program. These community-based organizations may be financial institutions (such as credit unions or community development banks) or the staff or volunteers of other entities such as community action agencies, community development corporations, public housing communities, or other organizations.

Financial education for the holder of the IDA is a critical part of the IDA program. This part of the IDA program helps depositors in correcting credit problems, establishing a budget and savings schedule, and determining a long-term money management plan. IDA participants may be existing

members of credit unions, those who are eligible to use community action agency services, public housing residents, or others who meet individual IDA program requirements.

***NOTE:** Funds in a SSA-approved IDA account are excluded from countable resources for SSI and Medicaid purposes.

To find an IDA near you:

http://cfed.org/programs/idas/directory_search/

NATIONAL RESOURCES

Assets for Independence (AFI) Project Locator

<http://www.acf.hhs.gov/programs/ocs/resource/assets-for-independence-program-summary>

The Office of Community Services supports more than 200 agencies and community-based groups across the nation that run AFI Projects and other programs to help low-income families build their economic assets. Contact the local project manager of the AFI agency in your area for information about what they do and how you can enroll in their program. If there are no projects near you,

25 New 'Assets for Independence' Grants Support Programs For Low-Income Families and Individuals – <http://www.acf.hhs.gov/grants>

Asset Building - <http://assets.newamerica.net/>

This website presents in-depth analyses of asset ownership in the U.S. and abroad: its rationale, theory, and evidence as well as an array of policy proposals devised by New America and others. Also provided are links to research and policy centers and a catalogue of resources on asset-based policy, including pending policy proposals.

Association for Enterprise Opportunity (AEO)

<http://www.microenterpriseworks.org/>

A national organization for entrepreneurship and microenterprise. AEO's website provides resources to promote enterprise opportunity for those with limited access to economic resources, including use of IDA's for microenterprise development.

Corporation for Enterprise Development (CFED)

<http://cfed.org/>

A national organization for the IDA industry. CFED's website brings most of the nation's IDA programs together with such resources as a subsidiary web forum called the **IDA Network** and a **Discussion List**. The site also includes the **IDA Program Directory** that presents information about organizations that manage IDA programs, their accountholders, and key program elements.

HOUSING AND URBAN DEVELOPMENT (HUD)

Housing and Urban Development (HUD) is a Federal program that provides rental and home ownership assistance for low-income individuals and families who are elderly and/or disabled. HUD administers this program through each State's Housing Finance Agency. This assistance could be Section 8 certification, Voucher program, HUD rental housing, or home ownership assistance through loan support, and mortgage assistance.

General Information on all programs available at:

<http://portal.hud.gov/hudportal/HUD>.

State office locator –

<http://portal.hud.gov/hudportal/HUD?src=/localoffices>

HUD's One-stop resource for People with Disabilities –

http://portal.hud.gov/hudportal/HUD?src=/topics/information_for_disabled_persons and/or <http://www.hud.gov/offices/ftheo/disabilities/pwd.cfm>.

WORK OPPORTUNITY TAX CREDIT (WOTC)

The Work Opportunity Tax Credit (WOTC), authorized by the Small Business Job Protection Act of 1996 (P. L. 104-188), is a federal tax credit that encourages employers to hire targeted groups of job seekers by reducing employers' federal income tax liability. The WOTC for all candidates other than veterans ended effective December 31, 2011. However, in January 2013, Congress passed new WOTC legislation which President Obama has signed into law extending the WOTC through December 31, 2013, retroactive to January 1, 2012.

Congress Passes WOTC Legislation

On January 3, 2012, the President signed into law the American Tax Payer Relief Act of 2012, which authorizes an extension of the WOTC program:

- Continues authorization of all veteran target groups (including those implemented under the VOW to Hire Heroes Act) until December 31, 2013.
- Retroactively reauthorizes all WOTC non-veteran target groups, from December 31, 2011 to December 31, 2013
- Retroactively reauthorizes Empowerment Zones, which determines eligibility for the summer youth target group, from December 31, 2011 to December 31, 2013
- Does **NOT** reauthorize the Recovery Act for disconnected youth **nor** the Recovery Act for unemployed veteran target groups.

ETA will be issuing forthcoming guidance on the new legislation. Interim instructions have been provided to State Workforce Agencies regarding the processing of WOTC applications.

WOTC Forms: <http://www.doleta.gov/business/incentives/opptax/forms.cfm>.

What is WOTC?

WOTC is a Federal tax credit available to employers who hire and retain veterans and individuals from other target groups with significant barriers to employment. Employers claim about \$1 billion in tax credits each year under the WOTC program. There is no limit on the number of individuals an employer can hire to qualify to claim the tax credit, and there are a few simple steps to follow to apply for WOTC.

How does WOTC work?

The tax credit employers can claim depends on the target group of the individual hired, the wages paid to that individual in the first year of employment, and the number of hours that individual worked. There is also a maximum tax credit that can be earned.

- If the individual works at least 120 hours, the employer may claim a tax credit equal to 25% of the individual's first year wages, up to the maximum tax credit.
- If the individual works at least 400 hours, the employer may claim a tax credit equal to 40% of the individual's first year wages, up to the maximum tax credit. Only for the Long-term Temporary Assistance for Needy Families (TANF) target group, the credit is available to employers who hire members of this group for a two-year period.
- If the individual works at least 120 hours in the first year, the employer may claim a tax credit equal to 40% of first year wages, up to the maximum tax credit.

- If the individual works at least 400 hours in the second year, the employer may claim a tax credit equal to 50% of second year wages, up to the maximum tax credit.

Who can I hire?

<http://www.doleta.gov/business/incentives/opptax/eligible.cfm>

- Veterans
- TANF Recipients
- SNAP (Food Stamp) Recipients
- Designated Community Residents (living in Empowerment Zones or Rural Renewal Counties)
- Vocational Rehabilitation Referral
- Ex-felons
- Supplemental Security Income Recipients
- Summer Youth Employee (living in Empowerment Zones)

How are the tax credits calculated?

Employers generally can earn a tax credit equal to 25% or 40% of a new employee's first-year wages, up to the maximum for the target group to which the employee belongs. Employers will earn 25% if the employee works at least 120 hours and 40% if the employee works at least 400 hours.

What are the WOTC Tax Credit Amounts?

<u>VETERAN TARGET GROUP</u>	<u>MAXIMUM TAX CREDIT</u>
Receives SNAP (food stamps) benefits	\$2,400

ENTITLED TO COMPENSATION FOR SERVICE-CONNECTED DISABILITY

Hired one year from leaving service	\$4,800
Unemployed at least 6 months	\$9,600

UNEMPLOYED

At least 4 weeks	\$2,400
At least 6 months	\$5,600

OTHER WOTC TARGET GROUPS

<u>TARGET GROUP</u>	<u>MAXIMUM TAX CREDIT</u>
Short-Term TANF Recipient	\$2,400
Long-Term TANF Recipient	\$9,000 (over 2 yrs)
SNAP (food stamp) Recipient	\$2,400
Designated Community Resident	\$2,400
Vocational Rehabilitation Referral	\$2,400
Ex-Felon	\$2,400
SSI Recipient	\$2,400
Summer Youth	\$1,200

How do I apply?

<http://www.irs.gov/pub/irs-pdf/f8850.pdf>

1. Complete page 1 of IRS Form 8850 by the day the job offer is made.
2. Complete page 2 of IRS Form 8850 after the individual is hired.
3. Complete ETA Form 9061 or ETA Form 9062 if the employee has been conditionally certified as belonging to a WOTC target group by a state workforce agency, Vocational Rehabilitation agency, or another participating agency.
4. Submit the completed and signed IRS and ETA forms to your state workforce agency. Forms must be submitted within 28 calendar days of the employee's start date.

States may accept applications via mail, fax, or e-mail or may have an automated WOTC process that accepts electronic submissions. If you are not sure how your state accepts applications, contact your state WOTC coordinator, found at:

http://www.doleta.gov/business/incentives/opptax/State_Contacts.cfm

Forms/Further Information:

Information: <http://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/Expanded-Work-Opportunity-Tax-Credit-Available-for-Hiring-Qualified-Veterans>

Forms with instructions:

<http://www.doleta.gov/business/incentives/opptax/forms.cfm>

WOTC Resources

- Department of Labor Employment & Training WOTC Update
<http://www.doleta.gov/business/incentives/opptax/>
- Department of Labor Employment & Training WOTC Resources
<http://www.doleta.gov/business/incentives/opptax/wotcResources.cfm>

EARNED INCOME TAX CREDIT

Internal Revenue Service (IRS) Program

The Earned Income Tax Credit (EITC) is a credit for people who earn low-to-moderate incomes. EITC can reduce your taxes, and can mean a refund. In simple terms, working families and individuals may keep more of what they earn.

The Federal Earned Income Tax Credit (EITC), sometimes called the Earned Income Credit (EIC), is a refundable tax credit that reduces or eliminates the taxes that low income working individuals and families pay (such as payroll taxes) and also frequently operates as a wage subsidy for low-income workers. The credit, created in 1975, is intended to offset the cost of Social Security taxes and to provide an incentive to work.

To qualify, a taxpayer must work and have earned income. Earned income can be income from wages, salaries and tips, strike benefits paid by a union or net self-employment earnings. Earned income also can be disability payments paid by an employer's plan if you retired on disability prior to retirement age.

If you are single with **no qualifying children**, you must be at least 25 and under 65 at the end of the tax year for which you are claiming the credit. If you are married with no qualifying children, either you or your spouse must be at least 25 and under 65 at the end of the tax year. It does not matter which spouse meets the age test, as long as one of the spouses does. Whether single or married, with or without qualifying children, neither you nor your spouse may be the qualifying child of another person.

Under Federal rules, the EITC (including advance payments) will not be counted as income for the programs listed below. That is, the EITC and advance EITC payments you receive will not be used to determine whether you are eligible for the following benefit programs, or how much you can receive from these programs:

- Temporary Assistance for Needy Families (TANF).
- Medicaid & Supplemental Security Income (SSI).
- Supplemental Security Income (SSI).
- Food Stamps.
- Low-income housing.

NOTE: The EITC can count as a resource in determining eligibility for Food Stamps if it is not spent within 12 months of receiving the refund.

NOTE: On July 18, 2005, SSA issued Final Rules amending the SSI regulations by making technical revisions to rules on income and resources based on the Social Security Protection Act (SSPA) of 2004 and several other statutory changes. These revisions, among other things, clarify that certain types of income are excluded when determining SSI income and resources. Any unspent portion of Federal income taxes related to an Earned Income Tax Credit (EITC) is excluded from resources for a time period of 9 months following the month of receipt.

EITC Requirements

- Must have a valid Social Security Number.
- You must have earned income from employment or from self-employment.
- Your filing status cannot be married, filing separately.
- You must be a U.S. citizen, or a resident alien all year, or a non-resident alien married to a U.S. citizen or a resident alien and filing a joint return.

- You cannot be a qualifying child of another person.
- If you do not have a qualifying child, you must:
 - be age 25 but under 65 at the end of the year;
 - live in the United States for more than half the year; and
 - not qualify as a dependent of another person;
- Cannot file Form 2555 or 2555-EZ (related to foreign earn income).

2012 Tax Year

Earned Income and adjusted gross income (AGI) must each be less than:

- \$45,060 (\$50,270 married filing jointly) with three or more qualifying children.
- \$41,952 (\$47,162 married filing jointly) with two qualifying children.
- \$36,920 (\$42,130 married filing jointly) with one qualifying child.
- \$13,980 (\$19,190 married filing jointly) with no qualifying children.

Tax Year 2012 Maximum Credit

- \$5,891 with three or more qualifying children.
- \$5,236 with two or more qualifying children.
- \$3,169 with one qualifying child.
- \$475 with no qualifying child or children.

Investment Income must be \$3,200 or less for the year.

VITA – Volunteer Income Tax Assistance

File For Free!!!

- The VITA Program offers free tax help to low- to moderate-income (generally, \$55,000 and below) people who cannot prepare their own tax returns. Certified volunteers sponsored by various organizations receive training to help prepare basic tax returns in communities across the country. VITA sites are generally located at community and neighborhood centers, libraries, schools, shopping malls, and other convenient locations. Most locations also offer free electronic filing.

- To locate the nearest VITA site, call 1-800-829-1040.



**SECTION 8: GLOSSARY
OF IMPORTANT TERMS,
ACRONYMS AND
WEBSITES**

**THIS PAGE INTENTIONALLY LEFT BLANK
FOR DOUBLE-SIDED PRINTING AND COPYING.**

ALPHABET SOUP AND TERMINOLOGY**Alphabet Soup**

DISABILITY-RELATED ACRONYM	TITLE/PHRASE
FEDERAL INFORMATION	
TWWIA	<p>Ticket to Work and Work Incentives Improvement Act Legislation that modernizes the employment services system for people with disabilities and makes it possible for millions of Americans with disabilities to no longer have to choose between taking a job and having health care. http://www.yourtickettowork.com/ OR http://www.workworld.org/wwwwebhelp/ticket to work and work incentives improvement act of 1999.htm</p>
Ticket to Work Program	<p>Ticket to Work and Self-Sufficiency Program The Ticket to Work Program, which is part of TWWIA, increases opportunities and choices for Social Security disability beneficiaries to obtain employment, vocational rehabilitation (VR), and other support services from public and private providers, employers, and other organizations. Under the Ticket to Work Program, the Social Security Administration provides disability beneficiaries with a Ticket they may use to obtain the services and jobs they need from organizations called Employment Networks (ENs). http://www.socialsecurity.gov/pressoffice/pr/tickettowork-pr-0508.htm OR http://www.socialsecurity.gov/pubs/10062.html</p>
EN	<p>Employment Networks Employment networks are public or private providers in the local community, and can include the state Vocational Rehabilitation Agency. They are the organizations responsible for providing the services Ticket holders need to work or earn more money. http://www.yourtickettowork.com/en_faq</p>
CWICs	<p>Community Work Incentives Coordinator Benefits specialists certified to provide SSA beneficiaries with disabilities (including transition-to-work aged youth) with benefits planning and assistance services. https://secure.ssa.gov/apps10/oesp/providers.nsf/bystate</p>

DISABILITY-RELATED ACRONYM	TITLE/PHRASE
FEDERAL INFORMATION	
<p>AWICs</p>	<p>Area Work Incentives Coordinators The Area Work Incentive Coordinator (AWIC) coordinates work incentive initiatives and SSA's employment support programs in a specific geographic area with SSA field offices. http://www.socialsecurity.gov/redbook/eng/resources-supports.htm#1</p>
<p>WIL</p>	<p>Work Incentive Liaisons The AWICs coordinate with Work Incentives Liaisons in local offices.</p>
<p>The Social Security Disability Insurance and Supplemental Security Income disability programs are the largest of several Federal programs that provide assistance to people with disabilities. While these two programs are different in many ways, both are administered by SSA and only individuals who have a disability and meet medical criteria may qualify for benefits under either program.</p>	
<p>SSI</p>	<p>Supplemental Security Income This program makes cash assistance payments to aged, blind and disabled people (including children under age 18) who have limited income and resources. The Federal government funds SSI from general tax revenues. The Federal Benefit Rate maximum monthly payment can be found at this website - http://www.socialsecurity.gov/ssi/index.htm.</p>
<p>SSDI</p>	<p>Social Security Disability Insurance This program provides benefits to disabled or blind individuals who are "insured" by workers' contributions to the Social Security trust fund. These contributions are the Federal Insurance Contributions Act (FICA) social security tax paid on their earnings or those of their spouses or parents. http://www.ssa.gov/dibplan/index.htm</p>
<p>Special rules make it possible for people with disabilities receiving Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) to work and still receive monthly payments and Medicare or Medicaid. Social Security calls these rules "work incentives." Below are a few of the work incentives, access the URLs to view a list of work incentives that apply to SSI beneficiaries, SSDI beneficiaries and both SSI and SSDI beneficiaries. http://www.socialsecurity.gov/disabilityresearch/wi/generalinfo.htm http://www.socialsecurity.gov/disabilityresearch/wi/detailedinfo.htm</p>	

DISABILITY-RELATED ACRONYM	TITLE/PHRASE
FEDERAL INFORMATION	
PASS	<p>Plan for Achieving Self Support PASS, an SSI provision, is an income and resource exclusion that allows a person who is disabled or blind to set aside income and/or resources for an occupational objective. http://www.socialsecurity.gov/disabilityresearch/wi/pass.htm</p>
PESS	<p>Property Essential for Self Support An SSI provision in which SSI will NOT count certain resources that are essential to a person's means of self-sufficiency. For example, SSA does not count property such as tools or equipment that are used for work. Or, if an individual has a trade or business, SSA does not count property such as inventory. http://www.socialsecurity.gov/disabilityresearch/wi/detailedinfo.htm#PESS</p>
IRWE	<p>Impairment Related Work Expense An SSI and SSDI provision that is used to enable beneficiaries of SSI to reduce gross income and/or SSDI to reduce substantial gainful activity (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. http://www.socialsecurity.gov/disabilityresearch/wi/detailedinfo.htm#IRWE</p>
Other federal programs and initiatives that impact the lives of people with disabilities.	
CMS	<p>Centers for Medicare and Medicaid Services The U.S. Department of Health and Human Services Centers for Medicare and Medicaid Services administers Medicare, Medicaid, and the State Children's Health Insurance Program. http://www.cms.gov/</p>
ODEP	<p>Office of Disability Employment Policy The U.S. Department of Labor's Office of Disability Employment Policy provides national leadership by developing and influencing disability-related employment policy and practice affecting the employment of people with disabilities. http://www.dol.gov/odep/</p>

DISABILITY-RELATED ACRONYM	TITLE/PHRASE
	FEDERAL INFORMATION
SAMHSA	<p>Substance Abuse and Mental Health Services Administration U.S. Department of Health and Human Services. http://www.samhsa.gov/</p>
ADA	<p>Americans with Disabilities Act of 1990 Public Law 101-336 gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, State and local government services, and telecommunications. http://www.ada.gov/</p>
EEOC	<p>U.S. Equal Employment Opportunity Commission The Commission promotes equality of opportunity in the workplace and enforces federal laws prohibiting employment discrimination. http://www.eeoc.gov/</p>
<p>Asset building programs for individuals of moderate to low-income. Access the URL to learn more about asset development strategies for persons with disabilities. http://www.ndi-inc.org/</p>	
IDA	<p>Individual Development Accounts Matched savings accounts designed to help low-income and low-wealth families accumulate savings for high return investments in long-term assets such as a house, higher education or a small business. http://cfed.org/programs/idas/</p>
EITC	<p>Earned Income Tax Credit This is a refundable federal income tax credit for low-income working individuals and families. Congress originally approved the tax credit legislation in 1975 in part to offset the burden of social security taxes and to provide an incentive to work. To qualify, taxpayers must meet certain requirements and file a tax return, even if they did not earn enough money to be obligated to file a tax return. http://www.irs.gov/individuals/article/0,,id=150557,00.html</p>

DISABILITY-RELATED ACRONYM	TITLE/PHRASE
FEDERAL INFORMATION	
Employment support programs and services for individuals, including individuals with disabilities.	
IPE	<p>Individualized Plan for Employment It is a written plan of action which outlines the employment goal, criteria to evaluate progress toward the employment goal and the services to be provided. It is developed for each individual determined to be eligible for vocational rehabilitation services through the state VR program. Contact your state VR agency for more information. http://www.oppaga.state.fl.us/profiles/2127/</p>
WIA	<p>Workforce Investment Act of 1998 Public Law 105-220 provides the framework for a national workforce preparation and employment system designed to meet both the needs of businesses and job seekers and those who want to further their careers. A key component of the Act enable customers to easily access the information and services they need through the One-Stop Career Center system. http://www.doleta.gov/usworkforce/wia/act.cfm</p>
IEP	<p>Individual Employment Plan An intensive service provided through the one-stop delivery system. Development of a plan to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve the employment goals.</p>
WIASRD	<p>Workforce Investment Act Standardized Record Data The system for states to report participant and performance outcome data through the Workforce Investment Act. http://www.doleta.gov/performance/reporting/wiasrd.cfm</p>
GPRA	<p>Government Performance Results Act of 1993 To provide for the establishment of strategic planning and performance measurement in the Federal Government, and for other purposes. http://www.whitehouse.gov/omb/mgmt-gpra/index-gpra</p>

GLOSSARY OF TERMS

TERM	DEFINITION
Appeals	Review process for an individual if there is a disagreement concerning a claim for benefits. This applies to applications and termination notices. The timelines and the rules for an appeal must follow SSA procedures. (Applies to SSI and SSDI)
Benefit	Cash payment and/or health insurance received from the government due to a disability and the inability to work at SGA (Substantial Gainful Activity). (Applies to SSI and SSDI)
Break Even Point	Break Even Point occurs when an individual's countable income level is high enough that the SSI payment amount reaches \$0. A person's break-even point depends on factors such as amount of earned and unearned income, income exclusions and State Supplemental eligibility, if any. (Applies to SSI)
BWE	Blind Work Expense provides for any earned income a person under blind eligibility uses to meet out of pocket expenses to support the employment. These expenses will be deducted from countable earned income when determining the SSI monthly payments. (Applies to SSI)
CDR	Continuing Disability Review is the process SSA uses to determine if monthly cash payments will continue. SSA will review current information about a person's medical condition to make this determination. (Applies to SSI and SSDI)
CMS	Center for Medicare and Medicaid Services - This is a U.S. Department that oversees Medicare and Medicaid. Previous name HCFA
COLA	Cost of Living Adjustment - This is an annual percentage rate, increasing amount to SSA Beneficiaries. (Applies to SSI and SSDI)
Countable Earned Income	Gross income and/or unearned income less benefit allowable exclusions and work incentives. (Applies to SSI)

TERM	DEFINITION
DAC/CDB	Disabled Adult Child/Childhood Disability Beneficiary is a person with a disability that occurred before the age of 22, has never been married and has not earned enough of a work record to draw from F.I.C.A. but draw from a parental work record that has been opened. (Applies to SSDI)
Deeming	SSA may consider some of the income and resources of a parent, spouse, or sponsor (if you are an alien) to be your income and resources when you are applying for or receiving SSI benefits and possibility Medicaid.
“Disability”	The inability to engage in Substantial Gainful Activity (SGA) by reason of any medical impairment, whether physical or mental. It must have lasted longer or expected to last or be expected to last for a continuous period of not less than 12 months or result in death.
Earned Income	Money a person receives from wages or from self-employment.
EPE	Extended Period of Eligibility – Period of time that begins the month after the TWP (Trial Work Period) is completed. It is a period of 36 consecutive months that can keep open medical eligibility even without receiving a monthly cash payment. (Applies to SSDI)
Extended Medicare Coverage	Coverage under Medicare during the 36 months following the TWP (Trial Medicare Work Period) even though a person is not receiving a monthly cash payment of SSDI. As of October 2000, Medicare Part A has been extended another 4½ years beyond the 36 months. (Applies to SSDI.)
Expedited Reinstatement	Qualified individuals may request reinstatement of benefits, within 5 years of benefits having stopped, without having to file a new application. Up to 6 months of provisional benefits (cash payment) are available while SSA makes a decision on a request. No appeal rights if denied, and the disability at issue cannot be the basis for any future claim if expedited reinstatement is denied.
FBR	Federal Benefit Rate is the maximum amount of dollars a person receiving SSI benefits can receive from the Federal government. Usually changes January 1 of each calendar year. (Applies to SSI)

TERM	DEFINITION
Gross Income	Money earned as wages or self employment before any deductions or exclusions are applied (IRS Term) (Applies to both SSI and SSDI)
HUD	Housing and Urban Development - This is a U.S. Department that administers various housing programs in the United States.
In-Kind Support and Maintenance	In-Kind Support and Maintenance (ISM) - Counted value of food or shelter provided at no cost to you. This is considered Unearned Income. Shelter includes room, rent, mortgage payments, real property taxes, heating fuel, gas, electricity, water, sewer and garbage collection services. You are not receiving in-kind support and maintenance in the form of room or rent if you are paying the amount charged under a business arrangement. (Applies to SSI)
IRWE	Impairment Related Work Expense is a work incentive that allows an individual to deduct certain work-related items and services that are needed to enable the beneficiary to work. The cost of expenses must be paid out of pocket with the income earned, not paid by some other agency providing services. (Applies to SSDI and SSI)
Medicaid	A federal medical assistance program administered by states. Eligibility is based on resources, earned and unearned income levels work. (Medical Benefit attached to SSI)
Medicare	A federal medical insurance program for SSDI and retirement recipients. Eligibility is based on a person's work record, age, and medical eligibility. (Medical Benefit attached to SSDI)
Net Income	Actual money received (cash in hand) as wages after required and voluntary funding programs are funded from the Gross Wage.
PASS	Plan for Achieving Self Support - An earned income and resource exclusion that allows a person who is disabled or blind to set aside income and/or resources to reach an occupational goal. (Applies to SSI)

TERM	DEFINITION
Payee	A person, agency organization or institution SSA approves to manage a person's benefits when they are unable to manage the benefits themselves. (Applies to SSI and SSDI)
Resources	Resources can be anything a person owns that can be converted to cash to pay for food and shelter. The resource limit is \$2000 for an individual and \$3000 for a couple. (Applies to SSI and Medicaid)
Section 1619	A work incentive that consists of two sections, 1619(a) and (b) . 1619(a) allows a working SSI recipient to earn income at the SGA level or above while receiving both an SSI payment and Medicaid at no cost. A 1619(b) status occurs when the earned income level eliminates an SSI cash benefit. (At the point the SSI check "zeroes out.") Medicaid eligibility is retained with no cost to the recipient.
SGA	Substantial Gainful Activity (SGA) - The performance of paid work in which countable income exceeds SGA per month. This monthly SGA amount will change annually based on the national wage index.
SSA	Social Security Administration - The federal agency that administers the SSDI and SSI programs.
SSDI	Social Security Disability Insurance - A program under Title II. It is a cash benefit program for individuals who have worked and paid into F.I.C.A. (Federal Insured Contribution Act) and who meet the medical eligibility criteria and the SGA Test.
SSI	Supplemental Security Income - A program under Title XVI. It is a cash benefit paid to individuals who meet criteria for medical and financial eligibility.
SEIE	Student Earned Income Exclusion - A work incentive that allows an SSI recipient under 22 and regularly attending school to exclude certain amounts of earned income during a calendar year. A student can exclude up to a certain amount of earned income per month, with a maximum annual exclusion. (Applies to SSI)

TERM	DEFINITION
Self-Employment	Earning wages by working for self rather than employed by someone else.
Subsidy	Supports received on the job that results in more pay than the actual value of the services performed.
TWP	Trial Work Period - A work incentive that offers a person an opportunity to test his/her ability to work without losing benefits. Under this provision, the beneficiary is credited with a month of trial work for each month that earnings exceed the TWP \$ amount. When the beneficiary has accumulated 9 such months (not necessarily consecutively earned), the Trial Work Period is completed. (Applies to SSDI)
Threshold	A ceiling on gross income established by a state which recipients of SSI are no longer eligible for 1619(b) status nor the continuation of Medicaid at no cost. (Applies to SSI and Medicaid)
Ticket to Work	An SSA program that increases opportunities and choices for Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) beneficiaries to obtain employment, vocational rehabilitation, and other support services from public and private providers, and other organizations called Employment Networks (EN)
Unearned Income	Any money a person receives which is not payment for performed services (paid work) which might include SSDI or other governmental cash benefits. Money directly paid to a person from a trust, interest, dividends, and monthly provision by a family to subsidize living expenses. (Applies to SSI and Medicaid)
Unincurred Business Expense	Support contributed to your self-employment effort by someone else. If you are self-employed, SSA may deduct unincurred business expenses from earnings when making an SGA decision.
Unsuccessful Work Attempt	An effort to do substantial work (in employment or self-employment), which you stopped or reduced earnings below SGA level after a short time (six months or less). This change must have resulted because of your impairment, or removal of

TERM	DEFINITION
	special conditions related to your impairment that was essential to the further performance of your work. SSA will not count earnings during an unsuccessful work attempt when making an SGA decision.

WEBSITES OF IMPORTANCE

Federal and State Websites of Importance!

Advocating for Individuals with Disabilities

Federal Links

Administration on Intellectual and Developmental Disabilities (ADD):

<http://www.acf.hhs.gov/programs/add/>

You will find important information regarding the programs run through the ADD office. Programs such as Protection and Advocacy, University Affiliated Programs, the Developmental Disabilities Councils and Projects of National Significance may be accessed from this web page.

Americans with Disabilities Act: <http://www.ada.gov/>

Celebrating the 10th Anniversary of the signing of the Americans with Disabilities Act, the Office of Disability Employment Policy created this site. It provides one-stop online access to resources, services, and information available throughout the Federal government.

CMS Website: <http://www.cms.gov> :

- CMS Medicaid Information: click on Medicaid/CHIP box
- CMS Overview of Medicare:
<http://www.medicare.gov/choices/overview.asp>
- CMS Overview of Medicaid: <https://www.medicaid.gov/cms.gov/>
- NCHSD Medicaid Buy-in Program Information:
http://www.nchsd.org/libraryfiles/MBI/NCHSD_MedicalImprovementBriefJan07.pdf
- For all other questions go to www.cms.hhs.gov and search.

Advocating for Individuals with Disabilities

Department of Health and Human Services: <http://www.dhhs.gov>

Here you will find the most current information regarding key programs. Explore this site and you will find information regarding research, testimony presented before congress and valuable information that will impact the health of our nation.

Department of Justice (DOJ): <http://www.justice.gov/> AND
<http://www.ada.gov/>

The first web page is the home page for the Department of Justice (DOJ), and the second is the DOJ information regarding the Americans with Disabilities Act.

Federal Poverty Guideline: <http://aspe.hhs.gov/poverty/12poverty.shtml>

Federal Stats: <http://www.fedstats.gov>

Here you will find the statistics you need when you are speaking to public officials. This site will also provide you access for **70 Federal Agencies**.

USDA Food and Nutrition Service

(Supplemental Nutrition Assistance Programs - SNAP)

Food Stamps: <http://www.fns.usda.gov/snap/>

General Accounting Office (GAO): <http://www.gao.gov/>

This website is used regularly by Congress to obtain information about public funds. Often when Congress is seeking more details before introducing legislation, they will ask the GAO to study a topic. Upon completion of the study, the GAO will present their findings before Congress which then uses it to formulate legislative policy.

Advocating for Individuals with Disabilities

HUD: <http://portal.hud.gov/portal/page/portal/HUD>

Library of Congress – Home Page:

<http://lcweb.loc.gov/homepage/lchp.html>

This will connect you to the **Library of Congress**. At this site you can explore the issues as many congressional staff does, when they begin to research a subject.

- **Legislative Branch:**
<http://thomas.loc.gov/links/>

This web site will give you your legislative directories; connect you to current legislation, congressional calendars, and congressional support networks.

- **Thomas – Legal Research:** <http://thomas.loc.gov/home/thomas.php>

Use **Thomas** to get copies of bills, proceedings, floor activity, and updates on current legislation.

Maximus Ticket to Work Site: www.yourtickettowork.com

National Dissemination Center for Children with Disabilities (NICHCY) and The National Institute on Disability and Rehabilitation Research (NIDRR):

<http://www.nichcy.org/> and

<http://www2.ed.gov/about/offices/list/osers/nidrr/index.html>

Various sites such as NICHCY, NCDDR, NIDDR, NARIC, NCIP, NCEO, and OSERS are important, but *National Dissemination Center for Children with Disabilities* (NICHCY) and *The National Institute on Disability and Rehabilitation Research* (NIDDR) provide valuable information that is imperative to people with disabilities and their families.

Advocating for Individuals with Disabilities**Office of Special Education Programs:**

<http://www2.ed.gov/about/offices/list/osers/osep/index.html?src=mr>

This is the site to key into your favorites. This site will provide you with up-to-date information regarding special education across the country.

Social Security Administration (SSA) – Home Page:

<http://www.socialsecurity.gov>

On the SSA web page you will have access to the latest information out of the U.S. Social Security Administration.

▪ Area Work Incentives Coordinator (AWIC):

<http://www.ssa.gov/atlanta/southeast/awic/index.htm>

The AWIC coordinates work incentive initiatives and SSA's employment support programs in a Region. The AWIC is SSA Regional, and the Work Incentive Liaison (WIL) is field office staff.

▪ Disability Definitions:

<http://www.ssa.gov/disability/professionals/bluebook>

▪ Disability Planner: www.socialsecurity.gov/dibplan/dqualify4.htm

General Information on how the Social Security Administration defines disability.

▪ Program Operational Manual System (POMS) ON LINE:

<https://secure.ssa.gov/poms.nsf/home!readform>

▪ Red Book: <http://www.ssa.gov/redbook>

A summary guide to Employment Support for People with Disabilities under the Social Security Disability Insurance And Supplemental Security Income Programs – a general reference source about the employment-related provisions of the SSDI and SSI programs.

Social Security Handbook (The basic guide to the social security programs): http://www.ssa.gov/OP_Home/handbook/handbook.html

Advocating for Individuals with Disabilities

- **Ticket to Work Site:** www.socialsecurity.gov/work
- **Choose Work for Service Providers (Ticket to Work):**
www.yourtickettowork.com
- **Social Security “Work Site”:** <http://www.socialsecurity.gov/work>

Comprehensive SSA information on work issues can also be found on the SSA website listed above.

U.S. Department of Housing and Urban Development (HUD):
<http://www.hud.gov>

This is an important site for individuals with disabilities. You will find information regarding available resources surrounding housing and information on initiatives being planned by HUD.

US Department of Labor – Disability Resources:
<http://www.dol.gov/dol/topic/disability/index.htm>

Under the leadership of an Assistant Secretary, will be to bring a heightened and permanent long term focus to the goal of increasing employment of persons with disabilities. This will be achieved through policy analysis, technical assistance, and development of best practices, as well as outreach, education, constituent services, and promoting ODEP’s mission among employers.

Workforce Investment Act: <http://www.doleta.gov/usworkforce/>

It is designed to provide answers to current and emerging questions about the implementation of the Workforce Investment Act. It represents an unprecedented collaboration between public and private sector groups and individuals to provide access to workforce information and resources and to apply that information toward innovative and effective partnerships and programs.

Advocating for Individuals with Disabilities**Websites to Advocacy****ADAPT:****Free Our People:** <http://www.adapt.org>

There's no place like home, and we mean real homes, not nursing homes. We are fighting so people with disabilities can live in the community with real supports instead of being locked away in nursing homes and other institutions.

APHSA: http://www.aphsa.org/Home/home_news.asp

The mission of APHSA is to develop, promote, and implement public human service policies that improve the health and well being of families, children, and adults.

COSSMHO: <http://www.cossmho.org>

COSSMHO is the sole organization focusing on the health, mental health, and human services needs of the diverse Hispanic communities. COSSMHO's membership consists of thousands of front-line health and human services providers and organizations serving Hispanic communities. The organization was founded in Los Angeles in 1973 as the Coalition of Spanish-Speaking Mental Health Organizations (COSSMHO) to represent and advocate for the mental health needs of Mexican American, Puerto Rican, Cuban American, Central American and South American communities in the United States.

Consortium for Citizens with Disabilities: <http://www.c-c-d.org/>

This is a coalition of approximately 100 national disability organizations working together to advocate for national public policy that ensures the self determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

Advocating for Individuals with Disabilities**Project of the Robert Wood Johnson Foundation:**

<http://www.rwjf.org/en/topics/search-topics/l/independent-living-or-self-determination.html?t=topics%3A311>

This site is changing the lives of people with disabilities. It is based on four principles: Freedom, Authority, Support, and Responsibility. This site will provide you with links, and information on the status of Self-Determination in our nation.

Florida Links

Able Trust - <http://www.abletrust.org/>

The Able Trust believes that when people with disabilities want to work, they should. The Trust supports individual's non-profit vocational rehabilitation programs throughout Florida with fund-raising, grant making and public awareness of disability issues.

Agency for Persons with Disabilities: <http://apd.myflorida.com/>

Florida Department for Economic Opportunity:

<http://www.floridajobs.org/>

Responsible for implementing policy in the areas of workforce development, welfare transition, unemployment compensation, labor market information, early learning and school readiness. Whether you are an employer, job seeker or parent, you will find important and useful information on Florida's DEO website.

Florida Agency for Health Care Administration: <http://www.fdhc.state.fl.us/>

Florida Benefits Information Resource Network (FBIRN):

<http://apd.myflorida.com/customers/supported-employment/>

Advocating for Individuals with Disabilities

Florida Developmental Disabilities Council: <http://www.fddc.org>

Engaging in advocacy, capacity building, and systemic change activities that contribute to a coordinated, consumer and family-centered, consumer and family-directed, comprehensive system of community services, individualized supports and asset development opportunities.

Florida Department of Children and Families (MyFLFamilies.com)
ACCESS Florida Food, Medical Assistance and Cash
<http://www.myflorida.com/accessflorida/>

Medicaid: <http://www.myflfamilies.com/service-programs/access-florida-food-medical-assistance-cash/medicaid>

Medicaid and Florida Medicaid Reform:
http://ahca.myflorida.com/Medicaid/medicaid_reform/index.shtml

Protection and Advocacy: <http://www.disabilityrightsflorida.org/>

The Advocacy Center for Persons with Disabilities, Inc., is a non-profit organization providing protection and advocacy services in the State of Florida. Our mission is to advance the dignity, equality, self-determination and expressed choices of individuals with disabilities.

Public Housing Agencies:
<http://www.hud.gov/offices/pih/pha/contacts/states/fl.cfm>

Start-Up Florida: <http://www.start-up-usa.biz/>

Vocational Rehabilitation: <http://rehabworks.org>

An employment resource for businesses and people with disabilities. Our mission is to enable individuals with disabilities to obtain and keep employment.