

Benefits and Work Incentives Planning Supports and Services



TEXAS
Health and Human
Services

How Often Have You Heard?

- If I go to work I will lose my benefits.
- I can only a certain amount of money each month or I will lose my benefits.
- I can't get the skills and experience I need for a career without losing my benefits.
- If I go to work and then stop working, I won't be able to get back my cash benefits or Medicaid/Medicare back.
- If I go to work Social Security will send me a letter asking for a lot of money back.

Basic Terms

- **SSA:** Social Security Administration
- **SSI:** Supplemental Security Income
- **Title II:** Social Security Disability Insurance (SSDI), Childhood Disability Beneficiary (CDB/DAC) and Disabled Widow/Widower (DWB)
- **SGA:** Substantial Gainful Activity. \$1,180 monthly gross earned income non-blind, \$1,970 blind (2018)

Social Security Administration Programs for Individuals with Disabilities

- Administers five programs for individuals with disabilities that provide a monthly cash benefit and/or health insurance through two Social Security Administration (SSA) programs:
 1. **Title XVI Supplemental Security Income (SSI)**
 - Childhood SSI
 - Adult SSI Disabled/Blind
 2. **Title II**
 - Social Security Disability Insurance (SSDI);
 - Childhood Disability Beneficiaries (aka Disabled Adult Child (CDB/DAC); and
 - Disabled Widow/Widower (DWB).

Title XVI and Title II

- Adult Supplemental Security Income (SSI) and Title II (Title II, Childhood Disability Beneficiary and Disabled Widow/Widower) benefits are not “disability only” benefit programs.
- Adult SSI and Title II are “you get benefits based on your inability to do substantial gainful activity due to your disability” benefit programs.
- Substantial Gainful Activity is only important if the individual receives Title II, and even then only at a specific point in their work activity. SGA has nothing to do with SSI work activity at all!

Eligibility and Amount of Benefit in SSA Programs for Individuals With Disabilities

- Same definition of disability used to qualify for both programs, with some exceptions for individuals who are statutorily blind on the SSI side.
- SSA definition of disability for any population is the strictest in the nation.
- SSA determines what, if any, program an individual qualifies for and the amount of the cash benefit.

Why Two Disability Cash Systems?

- Title II (SSDI, CDB/DAC or DWB) is for individuals who paid into the system through working, or are related to somebody who paid into the system.

Title II are insurance programs funded through Old-Age and Survivors Insurance (OASI) and the Disability Insurance (DI) Trust Funds.

- Title XVI (SSI Childhood or Adult) is for those who have not paid enough into the system, or do not have the “right” relative who paid into the system to draw Title II . Title XVI are needs based programs.

Title XVI is funded through general tax revenue. Congress appropriates funding each year for the SSI programs.

Title XVI SSI versus Title II

- Title XVI/SSI is very different from Title II in key aspects. Title XVI/SSI is best thought of as a “payor of last resort”. SSI pays only when nobody else will.
- All money someone receives (or has) could count against the SSI cash benefit, but often times government assistance is ignored.
- When someone on SSI goes to work he/she will always have more money in their pocket at the end of the month! It is always better for folks on SSI to work, even when receiving waiver services.
- Title II is an insurance program. You pay in through working in order for you or a family member to draw cash benefits and/or Medicare.
- It is not always true that someone on a Title II benefit will have more money in their pocket when they go to work. In some cases, individuals on Title II may lose spendable cash when working.

Title XVI: Supplemental Security Income Cash Benefit

- “Federal Benefit Rate” is the standard amount of Supplemental Security Income (SSI). In 2018, this is \$750 month maximum for an individual and \$1,125 maximum for a couple who are both on SSI.
- Monthly amount will vary if there has been an overpayment, earned income from working or some other source of unearned income, or the individual lives with someone who provides them with full or partial food and shelter.
- SSI is received on the 1st of the month.
- The sole purpose of Adult SSI is to provide an individual with a disability that meets SSA’s definition with a small cash amount to assist with food and shelter. Any factor impacting an individual’s income/resources (who they live with, how much they earn, how much they have, marriage, etc.) may impact SSI regardless of the age of the individual.

Title XVI: Supplemental Security Income Resource Limit

- Resource, or asset limit is \$2,000 for single, \$3,000 for couple.
- Home individual owns and lives in does not count.
- One car does not count.
- Many other exclusions to the SSI Asset/Resource limit are in the Program Operating Manual System (POMS).
- An Achieving Better Life Experience (ABLE) account can allow someone to save \$15,000 a year up to a maximum of \$100,000 without affecting the \$2,000/\$3,000 SSI resource limit.

Title XVI Supplemental Security Income—Counting Other Income

- Almost all unearned income counts against the amount of the cash benefit.
- Less than 1/2 of earned income counts.
- Family earned/unearned income or resources can affect eligibility for SSI:
 - In Kind Support and Maintenance (food and shelter) can be considered.
 - Income of certain relatives can be considered (deeming).

Title XVI Supplemental Security Income-Medicaid

- In Texas, individuals who receive SSI automatically qualify for Medicaid. The individual does not have to apply for Medicaid, just for SSI.
- SSI monthly cash benefit is figured on a formula. As earned income increases the SSI cash benefit will eventually go to \$0 a month.
- Certain work incentives may allow individuals to keep free Medicaid in place and remain an active SSI recipient AND have lots more money in their pockets because they are working! Stay tuned.

SSI Break Even Point

- SSI Break Even Point (BEP): The point at which earnings will cause the SSI monthly cash benefit to go to \$0 a month. Not getting a cash benefits is not a bad thing, because the individual will end up with more spendable cash at the end of the month.
- In 2018, with no other deductions, the BEP for someone receiving the full \$750 in SSI cash benefit is \$1,585 gross a month.
- If an individual gets a different amount than \$750 the BEP will change. The BEP is figured by reversing the basic calculations done using the SSI formula. For example: $\$750 \times 2 = \$1,500$. Add \$65 to get \$1,565. Add \$20 to get the BEP for 2018 of \$1,585.

The SSI Formula

SSI CALCULATION SHEET 2018

| STEPS | CALCULATIONS |
|--|-----------------|
| Unearned Income | 0 |
| General Income Exclusion (GIE) | - 0 |
| TOTAL COUNTABLE UNEARNED INCOME | = 0 |
| | |
| Gross Earned Income | \$1,180 |
| Student Earned Income Exclusion (SEIE) | - 0 |
| Remainder | 1,180 |
| GIE (if not used above) | - 20 |
| Remainder | 1,160 |
| Earned Income Exclusion (EIE) | - 65 |
| Remainder | 1,095 |
| Impairment Related Work Expense (IRWE) | - 0 |
| Remainder | 1,095 |
| Divide by 2 | 547.50 |
| Blind Work Expenses (BWE) | - 0 |
| TOTAL COUNTABLE EARNED INCOME | = 547.50 |
| | |
| Total Countable Unearned Income | 0 |
| Total Countable Earned Income | + 547.50 |
| PASS Deduction | - 0 |
| TOTAL COUNTABLE INCOME | = 547.50 |
| | |
| Base SSI Rate (In 2018 enter \$750, \$500 or \$1,125 ONLY) | 750 |
| Total Countable Income | - 547.50 |
| Total Adjusted SSI Payment | 202.50 |

Work Incentive Programs Attached to SSI

1. Student Earned Income Exclusion (SEIE)
2. Impairment Related Work Expense (IRWE)
3. Blind Work Expense (BWE)
4. Plan to Achieve Self Support (PASS)
5. 1619b state threshold
6. 1619b individualized threshold
7. Medicaid Buy-In

Student Earned Income Exclusion

- The only work incentive SSA cannot deny if the individual meets the following criteria:
 1. Receiving SSI and under age of 22.
 2. Regularly attending school.
- \$1,820 (2018) a month or \$7,350 (2018) maximum a year is forgiven from SSI check.
- Must be requested and approved by SSA.
- No formal SSA form, write a letter requesting SEIE and include proof of attendance.

SEIE: Regularly Attending School

- Regularly Attending School means:
 - Grades 7-12: at least 12 hours a week *or*
 - College or university (online universities count): at least 8 hours a week *or*
 - In a training course to prepare for employment for at least 12 hours a week (15 hours a week if the course involves shop practice); *or*
 - For less time than indicated above for reasons beyond the student's control, such as illness.
- GED counts if meeting hourly requirement for Grades 7-12 above.
- Home schooling counts as long as hourly requirements are met; and instruction is under Texas Home Schooling regulations.
- Can use SEIE during summer break if planning to return to school in the fall.

Example of Using SEIE in the SSI Formula

| STEPS | CALCULATIONS |
|--|--------------|
| Unearned Income | 0 |
| General Income Exclusion (GIE) | - |
| TOTAL COUNTABLE UNEARNED INCOME | = 0 |
| <hr/> | |
| Gross Earned Income | \$1,180 |
| Student Earned Income Exclusion (SEIE) | - |
| Remainder | 1,180 |
| GIE (if not used above) | - |
| Remainder | 0 |
| Earned Income Exclusion (EIE) | - |
| Remainder | 65 |
| Impairment Related Work Expense (IRWE) | - |
| Remainder | 0 |
| Divide by 2 | 0 |
| Blind Work Expenses (BWE) | - |
| TOTAL COUNTABLE EARNED INCOME | = 0 |
| <hr/> | |
| Total Countable Unearned Income | 0 |
| Total Countable Earned Income | + |
| PASS Deduction | - |
| TOTAL COUNTABLE INCOME | = 0 |
| <hr/> | |
| Base SSI Rate (In 2018 enter \$750, \$500 or \$1,125 ONLY) | 750 |
| Total Countable Income | - |
| Total Adjusted SSI Payment | 750 |

SEIE Financial Benefit

- Under SEIE the student can deduct up to \$1,820 month until annual gross earnings reach \$7,350 (2018). Therefore, the student will get a full SSI check (\$750 in 2018) plus earnings for six months.
- The seventh month the student has \$270 left in SEIE and will get adjusted SSI cash benefit of \$412.50. The student has reached the maximum SEIE deduction of \$7,350 for 2018.
- The last five months of the year the student uses the regular SSI calculation with no work incentive and gets an adjusted cash benefit of \$202.50.
- Total take home would be approximately \$16,545 as opposed to \$9,000 if the student did not work and just received SSI cash benefits.

SEIE: Keeping the Full Cash Benefit All Year

| STEPS | CALCULATIONS |
|--|--------------|
| Unearned Income | 0 |
| General Income Exclusion (GIE) | - 0 |
| TOTAL COUNTABLE UNEARNED INCOME | = 0 |
| <hr/> | |
| Gross Earned Income | \$502.28 |
| Student Earned Income Exclusion (SEIE) | - 502.28 |
| Remainder | 0 |
| GIE (if not used above) | - 20 |
| Remainder | 0 |
| Earned Income Exclusion (EIE) | - 65 |
| Remainder | 0 |
| Impairment Related Work Expense (IRWE) | - 0 |
| Remainder | 0 |
| Divide by 2 | 0 |
| Blind Work Expenses (BWE) | - 0 |
| TOTAL COUNTABLE EARNED INCOME | = 0 |
| <hr/> | |
| Total Countable Unearned Income | 0 |
| Total Countable Earned Income | + 0 |
| PASS Deduction | - 0 |
| TOTAL COUNTABLE INCOME | = 0 |
| <hr/> | |
| Base SSI Rate (In 2018 enter \$750, \$500 or \$1,125 ONLY) | 750 |
| Total Countable Income | - 0 |
| Total Adjusted SSI Payment | 750 |

SEIE: Financial Benefit even with Lower Earnings!

- The student works 16 hours a week at \$7.25 an hour.
- The SEIE is good for the entire year since the student's gross annual income is \$6,027.36 and does not reach the maximum deductible for 2018.
- Therefore, the student gets the full SSI cash benefit every month of the year and their (approximate) net earned income for a total approximate take home of \$13,520.52.

Combining SEIE with other Work Incentives

- What happens if the student reaches the maximum yearly SEIE deduction of \$7,350 before the year has ended?
- Move from SEIE to an “IRWE” to ensure continuation of some cash benefit.
- Wondering what an “IRWE” is? Stay tuned...
- Does the student need to get a monthly cash benefit? Not necessarily. Medicaid continues even if there is no SSI cash benefit for a long time... more good news to come!

Impairment Related Work Expense (IRWE)

- Expenses for items or services directly related to enabling a individual with a disability to remain working. Individual has to be working to get an IRWE.
- Services or items cannot be paid through any other source (e.g. An individual such as a parent or agency such as HHSC). The cost must be reasonable. Services or items someone else pays for will not be approved as an IRWE
- Up to $\frac{1}{2}$ the money put aside for expenses in an IRWE comes back to the individual's SSI check.

Common IRWEs

- Cost of prescription drugs related to disability.
- Paratransit.
- Job coaching.
- Mileage to and from work when driven by someone else-and can not get to work any other way.
- Durable equipment such as wheelchair.
- Assistive Technology if necessary for job.
- Medical services not covered by insurance (e.g. personal attendant care).

Example: Without an IRWE

| STEPS | CALCULATIONS |
|--|-----------------|
| Unearned Income | 0 |
| General Income Exclusion (GIE) | - 0 |
| TOTAL COUNTABLE UNEARNED INCOME | = 0 |
| <hr/> | |
| Gross Earned Income | \$692 |
| Student Earned Income Exclusion (SEIE) | - 0 |
| Remainder | 692 |
| GIE (if not used above) | - 20 |
| Remainder | 672 |
| Earned Income Exclusion (EIE) | - 65 |
| Remainder | 607 |
| Impairment Related Work Expense (IRWE) | - 0 |
| Remainder | 607 |
| Divide by 2 | 303.50 |
| Blind Work Expenses (BWE) | - 0 |
| TOTAL COUNTABLE EARNED INCOME | = 303.50 |
| <hr/> | |
| Total Countable Unearned Income | 0 |
| Total Countable Earned Income | + 303.50 |
| PASS Deduction | - 0 |
| TOTAL COUNTABLE INCOME | = 303.50 |
| <hr/> | |
| Base SSI Rate (In 2018 enter \$750, \$500 or \$1,125 ONLY) | 750 |
| Total Countable Income | - 303.50 |
| Total Adjusted SSI Payment | 446.50 |

Example: With an IRWE

| STEPS | CALCULATIONS |
|--|-----------------|
| Unearned Income | 0 |
| General Income Exclusion (GIE) | - 0 |
| TOTAL COUNTABLE UNEARNED INCOME | = 0 |
| | |
| Gross Earned Income | \$692 |
| Student Earned Income Exclusion (SEIE) | - 0 |
| Remainder | 692 |
| GIE (if not used above) | - 20 |
| Remainder | 672 |
| Earned Income Exclusion (EIE) | - 65 |
| Remainder | 607 |
| Impairment Related Work Expense (IRWE) | - 150 |
| Remainder | 457 |
| Divide by 2 | 228.50 |
| Blind Work Expenses (BWE) | - 0 |
| TOTAL COUNTABLE EARNED INCOME | = 228.50 |
| | |
| Total Countable Unearned Income | 0 |
| Total Countable Earned Income | + 228.50 |
| PASS Deduction | - 0 |
| TOTAL COUNTABLE INCOME | = 228.50 |
| | |
| Base SSI Rate (In 2018 enter \$750, \$500 or \$1,125 ONLY) | 750 |
| Total Countable Income | - 228.50 |
| Total Adjusted SSI Payment | 521.50 |

IRWE: Financial Benefit

- The individual works 20 hours a week at \$8 hour, grossing approximately \$692 a month.
- The individual spends \$150 a month for paratransit services to get to and from work.
- The individual's adjusted SSI monthly cash benefit is \$521.50, or \$75 more than without an IRWE.
- This is \$900 more than without an IRWE. Paratransit costs \$1,800 a year, so $\frac{1}{2}$ of the cost is covered!

Blind Work Expense (BWE)

- Much like an IRWE but many more exclusions allowed and comes off dollar for dollar. Just a few examples of what could qualify as a BWE:
 - State and Federal Taxes
 - Union Dues
 - Mandatory Pension
 - Cost of Uniforms
 - Reader Services, Driver Services, and Cost of Service Animal's Care
 - Childcare
 - Transportation
 - Meals Consumed at Work
 - Adaptive Equipment

Example: With a BWE

| STEPS | CALCULATIONS |
|---|-------------------|
| Unearned Income | 0 |
| General Income Exclusion (GIE) | - 0 |
| TOTAL COUNTABLE UNEARNED INCOME | = 0 |
| Gross Earned Income | |
| | \$1,600 |
| Student Earned Income Exclusion (SEIE) | - 0 |
| Remainder | 1,600 |
| GIE (if not used above) | - 20 |
| Remainder | 1,580 |
| Earned Income Exclusion (EIE) | - 65 |
| Remainder | 1,515 |
| Impairment Related Work Expense (IRWE) | - 0 |
| Remainder | 1,515 |
| Divide by 2 | 757.50 |
| Blind Work Expenses (BWE) | - 750 |
| TOTAL COUNTABLE EARNED INCOME | = \$7.50 |
| Total Countable Unearned Income | |
| | \$0 |
| Total Countable Earned Income | |
| | + 7.50 |
| PASS Deduction | - 0 |
| TOTAL COUNTABLE INCOME | = \$7.50 |
| Base SSI Rate (In 2018 enter \$750, \$500 or \$1,125 ONLY) | |
| | \$750 |
| Total Countable Income | - 7.50 |
| ADJUSTED SSI PAYMENT | = \$742.50 |

Plan To Achieve Self Support (PASS) (1 of 2)

- A written plan with a detailed budget. Money is put away to purchase an item(s) or service(s) to help individual obtain, maintain or advance in employment. Do not have to be working to have a PASS, but must have an employment goal.
- PASS is designed to significantly reduce or eliminate the need for SSA cash assistance.
- Must have earned or unearned (e.g. Title II) income to create plan; cannot use SSI cash benefit. Must be able to prove ability to live on amount left after putting money into PASS.
- Income and resources that would normally reduce SSI cash benefit will not be counted.

Plan To Achieve Self Support (PASS) (2 of 2)

- All PASS savings must be spent on what has been approved by SSA, and purchased on time line submitted or individual will get overpayment notice.
- SSA will review PASS once a year at a minimum.
- Excellent tool for someone organized, and/or has a strong stable support system. Never use paid staff to assist with monitoring a PASS!
- Students and individuals saving for their own business can be good candidates for a PASS.

SSI 1619b

- 1619(b) is a federal Social Security program that allows individuals to continue to receive Medicaid after their SSI cash benefit goes to “\$0” a month due to earned income, and until they reach the state “threshold”.
- The Texas State Threshold for 2018 is \$35,181 gross annual income a Year.
- If individuals earns above the state threshold and must have Medicaid to continue to work (e.g. Personal Attendant Services), may be able to get an “individualized” 1619b threshold based on earnings.

Medicaid Buy-In

- A great resource for individuals who received SSI, but have exceeded the state threshold (“earned off” 1619(b)) and do not qualify for an individualized threshold. Those who earned off SSI will pay a maximum of \$40 per month for full Medicaid coverage.
- MBI is one of the eligibility groups in all Texas home and community based services waivers!
- Individual must be working to get MBI.
- Individuals who recently “earned off” SSI are presumptively eligible for Medicaid Buy-In.
- For Buy-In application Google HI200-MBI.

How SSA estimates earned monthly income: Multiply hours worked x hourly earning x 4.33. Always use gross income.

- 1. What is the adjusted cash benefit for someone earning \$314 a month who has no deductions?**
- 2. What is the adjusted cash benefit for someone earning \$1,500 a month who has no deductions?**
- 3. What is the adjusted cash benefit for someone earning \$823 a month who has \$75 in IRWEs each month?**
- 4. What is the adjusted cash benefit for someone earning \$823 a month who has \$75 in BWEs each month?**
- 5. What is the adjusted cash benefit for someone earning \$2,200 a month who has no deductions?**

Title II

1. Social Security Disability Insurance (SSDI): Over 18: Disabled and drawing off own work record.
 2. Childhood Disability Beneficiary aka Disabled Adult Child (CDB/DAC): Over 18, disability occurred prior to age 22: Disabled and drawing off parent's work record.
 3. Disabled Widow/Widower (DWB): Over 50, not yet 60: Disabled and drawing off deceased spouse's work record.
- Title II involves five different stages of work: Trial Work Period, Grace Period, Extended Period of Eligibility, Expedited Reinstatement and Initial Reinstatement Period.

Title II: Cash Benefit

- An individual pays into the program in order to draw benefits, or someone who qualifies can “draw off” the qualified individual’s record. Amount of cash benefit depends on earnings. Not an “individual account”.
- Pay into the program through FICA or SECA; must have earned specific number of credits based on age to draw Title II. The younger someone is, the quicker they can become a Title II beneficiary if they are working.
- Amount of Title II cash benefit is generally not impacted by any other unearned income. Amount of cash benefit is affected by different amounts of earned income during the five different stages of work in Title II.
- Five month waiting period from date of disability onset (date determined eligible for Title II) to date of entitlement (date of receipt of first cash benefit).

Title II: Cash Benefit Under 18

- Some individuals under age 18 can draw a monthly cash benefit from their parent's Retirement, Survivor or Disability Insurance (RSDI) benefit. This is *not* a disability benefit payment.
- If the child is not disabled, when he or she turns 18 the Title II cash benefit will most likely be terminated. The benefit can continue up to age 19 if the child without a disability is attending elementary or secondary school full time.
- For those who are disabled over age 18 there is a Title II program called Childhood Disability Beneficiary we will talk about.

Title II: Resource Limit

- No resource limit. The “Oprah” benefit.

Title II - Counting Other Income

- Very little unearned income counts against the amount of the cash benefit. Windfall Elimination Provision applies (e.g. firefighters, policemen, teachers).
- Only get a \$20 General Earned Income exclusion.
- Depending on the Title II stage of work and earnings, the individual will either get the whole cash benefit or will get \$0. No gradual reduction as in SSI.

Title II-Medicare

- 24 month waiting period from date of entitlement to date individual can start receiving Medicare.
- Traditional Medicare: Part A (hospitalization) and Part B (doctor's care in or out of hospital and some immunosuppressant and cancer drugs) and Part D prescription drug coverage.
- All parts have costs. Those not able to pay monthly premiums, co-pays or deductibles associated with each part may qualify for a Medicare Savings Program (MSP) to cover all or part of Medicare costs. MSP are for very low income.

MSPs: Qualified Medicare Beneficiary, Specified Low Income Beneficiary, Qualifying Individual and Qualified Working People with Disabilities.

Stage One: Trial Work Period

- Nine months in a 'rolling 60 month' period where the individual can make any amount of money above \$850 gross a month (2018) and still receive Title II cash benefit.

Earn below \$850 gross a month and you have not used a Trial Work Period month.

- Months do not have to be consecutive, but you must find nine of them within a specified sixty month period. If you can't find nine, one or more of the ones used will drop off and come back for use again.

The Non-Consecutive Nine Month TWP and The “Rolling Sixty Month Period”

| Year: 2012 | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
|----------------|-----|-----|-------|-------|-----|------|------|-----|------|-----|-----|-----|
| TWP MONTH | | | | | | | | | | | | |
| Rolling 60 Mo. | | | | | | | | | | | | |
| Year: 2013 | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
| TWP MONTH | | | | | | | | | | | | |
| Rolling 60 Mo. | | | | | | | | | | | | |
| Year: 2014 | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
| TWP MONTH | | | | | | | | | | | | |
| Rolling 60 Mo | | | | | | | | | | | | |
| Year: 2015 | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
| TWP MONTH | | | | | | | | | | | | |
| Rolling 60 Mo | | | | | | | | | | | | |
| Year: 2016 | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
| TWP MONTH | | | | | | | | | | | | |
| Rolling 60 Mo | | | | | | | | | | | | |
| Year: 2017 | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
| TWP MONTH | | | | | | | | | | | | |
| Rolling 60 Mo | | | | | | | | | | | | |
| Year: 2018 | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
| TWP MONTH | | | | | | | | | | | | |
| Rolling 60 Mo | | | | | | | | | | | | |
| Year: 2019 | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
| TWP MONTH | | | | | | | | | | | | |
| Rolling 60 Mo | | | | | | | | | | | | |

Stage Two: Extended Period of Eligibility

- 36 consecutive month period beginning the first month after the completion of a Trial Work Period. Work or don't work, the Extended Period of Eligibility is going to run.
- During the Extended Period of Eligibility the individual either gets the full Title II cash benefit, or gets nothing depending on amount of earned income:
 1. Over Substantial Gainful Activity (SGA) in gross monthly earning, no cash benefit;
 2. Under Substantial Gainful Activity (SGA) in gross monthly earning, the individual gets a cash benefit.

Title II Work Incentives: IRWE and Subsidy

- Impairment Related Work Expense (IRWE) or Subsidy are the Title II work incentive programs. They are used only after completion of Trial Work Period, and only when the individual earns above Substantial Gainful Activity (SGA) per month.
- IRWEs are disability related expenses the individual must have to continue on the job, such as paratransit, medication co-pays, job coaches, etc.
- Subsidy is only work incentive not paid for by individual. Anything that gives the individual the ability to maintain the position, like extra break time, is a Subsidy. Waiver Supported Employment job coaching is a Subsidy.
- Can use IRWE and/or Subsidy throughout lifetime of Title II benefits (during and after the Extended Period of Eligibility(EPE)). IRWE and Subsidy can stop termination of cash benefit after the EPE ends if someone earns above SGA.

Stage Three: Cessation/Grace Period

- A three month consecutive period in which is triggered by the individual earning above Substantial Gainful Activity (SGA) after the end of a completed Trial Work Period.
- Individual still receives a cash benefit during Cessation/Grace Period even though he/she is not entitled to one.
- Cessation/Grace Period can happen during the Extended Period of Eligibility or after the Extended Period of Eligibility.
- Cessation/Grace Period may never happen if the individual never reaches monthly gross earnings of SGA or above.

The Consecutive 36 Month Extended Period of Eligibility

| Year: 2012 | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
|------------|---|-----|-------|-------|-----|------|------|-----|------|-----|-----|-----|
| TWP MONTH | | | | | | | | | | | | |
| Earnings | | | | | | | | | | | | |
| Year: 2013 | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
| EPE MONTH | | | | | | | | | | | | |
| Earnings | Earn Above SGA, No Cash Benefit. Earn Below SGA, Cash Benefit. Earning Above SGA? Use a Work Incentive! | | | | | | | | | | | |
| Year: 2014 | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
| EPE MONTH | | | | | | | | | | | | |
| Earnings | | | | | | | | | | | | |
| Year: 2015 | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
| EPE MONTH | | | | | | | | | | | | |
| Earnings | | | | | | | | | | | | |
| Year: 2016 | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
| Earnings | | | | | | | | | | | | |
| Year: 2017 | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
| Earnings | | | | | | | | | | | | |
| Year: 2018 | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
| Earnings | | | | | | | | | | | | |
| Year: 2019 | Jan | Feb | March | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
| Earnings | | | | | | | | | | | | |

Stage Four: Expedited Reinstatement

- After the end of the Extended Period of Eligibility, the individual is out of the major safety nets. Once he/she earns above SGA *after the EPE has ended*, cash benefits will terminate.
- If Cessation/Grace Period was not used during EPE, the individual will get three months of cash benefits and then cash benefits will terminate.
- The individual has five years from month cash benefits were terminated to use Expedited Reinstatement (ExR).
- Lose the job? Pay drops to below SGA? Go back to SSA and fill out a one page ExR application and get six months of provisional cash benefits while SSA determines if you are still disabled under the original condition. If so, cash benefits and Medicare just continue. Medically improved? Don't have to pay back the six months!

Extended Period of Medicare Coverage

- If an individual was terminated from cash benefits due to earnings (not medical improvement), the Extended Period of Medicare Coverage (EPMC) kicks in. Medicare will continue for at least seven $\frac{3}{4}$ months (could be much longer) after the end of the Trial Work Period if cash benefits were terminated after the EPE due to earnings.
- Even after EPMC ends, individual can purchase all parts of Medicare if needed through Medicare Buy-In for the Working Disabled.
- Check to see if any IRWE and/or Subsidy that existed during and after the EPE were submitted to SSA for approval. If not, submit them upon termination of cash benefits. SSA will retroactively apply them. This could cause cash benefits to continue, rather than be terminated!

Medicaid Buy-In

- If someone on Title II is working, he/she can join Medicaid Buy-In at any time. Do not have to wait until termination of cash benefits.
- A possibility for the 24 month Medicare waiting period (if working).
- Drawback is currently those on Title II will pay anything above the Federal Benefit Rate (2018 \$750) up to \$500 based on their cash benefit.

If someone gets an \$1,100 Title II cash benefit, MBI monthly premium will be \$350. If they get \$1,700 cash benefit, MBI monthly premium will be \$500.

The higher the Title II cash benefit, the higher the MBI monthly premium.

Stage Five: Initial Reinstatement Period

- The individual has ExR'ed back on and the Initial Reinstatement Period (IRP) starts.
- Two main parts of IRP:
 1. Collect 24 months of cash benefits (does not have to be consecutive) and get a new TWP, EPE, Cessation/Grace and ExR; start the process from the beginning.
 2. Until individual has gotten 24 month of cash benefits any earnings above SGA will cause cash benefit to stop for the month; earn below SGA and keep getting the cash benefit. Many people in IRP make above and below SGA regularly and never accumulate 24 months of cash benefits.

Reporting Income

- Everyone must report their income to SSA. Those on SSI are required to report every month. Title II are required to report any time there is a change in earnings (even one cent).
- SSI: Report using app on Android or I-Phone, wage reporting line: 1-866-772-0953 or through a "myWageReport" by establishing a mySSSA.gov' account. If using a work incentive, must report by U.S. Mail or in person.
- Title II: Report online through a "myWageReport" by establishing a mySSSA.gov' account, by U.S. Mail or in person.
- If the organization faxes in pay info for groups, verify the person you are faxing to at SSA is still there every month before you fax. No name? Don't fax.
- Keep copies of everything sent in, every single thing. Forever.

Overpayments

- Pretty much a sure thing as SSA uses “retrospective accounting”.
- SSI cash benefit for this month is actually for two months ago. Title II is three months behind.
- Reported every month? Have copies of everything? First overpayment? This will be wiped out!
- Single overpayment of \$1,000 or under? Ask for The Administrative Waiver.
- Worst case scenario? Negotiate a payment plan of anywhere from \$10 to a maximum of \$25 per month.

HELP!

- There are people who can help, right here in Texas and across the nation.
- You don't have to become an expert in benefits to make them work for the people you serve.

Verifying Benefits

- Have Participant:
 1. Log onto www.socialsecurity.gov/myaccount; select “Create An Account”. (Again) Select “Create An Account” on right hand side of page
 2. Check “I agree to Terms of Service”
 3. Enter Name as shown on Social Security Card and Social Security number.
 4. Enter Date of Birth
 5. Enter Home Address and phone number (must be updated with SSA)
 6. Choose username and password
 7. Sign into account
 8. Select “Get A Benefit Verification Letter”
 9. Print letter
- Not available to those with Rep Payee or Legal Guardian

Benefits Planning Query

- The Benefits Planning Query (BPQY) gives important details about work incentives and other issues related to the individual's benefits.
- A participant can obtain a BPQY (SSA Form 2459) by calling and requesting one, but the best way is to go into the SSA office and ask for a completed SSA Form 2459.
- The participant can also use SSA Form 3288 and mail the request. The participant needs to make two requests: one for SSA and one for IRS non-certified total yearly earnings.
- Currently SSA offices are open Monday, Tuesday, Thursday and Friday from 9 am to 4 pm and Wednesdays 9 to 12.

Community Work Incentive Coordinators (CWICs) at Work Incentive Planning And Assistance Programs (WIPA)

- CWICs are highly trained staff certified by SSA under the SSA WIPA grant in benefits and work incentives.
- Services are free to any participant who receives SSI and/or Title II and is actively looking for a job, or has a job.
- Find a WIPA program at <http://choosework.net> or [ChooseWork](#)

SSA'S Ticket to Work Helpline

- Individuals can contact a representative at SSA's Ticket to Work Helpline at 1-866-968-7842 (voice) or 1-866-833-2967 (TDD)
- Representatives give individuals basic information on SSI and Title II programs, and the effects of earnings from work on cash benefits and health care coverage.
- Representatives will refer to appropriate WIPA and provide contact information.

Protection and Advocacy for Beneficiaries of Social Security (PABSS)

- PABSS assists beneficiaries to protect their rights and overcome barriers to employment. This may include resolving problems with employment service providers, housing, transportation, accommodations, and overpayments that are work related and pose a barrier to work.
- Follow this process to reach a PABSS staff:
 - Call Disability Rights Texas' Intake Line: 1-800-252-9108. Individual will be contacted by a PABSS staff.
 - Current clients of PABSS call 1-800-315-3876.
- Read more about PABSS at:
http://www.disabilityrightstx.org/files/Protection-and-Advocacy-for-Beneficiaries-of-Social-Security_aug2013.pdf or [PABSS](#)

Health Information Counseling And Advocacy Program (HICAP)

- HICAP is a partnership of the Texas Legal Services Center and Departments of Insurance and Aging and Disability Services.
- Housed in the 28 Texas Area Agencies on Aging (AAA), the Texas HICAP consists of both certified Regional Benefits Counselors and trained volunteers who assist people age 60 and older, as well as Medicare-eligible persons with disabilities of any age with information, counseling, assistance and advocacy regarding Medicare and Medicaid, entitlements and legal rights, including general SSI/Title II information; help people get on certain benefits; and assist with appeals.
- Find your AAA HICAP program at:
<http://www.dads.state.tx.us/contact/aaa.cfm> or [AAA](#)

Texas Community Center Consumer Benefits Officers (CBOS)

- CBOs assist participants with serious and persistent mental illness and/or intellectual and developmental disabilities receiving services through a Community Center in applying and getting qualified for SSI, Title II and/or various HHS Medical and Social Services and other publicly funded benefits.
- Some CBOs work with participants or other staff to ensure awareness of work incentives, however each Center is governed independently so check with your CBO to see if they have enough knowledge about benefits when working to assist you and your participant.



SSI in a Nutshell

- SSI cash amount is determined by a formula.
- Individuals always have more money if they work under SSI.
- SSI Medicaid continues until earnings of \$35,181 (2018) or higher each year!



Title II in a Nutshell

- Title II cash works in stages.
- There are lots of safety nets and many years the individual can try work and still be attached to the system.
- Title II has provisions for getting back onto the system quickly even if someone is terminated from cash and health care benefits.
- Medicare continues as long as someone gets a cash benefit and continues even after that for many years!

“The journey of a thousand miles begins with one step”

-Lao Tzu



**If you work hard and you do
your best, you can do
anything.**

Erin Heatherton

Contact Information

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