



NYS APSE Employment First Training Institute 2019

It Takes Work to Implement Incentives to Work

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The NYS CASE is sponsored by the New York State Education Department, ACES-VR

CREATING A *foundation for excellence* BY
ENHANCING THE *capacity and proficiency* OF
EMPLOYMENT SERVICE PROVIDERS
in New York State



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Today we will discuss... 

- Typical challenges faced by youth and their families who receive SSI
- The basics of SSA disability programs
- How the benefits of an individual receiving SSI are impacted by earnings
- Four tools (incentives) you need to know to support a youth's effective transition to greater economic self-sufficiency
- Gauging your need for support



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Challenges...



There are so many other things competing for our child's and our attention!

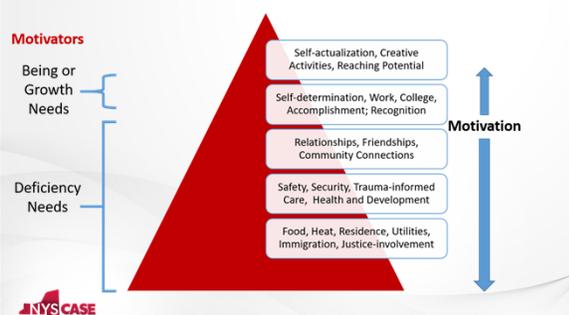
Our child struggles enough with school much less adding work on top of that.

We can't afford to lose our child's SSI check—our family budget depends on it!



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Maslow and SSI Youth



Motivators

Being or Growth Needs

Deficiency Needs

Motivation

- Self-actualization, Creative Activities, Reaching Potential
- Self-determination, Work, College, Accomplishment; Recognition
- Relationships, Friendships, Community Connections
- Safety, Security, Trauma-informed Care, Health and Development
- Food, Heat, Residence, Utilities, Immigration, Justice-involvement



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The Basics of SSA Disability Programs



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One Definition of Disability

- The inability to engage in SGA due to a medically determinable physical and/or mental impairment that will prevent substantial gainful activity for at least 12 consecutive months or result in death.
- FUNCTIONAL DEFINITION!



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Substantial Gainful Activity [SGA]

- Countable gross earned income over a set amount per month.
- Currently, in 2019, the set amount is \$1,220/month for all SSDI recipients who are not legally blind. SGA considers "countable income".
- Currently, in 2019, the set amount is \$2,040/month for those who are statutorily blind.



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SSA Programs

Title II Benefits

- RSDHI (Retirement, Survivor, Disability, Health Insurance)
- SSDI (Social Security Disability Insurance)
- Title II, DIB (Disability Insurance Benefits)

Supplemental Security Income

- SSI (Supplemental Security Income)
- Title XVI



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Title II Disability (SSDI) Benefits

- Spouses: At least age 62, or if caring for either a child under 16 or a disabled child of the worker
- Divorced Spouses: If the marriage lasted at least 10 years and the person is age 62 years old or older and remains unmarried.
- Child: If under age 18 (or under 19 is a full-time high school or elementary student) and dependent unmarried child of an insured eligible worker.
- Childhood Disability Benefit (CDB): Adult children (18 or older) of a retired, disabled, or deceased worker, if the disability began before the age of 22.



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Title XVI (SSI) Benefits

Supplemental Security Income

- No family member of the SSI recipient will be eligible for SSI benefits unless he or she independently establishes eligibility for SSI



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What Affects Benefit Amount?

Social Security Disability Benefits

- Only Worker's Compensation or other Federal or State disability payments may affect payment level.
- Earnings from employment

Supplemental Security Income

- Any income (earned or unearned) affects benefits.



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Four Types of Income



- Earned Income
- Unearned Income
- Deemed Income
- In-Kind Income



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Effect of Resources

Social Security Disability Benefits	Supplemental Security Income
<ul style="list-style-type: none">• No resource limits	<ul style="list-style-type: none">• Resources must be below \$2,000 for an individual and \$3,000 for married eligible couples.



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Health Benefits

Social Security Disability Benefits	Supplemental Security Income
<ul style="list-style-type: none">• Eligible for Medicare after having received 24 monthly SSDI payments• Extended Medicare coverage once working	<ul style="list-style-type: none">• In 40 states, eligible for Medicaid if receiving even \$1.00 of SSI• Medicaid Buy-In Program



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Work and SSI



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Federal SSI Benefit Rates 2019

- \$771 – eligible individual
- \$1,157 – an eligible individual with an eligible spouse
- Several states provide State Supplements that will increase the total monthly SSI payment. For example, in NYS the 2019 rates are:
 - Individual = \$858 (\$87 supplement to FBR)
 - Couple = \$1,261 (\$104 supplement to FBR)
- All examples in training use just the 2019 FBR



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SSI Earnings Formula

$$x = \frac{-b \pm \sqrt{b^2 - 4ac}}{2a}$$

- The first \$20 earned is disregarded if the individual has no unearned income
- The next \$65 earned is disregarded as a work exclusion
- One half of the remaining earned income is disregarded
- What is left is the net countable earned income
- The net countable earned income is subtracted from the SSI benefit rate depending on the living arrangement

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SSI Budget Example #1



- Ted has a disability and lives alone.
- Ted receives \$385/month Social Security Disability Insurance (SSDI) benefits.
- The SSI program will disregard or not count the first \$20 each month of Ted's SSD benefits.

\$ 385	Social Security Disability
- 20	Disregarded
\$ 365	Countable unearned income
\$ 771	FBR
- 365	Countable income
\$ 406	Adjusted SSI payment

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SSI Budget Example #2



- Ted lives alone.
- Ted earns \$385/month.
- SSI will disregard the first \$85 each month (20 general, 65 earned income disregards)
- Then, an additional 50% will also be disregarded

\$ 385	Gross wages
- 20	General Disregard
\$ 365	
- 65	Earned Income Disregard
\$ 300	
- 150	Additional 50% disregarded
\$ 150	Countable wages
\$ 771	FBR
- 150	Countable income
\$ 621	Adjusted SSI check

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SSI Budget Example #2 Continued

- Income available to Ted is greater if he is working:



\$ 385	Gross wages
+ 621	Monthly SSI check
\$ 1,006	Ted's monthly income

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SSI Budget Example #3



- Ted has a disability and lives alone.
- Ted receives \$385/month Social Security Disability Insurance (SSDI) benefits.

\$ 385	SSDI
- 20	General Disregard
\$ 365	Countable Unearned Income
\$ 385	Monthly Earnings
- 65	Earned Income Disregard
\$ 320	
- 160	Additional 50% disregarded
\$ 160	Countable Earned Income
\$ 771	FBR
- 525	Total Countable Income
\$ 246	Adjusted SSI check

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SSI Budget Example #3 Continued

- Income available to Ted is greater if he is working:



\$ 385	SSDI
\$ 385	Gross wages
+ 246	Monthly SSI check
\$1,016	Ted's monthly income

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Four Primary Tools
You Need to Know
How to Use



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Age 18 Redetermination

- Youth need to complete a redetermination for adult eligibility at age 18
- There are three primary work incentive tools to assist you in supporting youth
 - The Stay Connected Incentive (Section 301)
 - The Income Exclusion Incentives
 - The Keep-Your-Healthcare Incentives



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1. The Stay Connected Incentive

- For children under age 18, provides an important incentive
 - SSI payments continue after a negative Age 18 Redetermination as long as student has IEP or IPE.
 - Applies to adults if they are enrolled in an approved vocational rehabilitation program, such as Ticket or VR.



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New Guidance for Youth

- All youth should...
 - Tell SSA during the redetermination interview about participating in special education, vocational rehabilitation and/or the Ticket to Work
 - Complete Section 10 (VR, Employment or Other Support Services) of SSA-3368 (Disability Report Form)
 - Provide copies of the IEP, IEP or IWP under Ticket.



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SSI Budget Example 1

Step One:

Unearned Income	\$ 0.00
- General Income Exclusion (GIE)	\$ <u>20.00</u>
= Countable Unearned Income	\$ 0.00

Step Two:

Gross Earned Income	\$ 1,050.00
- SEIE	\$ <u>0.00</u>
= Remainder	\$ 1,050.00
- GIE if not used above	\$ <u>20.00</u>
= Remainder	\$ 1,030.00
- Earned Income Exclusion	\$ <u>65.00</u>
= Remainder	\$ 965.00
- IRWE	\$ <u>0.00</u>
= Remainder	\$ 965.00
Divide by 2	<u> 2</u>
= Remainder	\$ 482.50
- BWE	\$ <u>0.00</u>
= Total Countable Earned Income	\$ 482.50

Joe has a disability, and lives alone. He earns \$1,050/month, and receives SSI.

Step Three:

Countable Unearned Income	\$ 0.00
+ Countable Earned Income	\$ 482.50
= Countable Income	\$ 482.50
- PASS	\$ 0.00
= Total Countable Income	\$ 482.50

Step Four:

2019 FBR:	\$ 771.00
- Total Countable Income	\$ <u>482.50</u>
= Modified SSI Payment	\$ 288.50
Total available monthly income	\$ 1338.50

Student-Earned Income Exclusion

- SEIE allows a significant amount of monthly/annual income to be excluded for the purposes of determining a monthly SSI award.
- A student is defined as an individual regularly attending school (as defined by the regulations) who is under the age of 22.
- In 2019, the SEIE is \$1,870 monthly / \$7,550 annually.



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SEIE Example

Step One:

Unearned Income	\$ 0.00
- General Income Exclusion (GIE)	\$ <u>20.00</u>
= Countable Unearned Income	\$ 0.00

Step Two:

Gross Earned Income	\$ 1,790.00
- SEIE	\$ <u>1,790.00</u>
= Remainder	\$ 0.00
- GIE if not used above	\$ <u>0.00</u>
= Remainder	\$ 0.00
- Earned Income Exclusion	\$ <u>65.00</u>
= Remainder	\$ 0.00
- IRWE	\$ <u>0.00</u>
= Remainder	\$ 0.00
Divide by 2	<u> 2</u>
= Remainder	\$ 0.00
- BWE	\$ <u>0.00</u>
= Total Countable Earned Income	\$ 0.00

Marcus is 17, lives with his parents, and regularly attends school. He receives \$1,790/month in earnings, and also receives SSI.

Step Three:

Countable Unearned Income	\$ 0.00
+ Countable Earned Income	\$ 0.00
= Countable Income	\$ 0.00
- PASS	\$ 0.00
= Total Countable Income	\$ 0.00

Step Four:

2019 FBR:	\$ 771.00
- Total Countable Income	\$ <u>0.00</u>
= Modified SSI Payment	\$ 771.00
Total monthly available income:	\$ 2,561.00

Other Income Exclusions

- **Impairment-Related Work Expense**
 - SSA allows deductions from gross wages for disability related expenses, services and/or items necessary to the recipient's work effort that they paid for out of pocket.
- **Blind Work Expense**
 - A blind recipient is entitled to a deduction from countable earned income equal to the cost of actual expenses reasonable attributable to work. "Blind Work Expenses" are NOT necessarily related to work.
- **Plan for Achieving Self-Support**
 - Permits the SSI recipient to shelter income and/or resources which would otherwise be countable for SSI purposes in a written plan to increase self-sufficiency.



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3. The Keep-Your-Healthcare Incentives

- 1619b
 - When cash benefits zero out, individuals can continue to get Medicaid under 1619(b) – in NYS \$46,316 threshold <https://www.ssa.gov/disabilityresearch/wi/1619b.htm>
 - The Medicaid Buy-In provides an important safety net https://www.health.ny.gov/health_care/medicaid/program/buy_in/



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Extended Medicare Eligibility

- An SSDI recipient is entitled to continued Medicare coverage during a nine-month trial work period and for at least 93 months following the ninth trial work month.
- During this entire period, hospital coverage is automatic and cost-free. Outpatient coverage continues to be optional and subject to premium payment of \$185.00 per month (2019).
- This means that the SSDI recipient who goes to work can keep Medicare for at least 102 months (or, nearly 9 years)!



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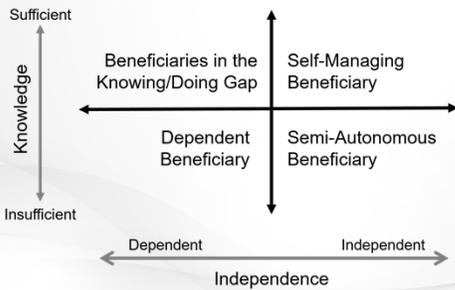
4. EXR Safety Net

- Eligible if:
 - Stopping receiving benefits because of earnings from work
 - Are unable to work or perform SGA
 - Are disabled because of your original impairment
 - Make the request within five years from the month your benefits ended.
- Allows for provisional benefits while decision is made to reinstate.



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Gauging the Need for Support



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Question and Answer



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