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GOING TO WORK <<<<

A Guide to Social Security Benefits and Employment for Young People with Disabilities

2011 Edition • by Linda Long-Bellil, Melanie Jordan, and Linda Landry



»»»»»»»» GET GOING



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NOTE

This guide gives a general overview of the rules for Social Security work incentives for Massachusetts in effect on the date this booklet was published. Depending on circumstances, Social Security uses several different financial limits to make its decisions. These amounts can change from year to year to keep up with the cost of living. The amounts used in this guide are accurate for 2011. You should contact the Social Security Administration (SSA) and/or the local Work Incentives Planning and Assistance (WIPA) program for updates on any changes and for individual information on particular situations. (See contact information in the Resources section of this booklet.)



Notes



Introduction

- ◆ Are you the parent of a young person who gets disability benefits?
- ◆ Are you a professional working with young people with disabilities and their families?
- ◆ Are you a young person with a disability?
- ◆ Are you wondering what happens to Social Security or health benefits when a young person goes to work?
- ◆ Then this booklet is for you!

This booklet will:

- ◆ Provide you with basic information about Social Security disability and health benefit programs
- ◆ Tell you what happens to Social Security disability and health benefits when a young person goes to work
- ◆ Explain how to maximize a young person's options when he or she goes to work.

Knowledge is power. Young people and their families are in the best position to make choices about working when they have good information about the impact of work on benefits. The Social Security and Medicaid/MassHealth programs have **work incentives** that can help young people give work a try. These incentives provide a “safety net” in case the job does not work out.

The purpose of this booklet is to give families and professionals working with young people some practical, hands-on information about work incentives. We also hope that young people themselves will read this booklet and use the information to help them make the best choices when they go to work.

Terms to Know

Supplemental Security Income (SSI)

Benefit for people considered disabled (by Social Security standards) who have low incomes and low resources.

Social Security Disability Insurance (SSDI)

Benefit for people considered disabled (by Social Security standards) who have worked enough to qualify for benefits.

Substantial Gainful Activity (SGA)

The dollar amount of earnings that is the cutoff point for eligibility for disability benefits. In 2011, SGA is set at the gross (before taxes) work earnings level of \$1000 per month (\$1640 for blind persons). SGA amounts sometimes change from year-to-year.

Earnings or Earned Income

Money from working; for example, the amount in a paycheck. The terms “gross earnings” or “gross earned income” refer to the amount a person earns before taxes are deducted.

Medicaid/MassHealth

The health coverage program for people with disabilities and others. In Massachusetts, Medicaid is called “MassHealth.” In Massachusetts, SSI recipients automatically get MassHealth Standard benefits. MassHealth CommonHealth is a program for people with disabilities at any income level above the cutoff for MassHealth Standard.

Medicare

The federal program that provides health coverage to individuals who receive SSDI and other Social Security benefits (except SSI).

Resources

Social Security's term for what most people call “assets.” It includes anything you own, such as cash, a bank account, cars, stocks, business assets or other property that you can use to support yourself.

The Basics of Social Security Disability Benefits for Young People

The table below provides a quick, basic overview of Social Security disability benefits and the impact of income from work on benefits. Some of the terms used in this table are explained in the sidebar on page 1. More details are provided in the rest of this guide.

There are two Social Security disability programs*:

SSI—Supplemental Security Income

SSDI—Social Security Disability Insurance

	SSI	SSDI
Requirements to qualify	<ul style="list-style-type: none"> • Disabled. • Low income. • Resource limit of \$2000 (\$3000 for married couple). Parental resources are counted for youth under 18. • Earnings below the Substantial Gainful Activity (SGA) level of \$1000/month at the time of application. (Blind persons do not have to meet this requirement.) 	<ul style="list-style-type: none"> • Disabled. • Earnings below the SGA level of \$1000 per month (\$1640 for blind persons). • Previously worked and paid Social Security taxes.
Effect of earnings on cash benefits	Gradual reduction.	All or nothing.
Medical coverage	Medicaid/MassHealth Standard.	Medicare.
Effect of earnings on medical benefits	<ul style="list-style-type: none"> • Even if SSI cash benefits end, MassHealth Standard coverage continues until earnings are above \$36,391 in 2011 (\$37,240 for blind persons) or until resources are above the SSI limit. • If earnings or resources are above these limits, the person may be eligible for MassHealth CommonHealth. 	<ul style="list-style-type: none"> • When cash benefits end, Medicare coverage stays in effect for up to 7-1/2 years. • MassHealth Standard and MassHealth CommonHealth may also be available for current and former Medicare beneficiaries.

*Notes:

- Some people receive benefits from both programs.
- Contact a legal advocate or benefits specialist for information about citizenship/residency requirements.

Another Benefit: Social Security Childhood Disability Benefit

Social Security has an additional benefit for adults with disabilities whose parents have worked enough to qualify. This benefit is called the Childhood Disability Benefit (CDB). To get this benefit, a young person must be:

- ◆ Disabled before age 22
- ◆ 18 years of age or older
- ◆ Since turning 22, has never earned money at or above the Substantial Gainful Activity (SGA) level. The SGA level for 2011 is \$1000 per month (\$1640 for blind persons).
- ◆ Unmarried (or married to another CDB or SSDI benefits recipient)
- ◆ The child of a parent who worked and is now deceased or who gets Social Security retirement or disability benefits

CDB recipients are **like SSDI beneficiaries** in many ways. For example, they get Medicare, just like SSDI beneficiaries. They also have the same work incentive programs as SSDI beneficiaries.

CDB recipients are **different than SSDI beneficiaries** because they get benefits based on their parents' work records instead of their own and have to meet other special criteria. In addition, **there are different rules for getting back on CDB benefits after they have ended due to work.**

Young people under age 18 can also get a Social Security benefit if their parents have worked enough and are now deceased or getting Social Security retirement or disability benefits. This benefit has a similar name: "Child's Benefit." To receive a Child's Benefit, a young person under age 18 does not have to have a disability. A young person with a disability who has been receiving a Child's Benefit will become eligible for the Childhood Disability Benefit after turning 18.

It is possible that someone can get both CDB and SSI benefits. A few people may even get benefits from all three programs: CDB, SSDI, and SSI.

In this booklet, assume that the same rules apply to both SSDI and CDB recipients. If the rules are different in certain cases, this booklet will make that clear.

If you have questions about how CDB benefits work in a particular situation, contact a local SSA representative, benefits specialist, or advocate.

How Earned Income Impacts SSI Benefits

SSI cash benefits go down gradually as earnings from work go up. Social Security uses gross (before taxes) earnings to decide how much to subtract from the SSI check. Here is how the amount is figured:

- ◆ The first \$85 (\$65 in earned income and \$20 in unearned* income) is not counted.
- ◆ After subtracting these amounts from the person's gross earned income, Social Security divides the remaining earnings by two.
- ◆ This amount, called "countable income," is then subtracted from the amount of the original SSI check. The amount left over is the amount of the person's adjusted monthly SSI payment.

**Unearned Income- All income that is not earned, such as gifts, lottery winnings, dividends, insurance proceeds, child support, etc.*

Calculating the Impact of Earnings from Employment

In general, young people who get Social Security cash benefits (SSI or SSDI) will be better off financially when they go to work, at least on a part-time basis. Work incentive programs allow people to work without having Social Security count all their income when calculating how much the beneficiary should receive. How earnings and work incentives affect a young person's benefits depends on the benefit type. There are different rules for the SSI and SSDI programs. This section will help you understand how work affects benefits.

Helpful Hint: When Social Security Counts Earnings for SSI

Social Security counts earnings for SSI by the date the pay was issued, not earned. For example, a paycheck issued on May 5 for the week ending April 28 counts for May.

If the Person Is Working...

STEP ONE:

(Gross Monthly Earnings from Job minus \$65 minus \$20) divided by 2 =
Countable Income

STEP TWO:

Amount of Original SSI Check *minus* Countable Income =
Adjusted SSI Monthly Payment While Working

The 1619(a) Program: Keeping the SSI Cash Benefit and MassHealth Standard When Working

Social Security has a program that allows SSI recipients who earn over SGA to keep part or all of their cash benefit and their MassHealth. This is called the **1619(a) program**.

- ◆ No matter how small the SSI cash benefit gets as earnings increase, recipients are automatically entitled to their full MassHealth coverage, as long as they stay below the SSI resource limit.
- ◆ Some people will earn enough money that their SSI payment will be reduced to zero dollars based on the calculations previously described. This is called the **Break-Even Point**.
- ◆ Once someone has reached the Break-Even Point, they will stop receiving SSI cash benefits. The person would then be eligible for MassHealth Standard continuation under 1619(b) [see next page]. Contact a benefits specialist for more information.

Example: Effect of Working on SSI

Casey is a 19-year-old high school graduate who lives independently in her own apartment. She receives \$788.39 per month in SSI. She began working 28 hours per week in the mailroom at a large law firm and now earns \$10 per hour. Her gross earnings are \$1120/month.

Her SSI check is reduced in proportion to her earnings. The first \$85 she earns has no impact on her SSI check. After that, her check is reduced \$1 for every \$2 she earns.

Monthly income prior to working

SSI benefit	788.39
<u>Work earnings</u>	<u>+ 0.00</u>
Total income	\$788.39

Monthly income when Casey works

STEP ONE:

Work earnings	1120.00
Income exclusions	<u>- 85.00</u>
Remaining	1035.00
<u>Divide by two</u>	<u>÷ 2</u>
Total countable income	\$517.50

STEP TWO:

SSI Benefit	788.39
<u>Total countable income</u>	<u>- 517.50</u>
Adjusted SSI payment	\$270.89

STEP THREE:

Adjusted SSI payment	270.89
<u>Work earnings</u>	<u>+ 1120.00</u>
Total income	\$1390.89

As you can see, Casey's overall **income is significantly higher** when she is working. Although her SSI check has been reduced, she is now getting \$1120 from her job plus \$270.89 from SSI for a total of \$1390.89 each month. This represents an **income increase of \$602.50 per month**. Because she continues to receive an SSI cash benefit, Casey also keeps full MassHealth coverage.

MassHealth for Young People with Disabilities Who Work

Two types of MassHealth benefits may be available to young people with disabilities who get SSI or SSDI and who want to work: **MassHealth Standard** and **MassHealth CommonHealth**.

MassHealth Standard

This program automatically gives health coverage to SSI recipients. Other young people who are not on SSI may apply separately for MassHealth Standard. To be eligible for MassHealth Standard, a person must have a low income. However, **there is no asset (resources) limit for MassHealth Standard benefits that are requested separately from SSI benefits.**

MassHealth CommonHealth for Working Adults

This program covers adults age 18 through 64 who are **over the income limit for MassHealth Standard** but meet the same disability standards and work at least 40 hours per month. CommonHealth covers most of the same benefits as the MassHealth Standard program. CommonHealth Working members pay a monthly premium that increases as their income goes up. **There are NO income or asset limits for the CommonHealth Working program.** There is also a MassHealth CommonHealth program for people who are not working. People in the CommonHealth Non-Working program pay a substantial one-time deductible, in addition to a premium if they are over age 18.

MassHealth CommonHealth for Children

The MassHealth CommonHealth program covers children under age 18 who meet the SSI disability standards but whose family income is too high to qualify for SSI or MassHealth Standard. Similar to the adult program, families pay a monthly premium based on their income. **There are NO income or asset limits for the CommonHealth for Children program.**

The 1619(b) Program: Keeping MassHealth Standard Beyond the Break-Even Point

Social Security has a program that allows SSI recipients to keep their MassHealth coverage, even if they have reached the Break-Even Point and earn too much money to continue to get SSI cash benefits. This is called the **1619(b) program**.

- ◇ Under the 1619(b) program, MassHealth Standard coverage continues until annual earnings reach \$36,391 (\$37,240 for blind persons). This is called the “threshold amount.” In addition, their resources must stay below the SSI limit of \$2000/single individual or \$3000/married couple. Parental income and resources are counted for youth under age 18.
- ◇ If the person’s gross earned income is above this threshold amount, they may be able to stay on MassHealth Standard by using work incentive programs that allow them to reduce the amount of income that Social Security counts when calculating their SSI check. See the “Methods for Maximizing Benefits” section starting on page 11 to learn more about these work incentives.
- ◇ In some situations, individuals whose earnings are above the threshold amount may be able to keep MassHealth Standard by proving that they have “extraordinary medical expenses.” Social Security decides whether medical expenses meet this condition on a case-by-case basis.
- ◇ Another option for individuals whose earnings are above the 1619(b) threshold amount or the SSI resource limit is a program called MassHealth CommonHealth, which covers many of the same services as MassHealth Standard. A person cannot be eligible for SSI and receive CommonHealth at the same time. See the sidebar at the left on this page.
- ◇ Talk to a benefits specialist or advocate for more information.

How Can a Young Person Get Back on SSI Benefits After Working?

- ◆ If young person starts working and earning money **above the 1619(b) threshold amount**, their SSI eligibility will be “suspended.” This means that they will be considered temporarily ineligible for SSI cash benefits. (They may be able to keep MassHealth Standard as described on page 6.)
- ◆ Many people’s earnings go up and down. If their earnings go back down **below the 1619(b) threshold amount** within the first 12 months after their eligibility is suspended, they may be able to get **MassHealth Standard benefits** again without having to reapply.
- ◆ If their earnings go below the **1619(b) Break-Even Point**, they may also be able to get **SSI cash benefits** again.
- ◆ If the person’s SSI remains suspended for 12 consecutive months due to earnings over the threshold amount or because they are above the resource limit, their eligibility is “terminated.”
- ◆ Even after eligibility has terminated because of earnings over threshold amount, it may be possible to get back on SSI benefits by contacting Social Security and asking for **Expedited Reinstatement (EXR)**. This depends upon whether the disability is the same as or related to the disability that originally qualified the person for SSI and other circumstances. If a person asks for Expedited Reinstatement within five years from the month when cash benefits ended, he or she can get six months of **provisional benefits** while waiting for a decision.
- ◆ It may also be possible to start over with a new application, although this does not include provisional benefits. A Social Security claims representative should be able to explain the pros and cons of each process.



Note: It is important to report any changes in the amount a person earns to Social Security as soon as those changes happen.

Example: Effect of Working on SSDI

Jose is 21 years old and receives an SSDI check of \$685 per month. He has started working 32 hours per week as a data entry clerk in a local bank. He earns \$9.50 per hour and has a monthly gross income of \$1216.

During the first nine months that he works, Jose uses his Trial Work Period (TWP), so his SSDI check is not affected. He receives both his paycheck and his full SSDI check. After his nine-month Trial Work Period ends, Jose enters his 36-month Extended Period of Eligibility (EPE).

Because Jose continues to earn over the 2011 SGA amount of \$1000/month, the first month of his EPE is his **cessation month**. He receives full SSDI benefits for his cessation month and the following two months, regardless of how high his earnings are. These three months are called the **grace period**. After this point, he stops getting SSDI checks.

His SSDI benefits can be reinstated within the 36-month EPE if his earnings stop or drop below the SGA level during that period. If Jose's earnings are above the SGA level when the EPE ends, his eligibility for SSDI benefits will terminate.

Monthly income during first 12 months

SSDI benefit	685.00
<u>Work earnings</u>	<u>+ 1216.00</u>
Total income	\$1901.00

Monthly income after 12 months (TWP + grace period)

SSDI benefit	0.00
<u>Work earnings</u>	<u>+ 1216.00</u>
Total income	\$1216.00

Because Jose is losing his SSDI due to earnings above the SGA level, if his earnings fall below the SGA level again within five years he can file for Expedited Reinstatement of benefits without having to reapply.

As you can see, for the first 12 months that he works, Jose will take home **\$1216 more** than he made on SSDI benefits alone. Once his SSDI check stops after the first 12 months of work, he will still be making **\$531 more per month** than he received in SSDI benefits. With or without his SSDI cash benefits, Jose **comes out ahead when he works**. He will also be able to keep his Medicare for 93 months (about seven and a half years) after the end of his TWP.

How Earned Income Impacts SSDI Benefits

SSDI benefits work differently from SSI. The SSDI program does not include an option for reductions in benefits. A person receiving SSDI either gets the full cash benefit or no benefit at all. SSDI work incentive features have helped many people return to work.

The Trial Work Period (TWP)

SSDI beneficiaries can test their ability to work while still getting their full cash benefit **and** Medicare by using the **Trial Work Period**. The Trial Work Period is a period of **nine months** during which individuals can work and still get their full SSDI check and Medicare, regardless of how much money they earn. During the TWP, beneficiaries can test their ability to work and still get their benefits.

- ◆ The nine months of the TWP can be consecutive (one after the other) or can be spread out over a 60-month period (five years).
- ◆ Any month in which a person earns **more than \$720** (2011 amount adjusted annually for inflation) **counts as a TWP month**.
- ◆ A month in which an individual earns **less than \$720** (in 2011) **does not count** as a TWP month.
- ◆ After working and using up the nine TWP months (months in which earnings were over \$720/month) over a 60-month period (five years), a person automatically enters the Extended Period of Eligibility (EPE).

SSDI Extended Period of Eligibility (EPE)

Many people worry about going to work because they are concerned that their health may get worse or that they may lose their job at a later date and then have a hard time getting back on benefits. For this reason, SSA has created the Extended Period of Eligibility. The EPE makes it easier for people to get back on cash benefits during a certain period of time after they start working.

- ◆ The EPE starts right after the nine-month Trial Work Period and lasts for 36 months (three years).
- ◆ During the EPE, a different earnings limit applies. The earnings limit that applies during the EPE is the **Substantial Gainful Activity** (SGA) level. In 2011, the SGA level is \$1000 per month (\$1640 for blind persons).
- ◆ The first time individuals earn more than SGA after the TWP ends, they will receive their check for three additional months. This three-month period is called the “grace period.”
- ◆ If earnings stay **above** the SGA level **after the grace period ends**, benefits will be “**suspended**” and the person **will not receive a check**.
- ◆ **During** the EPE, the person will **get a check** for any month that their earnings drop **below** the SGA level. They must report this change to Social Security to get a check.
- ◆ **After** the EPE ends, if a person’s earnings remain **above** the SGA level, **cash benefits will stop** and are considered “**terminated**.”
- ◆ On the other hand, if earnings stay **below** the \$1000 SGA level, month after month, **without ever going higher**, then benefits continue with no time limit, even after the EPE ends.
- ◆ A work incentive program known as Impairment-Related Work Expenses (IRWE) can be used to stay below the SGA level; information on IRWE is included later in this publication.

Note: Under **very limited circumstances**, it may be possible to prove individuals who worked for six months or less had an **Unsuccessful Work Attempt** if they stopped working for disability-related reasons. For example, if someone quit because a disability got worse when he or she went back to work, then this may be considered an Unsuccessful Work Attempt. In some cases, proving that individuals had an Unsuccessful Work Attempt may help them stay on SSDI and even get benefits for the months that they worked. Social Security will not make this determination automatically. Individuals must take steps to prove that their work activity qualifies as an Unsuccessful Work Attempt.



Helpful Hint: When Social Security Counts Earnings for SSDI

The rules for counting earnings for SSDI are different than the rules for SSI. For SSDI, Social Security counts by the date the pay was earned, not issued. So, income earned in June but paid in July counts as earned income for June and, if over \$720 (in 2011), would make June count as a TWP month.

How Can a Young Person Get Back on SSDI Benefits After Working?

After SSDI benefits end **because a person's earnings are above the SGA level**, he or she may have three options, depending on the situation, to get back on benefits if necessary.

- ◆ First, if individuals stop working during the EPE (the first 36 months after the TWP), then their benefits will restart automatically after they report the change to Social Security.
- ◆ Once benefits have terminated because of work after the EPE, Expedited Reinstatement (EXR) is a faster reapplication option if disability benefits are again needed. If a person asks for Expedited Reinstatement within five years from the month when cash benefits ended, he or she can get six months of provisional benefits while waiting for a decision. To qualify for EXR, a person's disability must be the same as or related to the disability that originally made him or her eligible for benefits.
- ◆ The third option is to reapply, which means starting from scratch and filing a new application. (This does not include provisional benefits.) A Social Security claims representative should be able to explain the pros and cons of each process.

Medicare Eligibility

SSDI beneficiaries can keep their Medicare coverage for up to 93 months (about seven and a half years) after the end of the TWP unless Social Security decides that they are not disabled. Persons must pay the same Medicare Part B and Part D premiums that they paid while receiving cash benefits. Medicare Part A, which covers hospital services, continues to be free of charge during this time period. After free Medicare Part A benefits end individuals can buy Medicare Part A, in addition to Part B and Part D, by paying a premium.



Note: The rules for reinstatement and reapplication are different for Childhood Disability Benefits (CDB). Individuals who receive CDB benefits should consult with a local Social Security representative, legal advocate, or benefits specialist about how the rules for each process apply to them.

Methods for Maximizing Benefits

Social Security has several additional programs that reduce the impact of work on disability benefits. These work incentives allow individuals to subtract certain work-related expenses from their income in order to maintain SSI/SSDI eligibility and/or reduce the amount of money taken out of their benefit check. For further information on any of these programs, contact the local Work Incentives Planning and Assistance (WIPA) program (see the Resources section) or check the Social Security website: www.ssa.gov/work/ResourcesToolkit/workincentives.html.

1. Impairment-Related Work Expenses (IRWEs)

IRWEs are expenses for items and services a person with a disability needs in order to work. Social Security gives its recipients an incentive to work by excluding these costs from the gross earned income that it counts for both the SSI and SSDI programs.

- ◆ The items and services must be needed because of the person's disability. Examples of items that may qualify as an IRWE include attendant care services, transportation costs, job coaching, medical devices, adaptive equipment, medication, psychological evaluations, and therapy.
- ◆ The local Social Security office determines whether a particular expense is deductible as an IRWE.
- ◆ The expense must be paid for by the individual and not covered by insurance or otherwise paid for by another source or a family member.
- ◆ The cost of the expense is deducted from the amount of earnings that Social Security counts, only if over SGA. For instance, if a person earns \$1200 but spends \$250 on job coaching, Social Security would only count \$950 of earnings (\$1200 *minus* \$250 = \$950).

These expenses must be documented and reported to SSA to qualify for the exclusion.



Example: IRWE and SSDI

Mai receives \$650 per month in SSDI benefits. In 2011, she begins a new job and earns \$1100 per month before taxes. Because her wages are higher than the 2011 SGA level of \$1000, without an IRWE Mai will stop getting her Social Security benefits following the end of her TWP and grace period.

Mai uses the services of a job coach to help her with job-related functions. Part of the cost of the job coach is paid for by the state vocational rehabilitation agency, but Mai needs a few more hours of coaching, which she pays for out-of-pocket. These services cost her \$200 per month. By deducting an IRWE from her gross monthly wages, Mai's countable income would be below SGA, allowing her to keep her SSDI benefits.

STEP ONE:

Work earnings	1100.00
<u>IRWE</u>	<u>-200.00</u>
Remaining earnings (Below SGA)	\$900.00

STEP TWO:

Remaining earnings	900.00
<u>SSDI check</u>	<u>+ 650.00</u>
Total income	\$1550.00

As you can see, the IRWE helped Mai to **keep her SSDI benefits and more than double her usable income!**

IRWE AND PASS: What's the Difference?

IRWE	PASS
No time limit—can be ongoing but is evaluated annually	Time-limited, based on approved time period
Based on current work needs	Based on a future work goal
Items or services necessary to continue working (medication, transportation, personal care, accommodations)	Items or services necessary to reach work goal (training, education, car, self-employment equipment)
Item is needed because of any disability-related impairment	Item is not necessarily related to disability
Available to people on SSI or SSDI	Available to people on SSI (using a PASS may allow SSDI recipients to qualify for SSI)
Requires written request approved by SSA and proof such as invoices or receipts	Requires an application that must be approved by SSA

2. Plan for Achieving Self-Support (PASS)

A PASS plan is a work incentive that allows an SSI recipient to **set aside** (save) money, including SSDI and other Social Security benefits, for expenses to achieve a vocational goal. These set-aside funds will not be counted when determining a person's eligibility or the amount of their SSI cash benefit. By using a PASS, a young person may:

- 1. Qualify for SSI**
 - 2. Keep SSI, even if they make too much money to qualify otherwise**
 - 3. Increase monthly SSI benefits by setting aside income or resources.**
- ❖ Money set aside does not count as income and also does not count towards the \$2000 limit on resources (\$3000 for couples) for the SSI program. This is how using a PASS may help someone qualify for SSI.
 - ❖ The types of things that a PASS plan can cover include education and training classes, job coaching, transportation, initial costs for purchasing a car or van, clothes for a job, items to start a business, and equipment to do a job.
 - ❖ The Social Security Administration must approve a PASS plan. There is a PASS application form, which is available from the Social Security website and offices. PASS plan applications are submitted to the local office, which forwards them on to the regional office for review.
 - ❖ A PASS plan is time-limited, based upon the time frame that is outlined in the approved plan. Typically, they are approved in 18-month blocks of time.
 - ❖ Teams of Social Security specialists, called "PASS Cadres," are available for advice. WIPA specialists can help prepare applications. See the Resources section of this booklet for contact information.
 - ❖ It is possible to have a PASS plan for one or more expenses and at the same time have an IRWE for other work-related expenses not covered by the PASS.

3. Blind Work Expenses (BWEs)

If a person receives SSI and is blind, they can exclude expenses needed to work (not necessarily related to the disability) from their gross earned income when Social Security decides on the amount of their SSI check. These expenses are called Blind Work Expenses (BWEs). Examples include transportation to and from work, federal and state income taxes, Social Security taxes, union dues, translation of materials into Braille, guide dog expenses, child care, and costs of meals consumed at work. These expenses must be documented and reported to SSA to qualify for the exclusion.

In the example on the right, if **Marcus were legally blind, then he could deduct any expenses that he paid in order to work**. Unlike Impairment-Related Work Expenses, Blind Work Expenses do not have to be related to the person's disability. For example, Marcus could deduct the cost of transportation to work regardless of whether his blindness required any specialized arrangement. He could also deduct expenses such as income taxes and union dues. Of course, costs related to blindness are also included, so he could deduct expenses for items such as adaptive computer software or guide dog services. This could result in Marcus preserving much of his SSI cash benefit.

Example: IRWE and SSI

Marcus is 22 years old and lives in his own apartment. He receives \$788.39 per month in SSI. Then he begins a new job that pays him gross monthly earnings of \$1000.

Marcus has a physical disability. He cannot use available public transportation and cannot drive himself. Therefore, he pays a driver to transport him to his job as well as a personal care attendant to assist him with getting bathed and dressed for work. These services cost Marcus \$300 per month and qualify as Impairment-Related Work Expenses. Marcus can reduce the impact of his earnings on his countable income by deducting IRWEs from his gross monthly wages.

Monthly income prior to working

SSI benefit	788.39
<u>Work earnings</u>	+ 0.00
Total income	\$788.39

Monthly income while working

STEP ONE:

Work earnings	1000.00
Income exclusions	- 85.00
<u>IRWES</u>	- 300.00
Remaining earnings	\$615.00

STEP TWO:

Remaining earnings	615.00
<u>Divide by two</u>	÷ 2
Total countable income	\$307.50

STEP THREE:

SSI benefit	788.39
<u>Total countable income</u>	- 307.50
Adjusted SSI payment	\$480.89

STEP FOUR:

Adjusted SSI payment	480.89
<u>Work earnings</u>	+ 1000.00
Total income	\$1480.89

As you can see, the IRWE helped Marcus to nearly double his usable income!

Example: SEIE and SSI

Marta is a 15-year-old high school student who lives with her parents. Because some of her parents' income is deemed to be available to her, she receives a monthly SSI check of 385.25. As part of her Individualized Education Plan (IEP), Marta has a part-time job in the school's canteen. She works ten hours per week and earns \$8.50 per hour. Her total monthly income is \$340. Because she is a student, Marta can use the Student Earned Income Exclusion, which allows her to exclude her earnings up to \$1640 per month (up to a total of \$6600 per year) from her countable income for SSI.

Monthly income prior to working

SSI benefit	385.25
Work earnings	+ 0.00
Total income	\$385.25

Monthly income while working

STEP ONE:

Work earnings	\$340.00
SEIE	-340.00
Total countable earnings	\$0.00

STEP TWO:

SSI benefit	385.25
Work earnings	+ 340.00
	725.25
Total SSI deduction	-0.00
Total income	\$725.25

In Marta's case, all of her work earnings are excluded, and there is no impact on her benefits.

4. Student Earned Income Exclusion (SEIE)

The Student Earned Income Exclusion is a work incentive that allows qualified young people who are in school to keep some or all of their earnings without losing money from their SSI checks. If an SSI recipient is a student under the age of 22, Social Security can exclude up to \$1640 of earnings in a month from his or her countable earnings for SSI purposes. The maximum annual exclusion is \$6600 (2011 figures). These amounts can change annually to keep up with inflation. To qualify for this exclusion, the student must be:

- ◇ In college or university for at least eight hours a week, or
- ◇ In grades 7-12 for at least 12 hours a week, or
- ◇ In a training course to prepare for employment for at least 12 hours a week (15 hours a week in a course involving shop practice)
- ◇ SEIE requires a formal request, along with submission of documentation

Students may be eligible for the SEIE if they are in school for less time than indicated above due to reasons beyond their control, such as illness. In addition, a homebound student may be eligible for this exclusion in some circumstances. Contact a local Social Security representative, benefits specialist, or legal advocate for more information.

What Happens When a Young Person Turns 18?

The Age 18 Review

When a young person who gets SSI turns 18, the Social Security Administration reevaluates his or her eligibility under new medical standards designed for adults. This review is called an **Age 18 Review**.

The adult disability standards are different than the disability standards for children. In some cases, Social Security will decide that the young person **is disabled** under the adult standard and he or she will continue to receive SSI and MassHealth Standard benefits. In other cases, Social Security will decide that the young person **is not disabled**, and therefore **not eligible** for SSI under the adult standard. Typically, this would result in a termination of SSI benefits and possibly MassHealth Standard.

If SSA decides that a young person is not disabled during the Age 18 Review, he or she may keep receiving SSI benefits by filing an appeal within 10 days along with a request that benefits be continued.

Things to Think About When a Young Person Turns 18

There are several things that young people and their families may want to think about to help them prepare for the future, starting about a year before the young person turns 18. Considerations include:

- Who can provide evidence of their disability to Social Security for the Age 18 Review?
- Who will they live with (e.g., alone, or with family or roommates) and how will that affect the amount of their SSI check?
- Will their income or resources change when they turn 18? For example, will they inherit money or lose other public benefits or child support?
- Can they manage their own benefits, or do they need a representative payee? Is there a trustworthy person who can be the representative payee?
- Have they made future educational or vocational plans? How can work incentives help them reach these goals?
- **Who can help** them achieve their employment and other goals? Would a referral to the Massachusetts Rehabilitation Commission or other services (e.g., occupational therapy, counseling) be appropriate?
- Should they contribute any of their income or resources towards a PASS plan? If a PASS plan already exists, does it need to be amended to account for any changes in income or other factors?
- If SSA decides that they are no longer disabled after age 18, will Social Security continue their benefits under Section 301 (see next page)? What steps can they take ahead of time to qualify for the 301 Continuation Period?

This checklist is adapted from a more detailed version developed by Virginia Commonwealth University called "Age 18 Benefits Check-Up for Youth Transition Demonstration Participants." It can help other young people and their families prepare for benefit changes that may occur at age 18. The checklist is available at www.worksupport.com/documents/transitiontool2.pdf

Virginia Commonwealth University also has other helpful information for transition-age youth under the heading "Resources" on its website, www.worksupport.com.

Work Incentives and the IEP

Under the Individuals with Disabilities in Education Act (IDEA) of 2004, youth receiving special education services are entitled to transition planning starting at age 14, or sooner, if the Individualized Education Planning team determines it appropriate. The transition planning process provides a unique opportunity to focus on how work incentives can help youth with disabilities plan a future that includes employment. Work incentives can help reassure young people and their families that young people can work and take steps toward future education and employment and still have a “safety net” in place.

Ways that work incentives can facilitate transition planning include:

- A PASS plan can be used to achieve goals such as saving for college or job development services.
- Young people under age 22 who work while in school may be eligible for the Student Earned Income Exclusion. This work incentive can encourage students to include part-time work in their transition plans, thereby preparing them for work as adults.
- The Section 301 Continuation benefit can help students who have an IEP or are participating in a vocational or employment program to keep their SSI benefits even if they are no longer considered “disabled” under Social Security standards after the age of 18.

Another Option for Keeping Benefits: The Section 301 Continuation Period for People Turning 18

Social Security has a special program that allows people who are actively pursuing work-related goals to keep their SSI and MassHealth Standard benefits, even when Social Security has decided that they are “not disabled” under the adult standard. This program is called the Section 301 Continuation benefit. To decide whether a particular person is eligible, Social Security reviews each case individually and decides whether someone’s activities are likely to prevent him or her from needing disability benefits in the future. Young persons will automatically meet this requirement if they are between the ages of 18 and 21 and have an Individualized Education Plan (IEP) in place that meets certain standards.

Young persons may also meet this requirement if they are participating in an “appropriate” vocational rehabilitation (VR) program **prior to** the date that Social Security decided that they were not disabled under the adult disability standards **and for at least two months afterwards**. Social Security looks at each vocational program individually to decide whether it is “appropriate” and to determine whether it is likely to prevent a person from seeking disability benefits in the future. Note that benefits will stop once the VR program is completed.

A few examples of vocational plans and programs that might be included in this category are:

- ◆ A PASS Plan
- ◆ An Individual Plan for Employment (IPE) with the Massachusetts Rehabilitation Commission (MRC), the state vocational rehabilitation agency in Massachusetts
- ◆ An Individual Work Plan (IWP) with a Ticket to Work Employment Network (see information about Ticket To Work on page 20)
- ◆ A program of vocational rehabilitation, employment, or other support services under a similar Individualized Written Employment Plan with a federal agency, One-Stop Center/delivery system, or other provider approved by SSA (such as a public, private, or parochial school).

If You Are Helping a Young Person Determine the Impact of Employment on Benefits...

You need to know:

- ◆ The person's age
- ◆ The benefits the person gets (SSI, SSDI, CDB, or a combination)
- ◆ The amount of the monthly payment

If unsure, you can request this information in writing from Social Security, with a signed release from the parent or guardian if the youth is under age 18. Persons over age 18 can sign for themselves unless they have a guardian or a representative payee, in which case that person signs the release instead. A representative payee receives checks in a beneficiary's name. Social Security has a form titled "Consent for Release of Information" (form SSA-3288), which is included at the end of this publication. The form is also available at www.ssa.gov/online.

- ◆ Inform the young person about work incentives (IRWE, PASS, etc.) and make suggestions on how to use them.
- ◆ Remind the young person that income and job changes (employment starts and stops, a new job, a job loss) **must** be reported to Social Security as soon as they happen.
- ◆ If the young person is on SSI and will stay on it when he or she starts working, remind him or her that resources must stay below the \$2000 limit (\$3000 for a married couple). For youth under age 18, parental resources must remain below \$2000 (if a child lives with one parent) or under \$3000 (if the child lives with two parents). Otherwise the person can lose SSI and possibly MassHealth Standard coverage. Note: Young people in this situation may be eligible for MassHealth CommonHealth and should contact the MassHealth program as soon as possible to prevent an interruption in coverage.

What Happens to Benefits If a Young Person Gets Funding for College or Other Education/ Training Beyond High School?

Social Security **does not count as income** any federal student financial aid received under the Higher Education Act, such as Pell grants and work-study funds. There is no time limit on this exclusion. Specific examples include funds from the following federal educational assistance programs:

- Work-Study Programs
- Pell Grants
- State Student Incentives
- Academic Achievement Incentive Scholarships
- Byrd Scholars
- Federal Supplemental Educational Opportunities Grants (FSEOG)
- Federal Educational Loans (Federal PLUS Loans, Perkins Loans, Stafford Loans, Ford Loans, etc.)
- Upward Bound
- Gear Up (Gaining Early Awareness and Readiness for Undergraduate Programs)
- LEAP (Leveraging Educational Assistance Partnership)
- SLEAP (Special Leveraging Educational Assistance Partnership)
- State educational assistance programs, **including work-study**, funded by LEAP or SLEAP

Some other forms of financial aid for education may be subject to special rules. Check with a Social Security representative, legal advocate, or benefits specialist for more information.

Note: It is often a good idea to put any education-related funds into a separate account. This arrangement can help show Social Security that these funds are intended only for educational expenses and should not be counted in the same way as other income or resources. A separate account can help prevent any misunderstanding about these funds that might otherwise cause an interruption in benefits.

Tips for Managing Social Security Benefits

- ◆ Refer young persons for further information and/or benefits counseling (see the Resources section in this booklet).
- ◆ Develop a good relationship with the local Social Security office.
- ◆ Arm yourself with information: Learn about the different programs and learn as much as you can about the impact of employment on benefits.
- ◆ Do not rely solely on what the Social Security representatives tell you verbally. Some representatives deal mainly with retiree benefits and only occasionally with disability benefits. Therefore their knowledge may be limited.
- ◆ Additional help is available locally to directly assist youth and families with managing benefits, including legal and advocacy organizations. The SSA sponsors a network of Work Incentives Planning and Assistance (WIPA) programs throughout the country. In Massachusetts, the two WIPA programs are run by the Massachusetts Rehabilitation Commission and the Center for Health Policy and Research at the University of Massachusetts Medical School, and are responsible for different parts of the state. (See the Resources section for contact information.)
- ◆ Discuss the best method for reporting earnings with the local Social Security office. This is particularly important if a recipient's earnings vary from month to month. SSI and SSDI beneficiaries should keep good records concerning work history, wages (pay stubs), and benefits received.
- ◆ Make and keep copies of everything sent to the SSA. Send important letters (e.g., appeals) by certified letter, return receipt requested.
- ◆ Keep a written record of all phone calls to the SSA — whom you spoke to, date and time, information given and received. Always follow up any substantive phone conversations in writing.
- ◆ Respond quickly to all letters from the SSA.



Dealing with Overpayments

Be aware that the Social Security Administration (SSA) sometimes will send checks that should not have been issued. The recipient will then get an “overpayment notice” and will be told to pay the money back. This may be because the recipient neglected to report a wage increase, or it may be because the SSA made a mistake. To avoid hardship, the recipient may want to set aside funds not due to them in a separate bank account. If a recipient feels he or she should not have to return the funds, that person has 60 days to file an appeal or a waiver form. If the person does not qualify for an appeal or waiver, it may be possible to work out a payment plan.

- ◆ If a young person goes into the hospital, and will be in for at least a month, the SSA should be notified immediately to help preserve benefits.
- ◆ An individual has the right to appeal any decision that the SSA makes.
 - Up to 60 days are allowed to file an appeal. SSI recipients can keep getting their checks during the first appeal if they appeal within ten days of receiving the first decision letter from Social Security and request that benefits continue. This is called the “ten-day rule.” SSDI and CDB recipients can use the ten-day rule only when appealing decisions that their disability has ended after a continuing disability review. Check with a local Social Security office, legal advocate, or benefits specialist to find out whether the ten-day rule applies in individual situations.



Housing Benefits: Rent Freeze Work Incentives

People who live in public or subsidized housing have yet another concern related to going to work. They face the potential for a rent increase when their income goes up due to starting a new job. There are regulations in place that allow eligible tenants to have their new work earnings not count for up to two years. These policies vary depending upon the type of housing subsidy involved. For more information, contact the Massachusetts Law Reform Institute at 617-357-0700 or Greater Boston Legal Services Housing Unit at 617-371-1234 or 800-323-3205. If a person is a recipient of Federal Public Housing or a Section 8 Housing Choice Voucher, ask about the “Self-Sufficiency Incentive.” If a person is a recipient of State Public Housing and/or has vouchers from the MRVP (Massachusetts Rental Voucher Program) or AHVP (Alternative Housing Voucher Program), ask about the “Earned Income Exclusion.” The Institute for Community Inclusion offers a publication called **Massachusetts Public and Subsidized Housing Tenants: Know Your Rights! Get a Rent Freeze When You Go to Work**, which can be found at www.communityinclusion.org/article.php?article_id=194.

The Ticket to Work and Work Incentives Improvement Act of 1999

On December 17, 1999, President Clinton signed the Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIA). This law was designed to assist people with disabilities in going to work while addressing concerns over benefit loss. It includes several important opportunities for people who receive Social Security disability benefits. The Ticket to Work allows people receiving Social Security disability benefits to obtain assistance in finding employment at a vendor/service of their choice.

What Is the Ticket to Work Program?

The Ticket program is an employment initiative of the Social Security Administration. The program offers Social Security disability beneficiaries age 18 to 64 greater choices in obtaining the services they need to help them go to work. Participation in the Ticket program does not automatically affect the person's Social Security cash benefit. Should earnings increase as a result of getting a job through the Ticket's assistance, then cash benefits may be changed accordingly.

When Did the Ticket Program Begin?

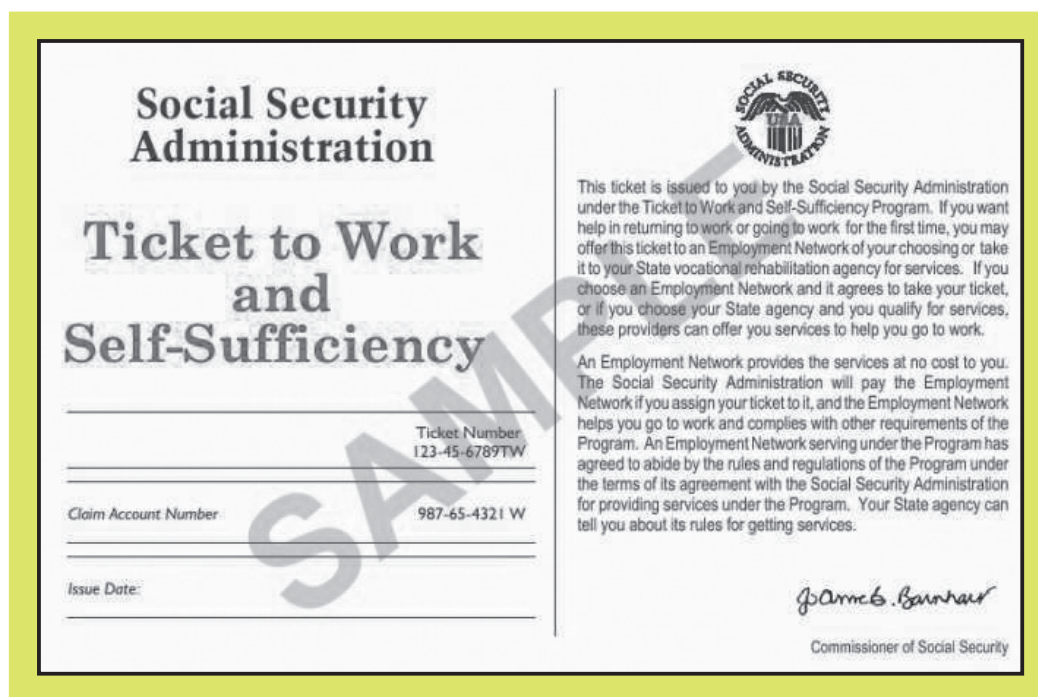
The Ticket program began in 2002 and was phased in nationally over a two-year period. Massachusetts has participated since the beginning phase of this process.

What Does a Ticket Look Like?

The Ticket is a paper document that has some personal information and some general information about the Ticket program. See the sample Ticket at right or go to www.ssa.gov/work/Ticket/newTicketImage.html.

How Does a Person with a Disability Get a Ticket?

SSA is working with an organization named Maximus, Inc., in McLean, Virginia which is helping to manage the Ticket program. When a young SSI or SSDI recipient turns 18, Social Security will review the individual's disability status and Maximus will automatically send the Ticket in the mail with a letter explaining the program to those individuals determined eligible to receive one.



If a Person Gets a Ticket, Does He or She Have to Use It?

No. The Ticket program is voluntary.

Where Does a Person Take His or Her Ticket to Get Services?

The person takes the Ticket to what the law calls an **Employment Network**. Employment Networks are private organizations or public agencies (such as the Massachusetts Rehabilitation Commission/MRC) that have agreed to work with Social Security to provide services under this program. In some situations, schools can apply to become Employment Networks for students 18 to 21 years of age who receive SSI or SSDI.

How Does a Person Find Out About Employment Networks?

The program manager, Maximus, sends people with disabilities a list of the approved Employment Networks in their local area along with the Ticket. Employment Networks may also directly contact people with disabilities to offer their services. This information is available on the Social Security website at www.ssa.gov/work/who_can_help.htm#EN.

How Does a Person Choose an Employment Network?

People with disabilities can contact all Employment Networks in their local area to see which is the right one for them. Both the individual with a disability and the Employment Network have to agree to work together.

Can a Person Change Employment Networks?

Yes. People with disabilities have the right to stop working with one Employment Network and begin working with another one.

Before individuals make this decision, however, they should make sure they fully understand how the new Employment Network plans to help meet their employment goals.

If a Person Throws a Ticket Away by Mistake, Can He or She Still Participate in the Program?

Yes. You can contact Maximus if you have lost your Ticket or you have questions about Ticket eligibility. However, you do not need your actual paper Ticket to participate. Any Employment Network can electronically check your eligibility for Ticket Services.

How Can I Get More Information about the Ticket Program?

Contact the program manager:

Maximus Corporation

Voice: 866-968-7842

TTY: 866-833-2967

www.maximus.com/corporate/pages/youthdisabperssvs.asp

You can also contact the Social Security Administration:

Voice: 800-772-1213

TTY: 800-325-0778

Email: ttwwiia@ssa.gov

www.ssa.gov/work/Ticket/ticket_info.html

Pamphlets and other written materials are available at local Social Security offices. Information about the Ticket program is also available from many other private and government organizations that help people with disabilities.

RESOURCES

The organizations described in this resources section can help individuals with their Social Security work incentives and benefits questions. They may also be available to provide assistance to parent and professional groups that work with young people. Consider inviting one of these resources to provide periodic benefits information and training to young people, their families, and interested professionals as a regular activity at your organization or school.

Social Security Administration (SSA)

National

Mailing Address

Social Security Administration

Office of Public Inquiries

6701 Security Blvd.

Room 4-C-5 Annex

Baltimore, MD 21235

Social Security Toll-Free Number

Voice: 800-772-1213

TTY: 800-325-0778

Call between 7:00am–7:00pm any business day.

Social Security has local offices throughout the US. Addresses for regional and local offices are located in the “Blue Pages” section of the phone book or under “US Government.” Regional and local offices can also be found through the Social Security Administration website.

Website

The Social Security Administration has a very comprehensive and user-friendly website with extensive information, publications, and forms available. In addition to the main website, specific sections are dedicated to disability issues:

- Social Security Online: www.ssa.gov
- Employment Support for People with Disabilities: www.ssa.gov/work
- Benefits for People with Disabilities: www.ssa.gov/disability

Each of the regional offices also has a website, which can be accessed through www.ssa.gov or www.socialsecurity.gov.

Social Security Publications

The Social Security Administration has an extensive number of publications on issues related to disability benefits. Some of the publications available include:

- Understanding the Benefits (Publication No. 05-10024)
- Benefits for Children with Disabilities (Publication No. 05-10026)
- Disability Benefits (Publication No. 05-10029)
- Social Security Disability Benefits (Publication No. 05-10153)
- What You Need to Know When You Get SSI (Publication No. 05-11011)
- Supplemental Security Income (Publication No. 05-11000)
- Working While Disabled... How We Can Help (Publication No. 05-10095)
- Work Incentives for People with Disabilities—Red Book (Publication No. 64-030)
- Working While Disabled: A Guide to Plans for Achieving Self-Support (Publication No. 05-11017)
- If You Are Blind or Have Low Vision — How We Can Help (Publication No. 05-10052)
- Ticket to Work and Self-Sufficiency Program (Publication No. 05-10061)
- If You Are Self-Employed (Publication No. 05-10922),
- Your Right to Question the Decision to Stop Your Disability Benefits (Publication No. 05-10090)
- How Social Security Can Help with Vocational Rehabilitation (Publication No. 05-10050)
- A Guide for Representative Payees (Publication No. 05-10076)
- Medicare (Publication No. 05-10043)
- Help Available to Pay Costs of Medicare’s New Prescription Drug Program (Publication No. 05-10129)

These and many other publications are available free of charge through the website (www.ssa.gov/pubs/englist.html#ssi), at local Social Security offices, or by calling the toll-free number. Most are also available in Spanish and alternative formats.

Work Incentives Planning and Assistance (WIPA) Programs

SSA has funded a national network of Work Incentives Planning and Assistance programs. WIPA programs provide counseling to help individuals understand the impact of work on their benefits. Persons who receive SSI, SSDI, and/or CDB benefits can get these services free of charge from the Massachusetts programs listed below.

Project Impact

Statewide Employment Services
Massachusetts Rehabilitation Commission
Voice: 617-204-3854/800-734-7475
TTY: 617-204-3834; Fax: 617-204-3847
Website: www.mass.gov/mrc
(then click "Benefit Programs")
Serves the counties of Barnstable, Bristol, Dukes, Nantucket, Plymouth, Suffolk, Essex, and Norfolk.

BenePLAN

Center for Health Policy and Research,
University of Massachusetts Medical School
Voice: 508-856-2659/
877-937-9675 (877-YES-WORK)
Website: www.beneplan.org
Serves the counties of Berkshire, Franklin, Hampden, Hampshire, Middlesex, and Worcester.

Plan for Achieving Self-Support (PASS)

Boston Regional PASS Cadre
(for all of Massachusetts)
Voice: 781-595-2301/800-297-4291
Fax: 781-581-1702

Ticket to Work Program Manager

Maximus Corporation
Voice: 866-968-7842; TTY: 866-833-2967
Website: www.maximus.com/corporate/pages/youthdisabperssvs.asp

Benefits Management Software

WorkWORLD — Software developed by the Employment Support Institute to help individuals with disabilities calculate how employment will affect Social Security and other benefits. For information about how to use and purchase this software:

Employment Support Institute
Attention: WorkWORLD Support
Virginia Commonwealth University
School of Business
1015 Floyd Avenue; P.O. Box 844000
Richmond, VA 23284-4000
Voice: 804-828-2665
Email: WorkWORLD@vcu.edu
Website: www.workworld.org

Massachusetts Rehabilitation Commission (MRC)

Charles Carr, Commissioner
27 Wormwood Street, Suite 600
Boston, MA 02110
Voice: 617-204-3600
Fax: 617-727-1354
Website: www.mass.gov/mrc

MRC is the state Vocational Rehabilitation agency that directly provides, funds, and contracts for a variety of services focused on employment and independence for people with disabilities. For a

listing of local area MRC offices, go to www.mass.gov/mrc and click on "Vocational Rehabilitation area offices."

The Transition to Adulthood Program (TAP)

Massachusetts Rehabilitation Commission (MRC)
Contact: Jim Durant, Turning 22 Program
Voice: 617-204-3626
TTY: 617-204-3815
Website: www.mass.gov/mrc

The TAP program at MRC is designed to serve the needs of transition-age young people with disabilities through services available at four independent living centers throughout the state.

Massachusetts Commission for the Blind (MCB)

Janet LaBreck, Commissioner
48 Boylston Street
Boston, MA 02116
Voice: 800-392-6450/617-727-5550
TTY: 800-392-6556
Fax: 617-727-5960
Email: phil.oliver@state.ma.us
Website: www.mass.gov/mcb

MCB provides services to citizens of Massachusetts who are blind. MCB offers vocational rehabilitation, independent living social services, home care and respite assistance, radio reading programs, resource information, community systems advocacy, and residential and day services.

Legal and Advocacy Organizations

Disability Law Center (DLC)

11 Beacon Street, Suite 925
 Boston, MA 02108
 Voice: 800-872-9992/617-723-8455
 TTY: 800-381-0577/617-227-9464
 Fax: 617-723-9125
 Email: dlc@gbls.org
 Website: www.dlc-ma.org

DLC provides information, referral, advice, and counsel regarding legal rights and services for people with disabilities. The agency also provides legal services, including Social Security representation, to eligible people and groups whose cases meet DLC priorities. The organization operates a speaker's bureau with experienced lawyers and paralegals who discuss their areas of expertise, including Social Security issues, with community groups, public and private agencies, and other advocacy organizations. DLC produces publications on a variety of disability law issues.

Greater Boston Legal Services (GBLS)

197 Friend Street
 Boston, MA 02114
 Voice: 800-323-3205/617-371-1228
 TTY: 617-371-1228; Fax: 617-371-1222
 Website: www.gbls.org

GBLS provides free civil (non-criminal) legal assistance to low-income people in Boston and 31 additional cities and towns. Help offered ranges from legal advice to full case representation, depending on client need.

Massachusetts Law Reform Institute (MLRI)

99 Chauncy Street, 5th Floor
 Boston, MA 02111
 Voice: 617-357-0700
 Fax: 617-357-0777
 Website: www.mlri.org

MLRI is a nonprofit statewide legal services support center. The organization's mission is to represent low-income people, elders, and people with disabilities in their struggles for basic human needs; to defend against measures that harm people living in poverty; to advocate for systemic reforms that achieve social justice; and to provide support that will enable others to carry out these objectives.

Federation for Children with Special Needs

1135 Tremont Street, Suite 420
 Boston, MA 02120
 Voice: 800-331-0688 (in MA)
 Website: www.fcsn.org

The Federation is a parent advocacy organization that can assist families with transition issues.

Massachusetts Office on Disability (MOD)

One Ashburton Place, #1305
 Boston, MA 02108
 Voice: 617-727-7440
 Voice/TTY: 800-322-2020
 Fax: 617-727-0965
 Website: www.mass.gov/mod

MOD is a state agency whose purpose is to bring about full and equal participation of people with disabilities in all aspects of life. Services include helping people to learn about the rights of and services available to people with disabilities. Information, referral, and advocacy are available in areas such as vocational rehabilitation, independent living, accessible housing, transportation, architectural and communications access, education, employment and the ADA, and civil rights.

Independent Living Centers (ILCs)

ILCs are a national network of private, nonprofit, consumer-controlled, community-based organizations that provide services and advocacy by and for persons with all types of disabilities. Core services at all centers include information and referral, independent living skills training, peer counseling, and individual and systems advocacy. ILCs may also provide a variety of other services, such as personal assistance services and housing advocacy. For more information, and to locate ILCs in your local area, see these websites:

Massachusetts Rehabilitation Commission:
www.mass.gov/mrc
 (click "Independent Living")

Massachusetts Statewide Independent Living Council:
www.masilc.org

GLOSSARY OF TERMS

Blind Work Expenses—BWE

A work incentive involving funds that people who are blind spend in order to work (not necessarily related to the disability). Social Security does not count these expenses when it calculates countable income for SSI purposes. Examples of these expenses: transportation to and from work, federal and state income taxes, Social Security taxes, union dues, translation of materials into Braille, guide dog expenses, child care, and cost of meals consumed at work.

Childhood Disability Benefit—CDB

A benefit for people considered disabled whose parents have worked enough to qualify for benefits and who are now deceased or getting Social Security retirement or disability benefits.

Earnings or Earned Income

Money from working; for example, the amount in a paycheck.

Expedited Reinstatement—EXR

A process for getting back on benefits that a person can request without having to start over with a new application. People who ask for EXR can receive up to six months of provisional benefits.

Extended Period of Eligibility—EPE

A 36-month (three-year) period of time during which a person can still receive an SSDI check if earnings drop below the Substantial Gainful Activity (SGA) level.

Impairment-Related Work Expense—IRWE

A work incentive that can be used to help reduce the impact of earnings on Social Security disability benefits (SSI and SSDI). IRWEs include the reasonable cost of items and services (e.g., attendant care, medical or prosthetic devices, drugs and medical services, residential modifications, special transportation) that, because of a disability, a person needs and uses in order to work. The expense must be paid for by the individual, not covered by insurance or otherwise reimbursed

from another source. The cost of these items and services is deducted from the earnings that Social Security uses to figure out if someone is making SGA.

Income Exclusion

An amount of money that is not counted when Social Security decides how much it will pay in a benefit check. Social Security has several income exclusions for things like earned income, certain work expenses, and other items.

Medicaid

The joint federal-state health benefits program for people with disabilities and others who qualify. In Massachusetts, Medicaid is called “MassHealth.” MassHealth Standard is for people with low incomes, including people with disabilities. In Massachusetts, SSI recipients automatically get MassHealth Standard benefits. MassHealth CommonHealth is a program for people with disabilities at any income level above the cutoff for MassHealth Standard. There are CommonHealth programs for workers and also for non-workers with disabilities.

Medicare

A federal health insurance program typically connected with SSDI and CDB benefits. Part A covers hospital insurance while Part B provides supplemental medical insurance. Beneficiaries receive Medicare after 24 continuous months on SSDI, and must pay certain deductibles and co-insurance fees. Part B also requires payment of a monthly premium that is usually deducted from the SSDI benefit check. Part D prescription drug coverage is a new program that became available as of January 2006. Toll-free Medicare hotline: 800-633-4227.

Overpayment

It is not uncommon for recipients to receive a letter from SSA stating that they have been paid too much and must return the excess funds. SSA will negotiate gradual repayment of the debt, or the recipient can file an appeal or a waiver form within 60 days of receipt of the overpayment notice.

Plan for Achieving Self-Support—PASS

A Social Security work incentive that allows a person with a disability to set aside income and/or resources towards a work goal for a specified period of time (e.g., a person could set aside money for education, vocational training, or business start-up expenses). A PASS can be used to help reduce the amount that SSA deducts from an SSI check because of a person's earned income. SSA must approve PASS plans.

Resources

The term that Social Security uses for what most people call "assets." It includes anything you own, for example, cash, a bank account, cars, stocks, business assets, or other property that you can use to support or maintain yourself. Social Security does not count all your resources when deciding SSI eligibility. The SSI resource limit is \$2000 for an individual (\$3000 for married couple) in 2011. If the resource limit is exceeded, eligibility may be reestablished once the excess resources have been "spent down" below the limit.

Social Security Administration—SSA

SSA provides monthly cash benefits to approximately ten million individuals with disabilities in the United States under the SSDI and SSI programs. SSA is also responsible for administering the Ticket to Work program.

Social Security Disability Insurance—SSDI

A program of federal disability insurance benefits for workers who have contributed to the Social Security trust fund and become disabled or blind before retirement age. The SSDI program also covers spouses with disabilities and dependent children of fully insured workers upon the retirement, disability, or death of a primary beneficiary. SSDI pays monthly cash benefits directly to eligible persons with disabilities throughout the period of eligibility. Individuals on SSDI typically are also eligible for Medicare, after a 24-month waiting period starting on the date that the individual becomes entitled to an SSDI benefit check.

Substantial Gainful Activity—SGA

For purposes of determining initial eligibility for SSDI and SSI, "disability" is defined as the inability to engage in any "Substantial Gainful Activity" by reason of a medically determinable physical or mental impairment that is expected to last for a specified period. For calendar year 2011, the SGA limit is \$1000 per month in work earnings (\$1640 for individuals who are blind). SGA is adjusted on an annual basis for inflation.

Supplemental Security Income—SSI

A Social Security program providing monthly cash income to persons with disabilities or blindness who have low income and resources. The SSI program is funded out of the general revenues of the Treasury. In most states, people who get SSI also automatically get Medicaid.

Ticket to Work and Work Incentives Improvement Act—TWWIA

Legislation that became effective in the year 2000, TWWIA offers Social Security disability beneficiaries age 18 to 64 more choice in obtaining the services they need to help them go to work.

Trial Work Period—TWP

A period of nine months during which an SSDI beneficiary can work and still get their full SSDI check and Medicare, regardless of how much money they earn. The nine months of the Trial Work Period can be consecutive (one after the other) or can be spread out over a 60-month period (five years).

Work Incentives Planning and Assistance—WIPA

WIPA programs are funded by the Social Security Administration and are based at a variety of community and public agencies across the country. WIPA staff members are trained to help individuals understand the impact of income from employment on the full range of public benefits, including SSI, SSDI, Medicare, Medicaid, public housing, TANF, and food stamps.

Social Security Administration
Consent for Release of Information

TO: Social Security Administration

Name _____ Date of Birth _____ Social Security Number _____

I authorize the Social Security Administration to release information or records about me to:

NAME

ADDRESS

I want this information released because:

(There may be a charge for releasing information.)

Please release the following information:

- ____ Social Security Number
- ____ Identifying information (includes date and place of birth, parents' names)
- ____ Monthly Social Security benefit amount
- ____ Monthly Supplemental Security Income payment amount
- ____ Information about benefits/ payments I received from _____ to _____
- ____ Information about my Medicare claim/ coverage from _____ to _____ (specify)
- ____ Medical records
- ____ Record(s) from my file (specify)
- ____ Other (specify)

I am the individual to whom the information/record applies or that person's parent (if a minor) or legal guardian. I know that if I make any representation which I know is false to obtain information from Social Security records, I could be punished by a fine or imprisonment or both.

Signature:

(Show signatures, names, and addresses of two people if signed by mark.)

Date: _____ Relationship: _____

Social Security Administration

Consent for Release of Information

Please read these instructions carefully before completing this form.

When To Use This Form

Complete this form only if you want the Social Security Administration to give information or records about you to an individual or group (for example, a doctor, or insurance company).

- Natural or adoptive parents or a legal guardian, **acting on behalf of a minor**, who want us to release the minor's:
- o nonmedical records, should use this form.
 - o medical records, should not use this form, but should contact us.

Note: Do not use this form to request information about your earnings or employment history. To do this, complete Form SSA-7050-F3. You can get this form at any Social Security office.

HOW TO Complete This Form

- This consent form must be completed and signed only by:
- o the person to whom the information or record applies, or
 - o the parent or legal guardian of a minor to whom the **nonmedical** information applies, or
 - o the legal guardian of a legally incompetent adult to whom the information applies.

To complete this form:

- o Fill in the name, date of birth, and Social Security Number of the person to whom the information applies.
- o Fill in the name and address of the individual or group to which we will send the information.
- o Fill in the reason you are requesting the information.
- o Check the type(s) of information you want us to release.
- o Sign and date the form. If you are not the person whose record we will release, please state your relationship to that person.

The Paperwork Reduction Act of 1995 requires us to notify you that this information collection is in accordance with the clearance requirements of section 3507 of the Paperwork Reduction Act of 1995. We may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a valid OMB control number.

TIME IT TAKES TO COMPLETE THIS FORM—We estimate that it will take you about 3 minutes to complete this form. This includes the time it will take to read the instructions, gather the necessary facts and fill out the form.

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GOING TO WORK

A Guide to Social Security Benefits and Employment for Young People with Disabilities

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