

Health Sciences Center NEW ORLEANS

School of Allied Health Professions
Human Development Center
University Center for Excellence in Developmental Disabilities

SSA BENEFITS AND WORKING

Sue Killam, M.Ed., CESP, CWIC
Laura Stazio, M.Sc., CESP
Employment Initiatives





Social Security Administration Benefits

- Supplemental Security Income (SSI)
- Social Security Disability Insurance (SSDI)
- SSI and SSDI

SSI – Supplemental Security Income

- Intended to be a “supplement” to a wage
- Must meet certain Income and Resources limits
- Gradual reduction in benefits as you work

Basic Eligibility Requirements for SSI

- Aged 65 or older;
- Blind (20/200 or less in better eye with glasses or field of vision less than 20 degrees); **or**,
- Disabled (by Disability Determination); **and**
- Meet the income and resource tests; and
- Certain citizenship or residency requirements.
- File an application.



Federal Benefit Rate (FBR)

- Rate is set each year
- Receive full FBR when responsible for food and shelter

- 2015 Rates:

- Individual: \$733
- Eligible Couple: \$1100

2016 Rates:

- Individual: \$733
 - Eligible Couple: \$1100
- (*note-NO COLA increase)



What is NOT Considered to be Income

- Any item that is not food or shelter and cannot be used to obtain food or shelter
 - Examples:
 - Income tax refunds
 - Proceeds of a loan
 - Payment of an individual's bills
 - Clothing
 - Home
 - Vehicle



Income That Affects SSI

- Unearned income
- Any gross wages/earnings and net earnings from self-employment, including in-kind items received in lieu of wages (like room and board)
- In-kind support and maintenance received from others



Unearned Income and SSI

- Unearned income is any cash or in-kind item a person receives which is NOT earned income
- Common forms of unearned income would include the following:
 - Social Security Title 2 benefits
 - Veteran's benefits
 - Worker's Compensation
 - Unemployment Compensation
 - Alimony and Child Support

Other Factors That Affect SSI

- Change of address, living arrangements, and/or marital status
- Resources (only affects eligibility – not payment amount)
- Use of work incentives
- Overpayment recovery

In-Kind Support and Maintenance (ISM)

- Applies to SSI beneficiaries **18 years and older**
- Social Security examines the beneficiary's living situation.
- If an SSI recipient is given food or shelter by another person, Social Security will consider these gifts to be a specific type of unearned income which they refer to as “in-kind support and maintenance” (ISM).



Value of the 1/3 Reduction (VTR)

- Beneficiary does not contribute anything to their own food and shelter needs
- Social Security uses a different, lower, Federal Benefit Rate
- 2016 VTR ~ \$488.67

VTR Amounts

2016 amounts:

- Individual: \$488.67
- Eligible couple: \$733.33

SSI Re-determinations

- Social Security conducts periodic SSI re-determinations for all SSI recipients
- Review non-medical eligibility factors such as income, resources, and living arrangements to be sure they are still eligible for and receiving the correct SSI payment
- Conducted **at least** once per calendar year

SSI and Resources

- Defined as cash **and** any other personal property, including any real property, that an individual (or spouse, if any):
 - Owns;
 - Has the right, authority, or power to convert to cash (if not already cash); and
 - Is not legally restricted from using for his/her support and maintenance.

Resource Limits

- Individual's countable resources must not exceed \$2,000 as of the first day of a given month.
- Eligible couple's countable resources must not exceed \$3,000 as of the first day of a given month.

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Common Resource Exclusions

- Household goods and personal effects
- Medical devices and adaptive equipment
- Some life insurance policies
- The home in which the beneficiary lives
- One automobile per household
- Some burial funds, burial spaces, and life insurance assigned to funeral provider
- Some student financial assistance
- Individual Development Accounts (IDAs)
- Some trusts

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- Permits eligible SSI beneficiary to receive a reduced cash payment when earnings exceed the Substantial Gainful Activity amount (SGA), up to the break-even point (BEP) (the point at which income causes the loss of SSI cash payments)
- Prior to the passage of this important provision, SSI operated like the other Social Security disability benefit programs in that earnings over SGA caused termination of benefits

SSI Calculation

- Not all earned income counts when determining SSI eligibility and payment amount:
 - General Income Exclusion (\$20.00)
 - Earned Income Exclusion (\$65.00)
 - Divide by two
 - Applicable work incentives (taken in proper order)

SSI Calculation Sheet

- Gross monthly wages
minus \$ 85 exclusion
= Subtotal
- Subtotal Divide by 2
= Amount of SSI check reduction

New SSI check with \$485 in wages

485
- \$ 85 exclusion
\$400
Divide by 2
\$200
Amount of SSI check
reduction

New wage and SSI outcome

\$485 wages plus

New SSI check \$533

Total = \$1018

SSI and Work Incentives

- Student Earned Income Exclusion (SEIE)
- Impairment Related Work Expense (IRWE)
- Blind Work Expenses (BWE)
- Plan for Achieving Self-Support (PASS)

Student Earned Income Exclusion (SEIE)

- Only SSI beneficiaries who under the age of 22 and who regularly attend high school, college or training to prepare for a paying job are eligible for SEIE.
- An eligible couple gets one SEIE exclusion for the couple.

SEIE Exclusion Amounts

In calendar year 2016:

Maximum Exclusion per Month: \$1780.00

Annual Calendar Year Exclusion: \$7180.00

Limits are adjusted annually based on any increases in the cost-of-living index.

Impairment Related Work Expense (IRWE) and SSI

- This is the only work incentive that is applicable to both Title II and SSI.
- The rules explained in Title II section of this training apply here, as well.
- The only difference is the effect on cash benefit.

Blind Work Expense (BWE) and SSI

- For SSI beneficiaries who meet Social Security's definition of statutory blindness.
- Allows exclusion of any other work related items that are paid out of pocket and not reimbursed.
- Blind Work Expenses **do not** need to be related to any impairment.
- **ONLY** exists in the SSI program.

Examples of BWE

- State and federal taxes
- Union dues
- Mandatory Pension contributions
- Uniforms
- Reader services
- Driver services
- Cost of service animal's care
- Childcare
- Transportation
- Meals consumed at work
- Adaptive equipment purchased by the beneficiary

SSI Calculation with Blind Work Expense

STEP ONE:

Unearned Income	\$ 150.00
- General Income Exclusion (GIE)	<u>\$ 20.00</u>
= Countable Unearned Income	\$ 130.00

STEP TWO:

Gross Earned Income	\$ 800.00
- SEIE	<u>\$ 0</u>
=Remainder	\$ 800.00
- GIE if not used above	<u>\$ 0</u>
=Remainder	\$ 800.00
- Earned Income Exclusion	<u>\$ 65.00</u>
=Remainder	\$ 735.00
- IRWE	<u>\$ 0</u>
=Remainder	\$ 735.00
Divide by 2	<u>/ 2</u>
=Remainder	\$ 367.50
- BWE	<u>\$ 320.00</u>
=Total Countable Earned Income	\$ 47.50

STEP THREE:

Countable Unearned Income	\$ 130.00
+ Countable Earned Income	<u>\$ 47.50</u>
= Countable Income	\$ 177.50
- PASS	<u>\$ 0</u>
= Total Countable Income	\$ 177.50

STEP FOUR:

Base SSI Rate:	\$
73300	
- Total Countable Income	<u>\$ 177.50</u>
= SSI Payment	\$ 555.50



SSI and Plan for Achieving Self-Support (PASS)

PASS is an SSI work incentive which allows a person with a disability to set aside income and/or resources for a specified period of time in order to pay for items or services needed to achieve a work goal.

Types of PASS Expenses

- Set aside income and/or resources to pay for
 - Education or training,
 - Job coaching or other support services,
 - Transportation,
 - Job-related items,
 - Equipment needed to start a business, or
 - Just about anything else needed to achieve an occupational goal.

To Qualify for a PASS

- Under age 65, or be previously entitled to an SSI benefit based on blindness or disability the month prior to reaching age 65;
- Meet Social Security's definition of disability or blindness;
- Meet all SSI eligibility criteria with the exception of the income and resources test; and
- Have earnings, unearned income, deemed income, in-kind support or resources.

Likely PASS Candidates

- Eligible for or currently receiving rehabilitation services
- Enrolled in school or other training program, or interested in obtaining post-secondary education or occupational skills training
- Currently working, seeking employment, or interested in pursuing employment or self-employment

Likely PASS Candidates (continued)

- Interested in reducing dependency on public benefits and becoming self-supporting
- In need of services or items in order to achieve a desired employment goal
- Would otherwise have initial eligibility denied or continued eligibility suspended or terminated solely due to excess income or resources, or otherwise would have SSI benefits reduced due to income

Unlikely PASS Candidate

- Ineligible for SSI for reasons other than excess income and/or resources
- Unable to pursue occupational goals due to their condition
- Currently self-supporting
- Already completed a PASS and have not tried to seek employment
- Does not have income or resources to set aside or are not willing to do so
- Does not need services or items to work or is not willing to set aside funds

Basic PASS Requirements

1. Feasible occupational goal
2. Interval steps/milestones
3. Definable timeframe
4. Countable income to be set aside
5. Expenses necessary to achieve goal
6. Form SSA-545

PASS Expenditures

- PASS must show how the money set aside will be spent to achieve the individual's work goal.
- A listing must include planned expenditures on a monthly basis and how they are connected to the work goal.
- Expenses must be reasonable and must indicate how the cost estimate was calculated.
- When possible, providers of services paid for through the PASS should be indicated.

Developing a PASS

- A PASS may be developed at any time.
- Plans must be submitted in writing on the SSA-545 form.
- If individuals are currently not receiving SSI, they must go through the regular SSI application procedure before a PASS can result in an SSI check being issued.
- PASS Specialists play a vital role in the application and review process.

Number of Plans for Achieving Self-Support

- There is no limit to the number of PASS an individual can have, but an individual can have only one PASS at a time.
- Before a subsequent PASS can be approved a final accounting must be completed for the prior PASS and the individual must show that he/she can either no longer work at, or obtain work in, a prior occupational goal for which the individual obtained all of the necessary goods and services.

Social Security Disability insurance

- Based on amount of earnings
- Paid through FICA contributions
- Disabled Adult Child (DAC)
- monthly SGA amount for;
 - 2015 1,820 1,090
 - 2016 1,820 1,130

SSDI return to work

- 9 month Trial Work Period....any month with earnings over \$780
- Continuous Period of Eligibility....36 months
 - No check for any month with earnings above SGA (\$1090)

Subsidies and Special Conditions

- Sometimes a person's disability results in the need for extra assistance, a reduced production rate, frequent breaks, or fewer job duties than co-workers in a similar job.
- When that happens, the individual's wages represent not only pay for their work product or effort, but also represents help from someone else, or higher pay than would be received by a nondisabled employee for the same work product.

Types of Subsidy

- Subsidy in Wage Employment
 - Employer Subsidy
 - Special Conditions
- Subsidy in Self-Employment:
 - Unpaid help
 - Un-incurred business expenses

Impairment Related Work Expense (IRWE)

- Related to the disability/impairment for which the person is receiving treatment from a health care provider
- Necessary for work
- Paid out of the beneficiary's pocket and not reimbursed
- Paid in the month earnings received
- The expense must be "reasonable" (i.e.: usual and customary)
- The cost of durable items may be pro-rated over a 12-month period.

IRWE (continued)

- Individuals must have receipts to prove the expense was paid
- The determination of whether or not an item or expense may be deducted as IRWE is made by Social Security
- Request the determination in writing in order to use appeal rights, if necessary

SGA Example

- Earnings of 1300.00 - 10% subsidy of (\$130.00) - \$50.00 medication IRWE
- Remainder \$1,120.00
- Work is over SGA if individual is not blind.

Trial Work Period (TWP)

- Provides beneficiaries an opportunity to test work skills while maintaining full benefit checks, no matter how much the beneficiary earns
- The individual must continue to have a disability under Social Security regulations!
- In 2016, monthly earnings amount of \$810 during the TWP

Trial Work Period (TWP)

The TWP ends only when there are nine TWP months within a rolling period of 60 consecutive months

- TWP Months need not be used consecutively
- ***No other work incentives apply*** during TWP
- No special TWP amount for blind persons
- ALL gross earnings count (net earnings for self employed, or spends more than 80 hours in the business)
- **Full benefit checks are payable throughout the TWP, regardless of amount of wages**
- Only one TWP per period of entitlement

60-month Rolling Period

- An individual only completes a TWP when nine service months occur within a rolling 60-month (five-year) period
- Because of this rule, it is possible for beneficiaries to use far more than just nine TWP months
- It is possible to use lots of TWP months and NEVER fully use up the entire Trial Work Period
- Once the TWP has been used, it is GONE, regardless of how many years the person remains entitled to payments.

TWP Example

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1999	100	100	100	100	100	175	175	175	210	175	175	175
2000	100	125	125	199	175	225	175	150	175	230	190	185
2001	180	195	150	550	550	550	195	195	175	198	199	199
2002	175	175	175	175	175	175	175	175	175	175	175	175
2003	196	196	196	196	196	196	196	196	198	625	230	185
2004	185	185	185	185	185	185	190	190	230	625	650	625
2005	175	185	185	185	199	230	300	500	500	625	650	625
2006	500	500	500	500	500	500	500	810	500	400	500	600
2007	750	775	775	775	800	775	775	779	760	725	775	775
2008	790	790	790	795	795	890	890	890	720	805	800	795

Extended Period of Eligibility

- Provides that an individual who has not medically improved can be re-entitled to benefits any time during the Extended Period of Eligibility reinstatement period, if his or her work activity falls below the Substantial Gainful Activity (SGA) level.
- 2016, SGA =
 - \$1,130/mo for non-blind
 - \$1,820/mo for blind

EPE (continued)

- Always begins the month after TWP ends
- 36 consecutive months
- Once the EPE starts, it cannot be stopped – no way to “bank” months
- Suspended benefits are reinstated if countable earnings fall below SGA level
- Work activity cannot cause termination during the EPE, only suspension
- UWA and income averaging are NOT applicable for purposes of re-instating benefits during EPE

EPE Example

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1999	100	100	100	100	100	175	175	175	210	175	175	175
2000	100	125	125	199	175	225	175	150	175	230	190	185
2001	180	195	150	550	550	550	195	195	175	198	199	199
2002	175	175	175	175	175	175	175	175	175	175	175	175
2003	196	196	196	196	196	196	196	196	198	625	230	185
2004	185	185	185	185	185	185	190	190	230	625	650	625
2005	175	185	185	185	199	230	300	500	500	625	650	625
2006	500	500	500	500	500	500	500	810	500	400	500	600
2007	750	775	775	775	800	775	775	779	760	725	775	775
2008	790	790	790	795	795	890	890	890	720	805	800	795

More on EPE

- If a beneficiary is not performing Substantial Gainful Activity (SGA) at the time the 36- month reinstatement period ends, benefits may continue indefinitely
- If benefits are reinstated during the EPE, they will continue indefinitely until the person again performs SGA, or Social Security determines that the disabling impairment has medically improved
- The EPE reinstatement period is a safety net. Some beneficiaries may never know they have used it if their earnings are consistently below SGA

Termination

- Termination means that the Social Security computer record that maintains payments has been terminated
- It is the end of the “period of disability entitlement”
- Once benefits have been terminated, a formal re-entitlement or re-instatement decision is required for payments to begin again

Expedited Reinstatement (EXR)

EXR is a work incentive which allows individuals who terminated from disability benefits due to work to get benefits back again in an expedited manner without having to re-apply.

Expedited Reinstatement is a relatively new provision created by the Ticket legislation which was first implemented in the year 2000.

EXR (continued)

- Available for 60 months after termination
- Up to six months of provisional payments are possible
- Reinstatement determination uses Medical Improvement Review Standard (MIRS) for determinations
- Person must currently be unable to perform SGA due to the same or a related disability to the one for which benefits were previously paid
- Reinstated beneficiary receives a TWP, EPE, etc. after 24-months of payments, called “Initial Reinstatement Period.”

What is Medicare

- Medicare is our country's health insurance program for people age 65 or older, certain people with disabilities who are under age 65 and people of any age who have permanent kidney failure.
- It provides basic protection against the cost of health care, but it does not cover all medical expenses or the cost of most long-term care.

Medicare vs. Medicaid

Medicare

- Federally run program that has the same eligibility standards and coverage rules across all 50 states.
- Entitlement: earned by someone who has paid into the Medicare trust fund through taxes on earned income; it is not needs based nor means tested.
- Coverage involves premiums, co-payments and deductibles.

Medicaid

- State-run program designed primarily to help those with low income and little or no resources.
- Needs based/Means tested – Limited Income and Resources
- Coverage is typically free (with some exceptions in some States)

Medicare Qualifying Period

- Begins the first month the person is entitled to a payment after the 5-month waiting period
- 24 months do not have to be accumulated consecutively – if entitlement to cash benefits stop and they become re-entitled within 5 years, earlier months may meet the qualifying period
- Individuals who lose entitlement to CDB and later become re-entitled will not serve another 24-month wait
- For DWB, the MQP may be met with prior entitlement to SSI benefits

Medicare Parts

Part A Hospital Insurance (HI)	Inpatient Hospital Care, skilled nursing care ,home health care, hospice care
Part B Supplemental Medical Insurance (SMI)	Doctor's services and outpatient care
Part C Medicaid Advantage Plans (MA)	Covers all Part A & B services – operated by private insurance companies
Part D Prescription Drug Coverage	Prescription Drug Costs

Medicare Enrollment

- Social Security beneficiaries are automatically enrolled in Part A & Part B when they first become eligible
- Part A is premium-free and is not optional
- Part B has a premium; beneficiaries can decline this coverage (may be a penalty if enroll later)
 - 2013 Part B Premium is \$104.90
 - 2014 Part B Premium is \$104.90 (no change)
 - 2016 Part B premium amount is \$121.80

Medicare Prescription Drug Program – Medicare Part D

- Medicare Modernization Act (MMA) established new voluntary prescription drug program, effective 1/1/06
- Medicare beneficiaries on Part A and/or Part B may also enroll in the voluntary prescription drug program
- Social Security does not process Part D enrollments
- Beneficiaries enroll with a participating approved Medicare Part D Prescription Drug Provider (PDP) or a Medicare Advantage plan that offers prescription drug coverage (MA-PD). Plans developed/operated by private insurance companies that contract with CMS.

Medicare Prescription Drug Program – Medicare Part D (continued)

- Part D participants pay:
 - Monthly premium which varies by plan,
 - Yearly deductible (between \$0-\$310 in 2014), and
 - Part of cost of prescriptions, including co-payment.
- Costs vary depending on chosen drug plan
 - Some plans may offer more coverage and additional drugs for a higher monthly premium
 - Can switch plans during annual enrollment
- Coverage gap – “donut hole”; ACA requires discounts

Help With Paying Part D Premium

- Eligible low income individuals receive Part D premium, deductible and co-payment subsidies.
 - This is known as the Low Income Subsidy or simply “the subsidy”
 - Can be partial or full subsidy – based on income and resources, including that of spouse
 - Individuals with SSI, Medicaid, 1619(b), MSPs (QMB, SLMB, QI) are deemed eligible for subsidy
 - If no Medicaid, must meet income and resource test; not eligible if countable income above 150% of FPL

Warnings About Medicare for Working Beneficiaries!

- Medicare Savings Programs (QMB, SLMB, etc.) are means-tested. Earned income can cause loss of eligibility for these benefits, even though only about half is counted. CWICs must advise beneficiaries on this possibility and plan for contingencies.
- Low-Income Subsidy for Medicare Part D is also means-tested. Again, CWICs must advise beneficiaries on the impact of earnings on this subsidy.
- Concurrent beneficiaries (people who get both title II disability payments and SSI) will generally have both QMB coverage AND low-income subsidy for Medicare Part D.