

210.00 Serving Individuals who are SSDI/SSI Participants Policy

(April 2011)

See corresponding procedure: 210.00 Social Security and Ticket Procedure

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Description

It is important to recognize the employment supports and options available for individuals who are on Social Security Disability Insurance or Supplemental Security Income. ACCES-VR can receive payments from the Social Security Administration for those individuals who achieve employment with earnings at a substantial level as defined by the Social Security Administration. Specific policy provisions for individuals who receive Social Security Disability Insurance or Supplemental Security Income, benefits counseling, the Ticket to Work Program and other strategies can be coordinated to improve employment outcomes.

Definitions

Ticket to Work Program (TTW)

All individuals with disabilities who receive benefits from the Social Security Administration are eligible to participate in the Social Security Administration's Ticket to Work and Self-Sufficiency Program. The "Ticket to Work Program" allows SSDI and SSI beneficiaries to seek the employment services, vocational rehabilitation services and other support services needed to obtain, regain or maintain employment and reduce their dependence on cash benefit programs.

Benefits Counseling

Benefits counseling is a resource for an individual to obtain benefits and/or to understand and use work incentives available through the Social Security Administration (SSA) and other public or private programs. Benefits counseling provides

reliable information on the impact of earned income on cash benefits and entitlement programs that the person may depend on for overall income, including:

- Social Security Disability Insurance (SSDI)
- Supplemental Security Income (SSI)
- Medicaid and Medicare, and other health care benefits,
- housing subsidies, and
- other public assistance.

Benefits counseling can help the individual to make informed choices regarding working and earnings; apply work incentives to manage benefits and the costs associated with going to work; and develop a plan that leads to greater economic self-sufficiency. It reduces the risk of losing essential entitlements and helps the person establish a secure financial situation.

Employment Network (EN)

An employment network (EN) is any qualified entity that has entered into an agreement with SSA under the Ticket to Work program to deliver employment, vocational rehabilitation and support services to beneficiaries of SSDI and/or SSI who have assigned their Tickets to them.

Individual Work Plan (IWP)

An IWP is an employment plan used by an EN. An IWP describes the specific employment services, vocational rehabilitation services or other support services that an EN will provide in assisting a beneficiary to achieve an employment goal under the Ticket to Work program. An EN must submit a signed IWP to the Program Manager (Maximus) before a beneficiary's ticket can be considered assigned to an EN.

Social Security Disability Insurance (SSDI)

SSDI provides benefits to disabled or blind individuals who are "insured" by workers' contributions to the Social Security trust fund. These contributions are the Federal Insurance Contributions Act (FICA) social security tax paid on their earnings or those of their spouses or parents. Title II of the Social Security Act authorizes SSDI benefits.

Supplemental Security Income Program (SSI)

SSI makes cash assistance payments to aged, blind and disabled people (including children under age 18) who have limited income and resources. The federal government funds SSI from general tax revenues. Some states, like New York State, pay benefits to some individuals to supplement their federal benefits. In New York State, the Social Security Administration combines the state supplementary payment with the Federal payment into one monthly check. Title XVI of the Social Security Act authorizes SSI benefits.

Informed Choice

Individuals are active participants in making informed choices throughout the vocational rehabilitation (VR) program. ACCES-VR staff will provide:

- information regarding a range of vocational rehabilitation options that will allow individuals on SSDI/SSI to make informed choices to find work;
- benefits counseling, directly or through community resources, to enable SSA's beneficiaries with disabilities to make informed choices about work; and,
- review the Ticket to Work Program Fact Sheet with individuals on SSDI/SSI at application and again prior to case closure.

Referral

ACCES-VR staff will work with referral sources and SSDI/SSI participants to encourage the use of benefits counseling prior to a referral to ACCES-VR or another EN so that the individual is able to make an informed choice about work and the effect on benefits.

Significant Disability and Most Significant Disability

Individuals on SSI and/or SSDI are considered to have at least a significant disability. However, further review may result in a determination that the individual meets the criteria established by ACCES-VR for most significant disability.

Eligibility and Presumed Eligibility

An applicant who has been determined eligible for SSDI or SSI and intends to achieve an employment outcome is presumed eligible for ACCES-VR services.

As soon as an applicant has been identified as an SSDI/SSI participant, and verification has been obtained from SSA, the applicant meets the ACCES-VR eligibility requirement. The only exception to this presumption of eligibility is if the ACCES-VR counselor demonstrates with clear and convincing evidence, through a trial work experience or extended evaluation that the person cannot benefit from VR services, in terms of employment, due to the significance of the individual's disability.

Verification of SSDI/SSI Benefits

The applicant should provide appropriate documentation to verify that he or she is a recipient of SSDI or SSI benefits.

If the applicant is unable to provide verification, ACCES-VR staff, with appropriate releases, must verify the applicant's eligibility for SSDI/SSI. This verification must be made within a reasonable period of time to determine the applicant's eligibility.

A current Ticket to Work is evidence that the ticket holder is receiving SSDI/SSI benefits for the purpose of determining eligibility.

Development of the Individualized Plan for Employment (IPE)

When an individual agrees to and signs an IPE, the ticket is considered to be "in use" with ACCES-VR and is no longer available to be assigned to an EN. Upon case closure

the ticket can be assigned to an EN. ACCES-VR's Ticket to Work Program Fact Sheet explains the potential advantages of assigning the Ticket to an Employment Network after VR services are completed. SSA refers to this as the "Partnerships Plus" option.

NOTE: If the individual has already assigned their Ticket to an EN prior to VR eligibility, then the individual must "withdraw" the Ticket from the EN, in order to participate in ACCES-VR services (under the Cost Reimbursement option) and then may reassign the Ticket to an EN upon completion of VR services.

Provision of Benefits Counseling

All Social Security recipients will be offered benefits counseling during the vocational rehabilitation process. Benefits counseling can be provided at any point in the rehabilitation process. If ACCES-VR staff does not provide this service, it may be obtained through the Social Security Administration-funded Work Incentive Planning and Assistance (WIPA) organizations or authorized from an approved vendor.

Participation in the Cost of Services based on Financial Need

Federal regulation prohibits requiring the financial participation of the individual who is an SSI/SSDI participant.

Comparable Benefits and Services

1. An SSA-approved Plan for Achieving Self-Support (PASS) does not constitute a comparable benefit or service. A **PASS** is a Social Security work incentive that allows an SSI recipient to set aside income and/or resources for a specified time in order to achieve an employment goal. While funds from a PASS cannot be considered a comparable benefit, PASS resources can complement VR services, particularly to cover additional costs of services, such as vehicle modifications, college study and self-employment.
2. A Ticket to Work that is assigned to an EN prior to the development of the IPE is considered a comparable benefit. In these circumstances, VR funds should not be used for those services that the individual can receive through the EN. The EN is required to have an agreement with the State VR agency if individuals served by the EN are expected to obtain VR services while continuing to have the Ticket assigned to the EN.
3. Benefits counseling is exempt from a consideration of comparable benefits and services.

NOTE: SSA Regulations require that an EN must have an established agreement with the State VR agency when referring individuals to VR for services. If there is no agreement in place, then the person must un-assign the Ticket from the EN in order to have the Ticket considered in use with State VR upon development of an Individualized Plan for Employment. At the conclusion of ACCES-VR services, the Ticket can once again be assigned to the EN.

Comparison of the Two Disability Programs

Social Security Disability	Supplemental Security Income
Also known as SSD, SSDI – Social Security Disability Insurance, Title II or simply "Social Security".	Also known as SSI or Title XVI.
Wage earner must have accrued sufficient "quarters of coverage".	No work history is required.
<p>Benefits to worker's (wage earner) family:</p> <p>Spouses: If at least age 62, or if caring for either a child under 16 or a disabled child of the worker.</p> <p>Divorced Spouses: If the marriage lasted at least 10 years, and the person is age 62 years old or older and remains unmarried.</p> <p>Child: If under age 18 (or under 19 if a full-time high school or elementary student) and dependent unmarried child of an insured eligible worker.</p> <p>Disabled Adult Child: Adult Children (18 or older) of a retired, disabled or deceased worker, if the disability began before the age of 22.</p>	No family member of the SSI recipient will be eligible for SSI benefits unless the family member independently establishes eligibility for SSI.
From the date one becomes disabled, there is a five-month waiting period prior to the receipt of benefits.	No waiting period. An individual may receive benefits from the date of application of benefits.
Provision for payment up to 12 months before the date of application.	Only paid the first day of the month following month of application.
Only Worker's Compensation or other Federal or State disability payments may affect payment level.	Any income (earned or unearned) can affect benefit (after applying income disregard and exclusion).
No resource limits.	Resources must be below \$2,000 for an individual and \$3,000 for an eligible couple.
Checks are paid one month behind, i.e. check received on May 3 is recipient's April check.	Checks are paid for the month in which they are received.

Reference:

Final Rules, Amendment to the Ticket to Work and Self-sufficiency Program, Federal Register, Vol.73, #98, May 28, 2008

Related Policies:

- 100.00 Consumer Involvement
- 202.00 Eligibility for Services
- 206.00 Individualized Plan for Employment
- 208.00 Comparable Benefits and Services
- 405.00 Training at a College or University Leading to a Degree
- 1125.00 Consumer Participation in the Cost of Services