



# SSI Work Incentive

## Social Security Rules of Encouragement for Beneficiaries to Try Work While Receiving Supplement Security Income

A mark in the box (next to the work incentive) indicates applicability to you or a recommendation based on information obtained from the Social Security Benefits Query (BPQY) and/or obtained during conversations with your Community Work Incentives Coordinator.

### EARNED INCOME EXCLUSION

The Social Security Administration (SSA) does not count most of your earned income when calculating your SSI payment amount. The first \$85 of your earnings in a month plus one-half of the remainder does not count as income. This means that SSA counts less than one-half of your monthly earnings when calculating your SSI payment.

### STUDENT EARNED INCOME EXCLUSION (SEIE)

If you are under 22 years of age and **regularly attending school** then during calendar year 2009, you can have \$1,640 per month, up to \$6,600 in a year before earnings cause a decrease in your SSI cash payment. This exclusion is to encourage you either to work during the summer months or to participate in work programs during the school year.

### IMPAIRMENT-RELATED WORK EXPENSE (IRWE)

SSI beneficiaries who work can claim certain out-of-pocket work expenses that are related to their disability as an **Impairment Related Work Expense**. The expense must, as its name implies, be related to your impairment. It can not be an expense that any similar worker without a disability would also have (such as purchase of a uniform or bus fares unless considered as special transports for persons with a disability). Examples of impairment-related expenses are wheelchairs, certain transportation costs, specialized work-related equipment, attendant care services, and some prescribed medications, treatments, or therapy.

If your SSA Claims Representative agrees that your claimed work expenses can be included in an IRWE, you may recover up to 50% of those expenses by having your SSI check increased up to its maximum amount.

### BLIND WORK EXPENSE (BWE)

If SSA considers you **statutorily blind**, you can have your actual benefit amount increased by up to 100% of all your out-of-pocket work expenses, whether or not those expenses are related to your disability. You can claim such things as transportation expenses, the cost of lunch at work, and even income taxes.

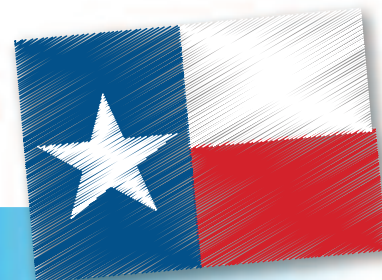
If your SSA Claims Representative agrees that your claimed work expenses can be included in an BWE, you may recover up to 100% of those expenses by having your SSI check increased up to its maximum amount.

### CONTINUATION OF MEDICAID

Your Medicaid while working can continue, even if your earnings become too high for SSI cash payment under Federal Provision 1619(b). To qualify, you must:

1. Have been eligible for SSI for at 1 month;
2. Still have disability;
3. Still meet resource test of \$2,000 individually/\$3,000 as a couple; and
4. Have gross earned income less than of \$29,152 for the year 2009. A higher threshold can be established for individuals with extremely high medical needs.

After premium-free Medicaid coverage stops, persons who are working can purchase medical coverage through **Texas Medicaid Buy-In** program for people with disabilities.





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### **PLAN FOR ACHIEVING SELF SUPPORT (PASS)**

A plan to achieve self-support allows you to use your income from work or other sources such as SSDI to achieve a work goal. The work goal could be going back to school or getting specialized training or tools for a job or services and equipment for a business. Your work goal should result in a job that allows you to earn enough to reduce or eliminate your need for Social Security benefits. Social Security does not count the money or resources set aside under an approved PASS when counting income or resources for SSI eligibility or helping an SSDI beneficiaries qualify for SSI.

**Note:** HUD Retail Assistance Payments – Amounts received by a person under an approved PASS are disregarded (not counted as income) in determining amount of Section 8 rental assistance.

### **PROPERTY ESSENTIAL TO SELF-SUPPORT**

The Social Security Administration (SSA) does not count some resources that you need to be self-supporting when deciding eligibility or continuation of SSI. For example, SSA does not count property such as tools or equipment that you use for work. Or, if you have a trade or business, SSA does not count property such as inventory.

### **EXPEDITED REINSTATEMENT OF BENEFITS**

You can request reinstatement of benefits including Medicaid **without filing a new application** if your benefits ended because of earnings from work. You must be unable to work because of your medical condition and it must be the same as or related to the condition you had when receiving disability benefits. You must file the request for reinstatement with Social Security within 60 months (5 years) from the month your benefits are terminated.

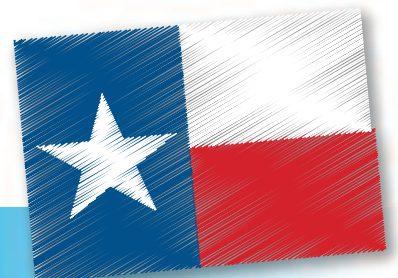
### **VOCATIONAL REHABILITATION (VR) AND TICKET TO WORK PROGRAMS**

The Social Security Act and Ticket to Work legislation allows Social Security Administration (SSA) to pay vocational rehabilitation and Employment Networks providers for the cost of services provided to people receiving Social Security disability benefits or Supplemental Security Income (SSI) payments.

These agencies may help you prepare for, find, and keep a job through one or more of their many services. If you are receiving VR services and SSA determine that you have recovered from your disability, you may be able to continue receive SSI benefits until you have completed your rehabilitation plan. Under Ticket to Work SSA will postpone your scheduled Continuation Disability Review until completing your Individualized Plan for Employment.

**ALERT:** All work activity must be reported to SSA. You can contact SSA or a Community Work Incentive Specialist when engaging in any work activity to determine what effect, if any, working might have on your benefits.

*The Social Security Administration provides 93.6% of the resources for this project and ARCIL, Inc. provides the remaining 6.4%.*





# SSDI Work Incentive

## Social Security Rules of Encouragement for Beneficiaries to Try Work While Receiving Disability Benefits

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### TRIAL WORK PERIOD (TWP)

A Trial Work Period allows you to test your work skills while **continuing to receive your full cash benefit**. During the TWP, there is no limit to the amount of money you can earn.

The TWP begins the first month in which your gross earnings equal or exceed \$700 in a month for calendar year 2009 (up from \$670 in 2008) or that you work more than 80 self-employed hours in a month. The TWP continues until you accumulate 9 months in which you perform as described. These 9 months do not have to be consecutive (worked all in a row), but they must occur within a 60-month period. You are allowed only one TWP within any one period of disability.

### EXTENDED PERIOD OF ELIGIBILITY (EPE)

After the Trial Work Period, you have 36 consecutive months during which you can work and still receive benefits for any month your earnings are not substantial. In 2009, 'countable' earnings of \$980 or more (\$1,640 if blind) are Substantial Gainful Activity (SGA). 'Countable' earnings are determined after applying work incentives such as IRWE and special work conditions as described next (gross monthly earnings less IRWE and special work conditions equal SGA.)

Your cash benefits could be terminated upon achieving SGA but . . . if earnings fall below SGA during this period you can be re-instated **without a new application or a new re-determination**. It could be simply a phone call to the local SSA office.

*If you receive a check in error you should not cash the check and immediately contact your SSA Claims Representative. Otherwise you may be charged later with an overpayment; and be obligated to repay amounts of benefits that you were not eligible but received in error.*

### IMPAIRMENT-RELATED WORK EXPENSE (IRWE)

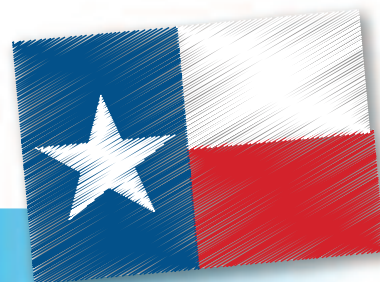
Social Security Disability beneficiaries who work can claim certain out-of-pocket work expenses that are related to their disability as an Impairment Related Work Expense. The expense must, as its name implies, be related to your impairment. It can not be an expense that any similar worker without a disability would also have (such as purchase of a uniform or bus fares unless considered as special transports for persons with a disability). Examples of impairment-related expenses are things such as a wheelchair, certain transportation costs, specialized work-related equipment, attendant care services, and some prescribed medications, treatments, or therapy.

If the SSA Claims Representative agrees that your work expenses are disability related, then the entire amount of your IRWE will be excluded from your earnings in **determining whether or not you are engaging in Substantial Gainful Activity (SGA)**.

### SUBSIDY AND SPECIAL CONDITIONS

"Subsidy" and "special conditions" are the Social Security Administration's (SSA) names for support you receive on the job that may result in you receiving more pay than the actual value of the services you perform. A "subsidy" is provided by your employer. "Special conditions" may be provided by your employer or by someone other than your employer (for example, a vocational rehabilitation agency).

SSA considers the existence of subsidy and special conditions when **SSA determines whether or not you are engaging in Substantial Gainful Activity (SGA)**. SSA uses only earnings that represent the real value of the work you perform to decide if your work is at the SGA level.





# SSDI Work Incentive

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### UN-INCURRED BUSINESS EXPENSES (SELF-EMPLOYMENT ONLY)

"Un-incurred business expenses" are contributions made by others to your self-employment business effort. For examples, the State Vocational Rehabilitation agency gives you a computer for your business, or; a friend works for your business as unpaid help.

SSA generally follows the IRS rules to figure your net earnings from self-employment. However, the IRS only allows you to deduct expenses for which you actually paid or incurred debt. When SSA **determines whether or not you are engaging in Substantial Gainful Activity (SGA)**, SSA also deducts un-incurred business expenses from your net earnings because SSA wants an accurate measure of the value of your work.

### CONTINUATION OF MEDICARE COVERAGE

When you are no longer eligible for cash benefits due to earnings SSDI beneficiary receiving Medicare, can continue to receive free Medicare Part A benefits for **at least 93 months** following a completed Trial Work Period. After premium-free Medicare Part A coverage ends, persons with disabilities who are working can purchase Medicare Buy-In to continue receiving health care coverage.

### EXPEDITED REINSTATEMENT OF BENEFITS

If your benefits end because of earnings from work you can request reinstatement of benefits including Medicare **without filing a new application and with no waiting period**. You must be unable to work because of your medical condition and it must be the same as or related to the condition you had when receiving disability benefits.

You must file the request for reinstatement with Social Security within 60 months (5 years) from the month your benefits are terminated. In addition, you may receive provisional (temporary) benefits, as well as Medicare, for up to six months while your case is being reviewed. If you are found not disabled, these benefits would not be considered an overpayment.

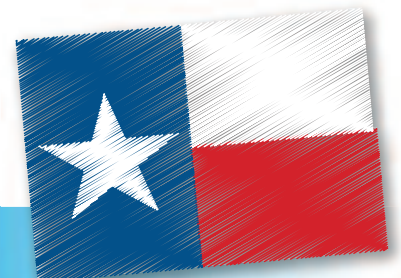
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These agencies may help you prepare for, find, and keep a job through one or more of their many services. If you are receiving VR services and SSA determines that you have recovered from your disability, you may be able to continue receiving SSDI benefits until you have completed your rehabilitation plan. Under Ticket to Work a Continuation Disability Review will be postponed until completing your Individualized Plan for Employment.

**ALERT: All work activity must be reported to SSA.** You can contact SSA or a Community Work Incentive Specialist when engaging in any work activity to determine work incentives that might apply to you. Work Incentives may not be applicable if work occurs within first year of Social Security's date of disability.

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## **Section 8 Work Provisions for People with Disabilities**

**The Section 8 Rental Assistance program includes several provisions that are intended to help participants prepare for employment and become employed or self-employed. One or more of these provisions may apply to you.**

### **EARNED INCOME EXCLUSION**

In the Housing Choice Tenant-Based Voucher program, if a family's annual income increases because of earnings of a member with disabilities, 100% of the earnings can be excluded for up to a year, and 50% for up to another year in calculating Section 8 rent if the member with disabilities was previously unemployed for a specific duration or has participated in certain job training or return to work programs. Disregards also include provision for excluding income from Social Security's Plan for Achieving Self Support (PASS).

### **FAMILY SELF-SUFFICIENCY (FSS) PROGRAM**

Participants can have the difference between the amount of rent they paid when unemployed and the amount they pay when employed deposited in an escrow account. The money becomes available to them when they no longer need a Section 8 rental subsidy.

### **ATTENDANT CARE AND AUXILIARY APPARATUS EXPENSES**

Un-reimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities can be deducted from gross income when calculating the Section 8 rent. The expenses must be necessary to enable a member of the family (including the member who is a person with disabilities) to be employed. This allowance may not exceed the earned income received by the family members who are 18 years of age or older who are able to work because of such expenses.

### **CHILDCARE EXPENSES**

Reasonable childcare expenses necessary to enable a member of the family to be employed or to further his or her education can be deducted from gross income when calculating Section 8 rent. A deduction for childcare needed to enable a family member to work can be no more than the amount earned.

***100% of total costs of the program is federally funded  
under Section 1149 Social Security Act as amended.***

