

ISS Circle of Support Council Meeting
The World of Benefits and Paid Employment with Barbara Morell
March 29, 2022 – Chat Box and Pre-submitted Questions

Pre-submitted questions:

1. John-His job coach goes with him to the first 3 hours of his shift to make sure his uniform is neat and that he understands the directions for the day and how to implement them. We file his hours of work and his job coaching hours with Social Security because he is on SSDI and the number of job coaching hours reduces his countable earnings if he is close to substantial gainful employment earnings. Can we do this online now? I used to file everything in paper each month but they always asked for the same documents about 18 months later.

SEE WAGE REPORTING HANDOUT.

FAX, MAIL OR HAND DELIVER (IF POSSIBLE) PAYSTUBS AND RECEIPTS FOR DISABILITY-RELATED ITEMS OR SERVICES (IRWES) TO YOUR LOCAL SSA OFFICE.

2. My son currently works full time but would not be able to work if he did not have a 1:1 staff. He does all the work but because he is non-verbal it is a risk for him to be left alone, even for 5 minutes. How can we get our kids working without having to lose all the benefits?

SEE IRWES AND SUBSIDY HANDOUTS FOR DETAILED INFORMATION.

3. Who is supposed to support individuals and families when they are having problems with SSI/SSDI especially when a person is working?

SEE WIPA HANDOUT FOR DETAILED INFORMATION ON RESOURCES.

WITHIN THE OPWDD SYSTEM, I BELIEVE THE CARE MANAGER IS RESPONSIBLE FOR AN ISSUE LIKE THAT.

3 a. I took a class with thru Cornell regarding work incentives and why is it beneficial to work, however, there is very little support in this area and people are afraid to work since it will mess up there SSI or SSDI. I learned of a form SA 3033 if a person is working and receiving job coaching, SA 3033 that needs to be filled out since that form will reduce a person's reportable wages.

SEE SUBSIDY HANDOUT.

A "SUBSIDY" IS SUPPORT PROVIDED BY AN EMPLOYER THAT MAY RESULT IN A PERSON RECEIVING MORE PAY THAN THE ACTUAL VALUE OF THE SERVICES THEY PERFORM. THE SSA CONSIDER THE EXISTENCE OF SUBSIDIES AND/OR SPECIAL CONDITIONS WHEN THEY MAKE A SUBSTANTIAL GAINFUL ACTIVITY (SGA) DECISION. ONLY EARNINGS THAT

REPRESENT THE REAL VALUE OF WORK PERFORMED IS CONSIDERED WHEN CALCULATING SGA.

3.b I think it would be great if ISS did a presentation on the “ticket to work” to help educate the individuals and families on the program and how to calculate.

Noted – Thank you!

SEE WIPA HANDOUT FOR TICKET TO WORK CONTACT INFORMATION.

ALSO, WHEN AN INDIVIDUAL IS UTILIZING THEIR “TICKET,” THE SSA WILL NOT CONDUCT A CONTINUING DISABILITY REVIEW (CDR).

3 c. Also, the changes in SSI once a parent retires or passes away, including if the parent becomes disabled.

IF A DISABLED ADULT CHILD (DAC) MEETS ELIGIBILITY REQUIREMENTS, THEY MAY RECEIVE SSDI BASED ON THEIR PARENT’S WORK RECORD. COULD BE ENTITLED TO 50% OF A DISABLED OR RETIRED PARENT’S BENEFIT AND 75% OF THE BENEFIT WHEN THE PARENT PASSES AWAY.

SEE SSA WEBSITE: *HOW YOU QUALIFY - ADULTS WITH A DISABILITY THAT BEGAN BEFORE AGE 22*

<https://www.ssa.gov/benefits/disability/qualify.html#anchor7>

4. My questions relates to the 1619B Medicaid Buy In. We wanted to put my son in the 1619B program. We called the Medicaid Office and they said due to Covid the program is at a freeze.

THESE ARE TWO SEPARATE PROGRAMS: 1619(b) AND MEDICAID BUY-IN FOR WORKING PEOPLE WITH DISABILITIES (MBI-WPD).

4a. Is it still at a freeze ?

ALL MEDICAID IS CURRENTLY “FROZEN,” BUT RECERTIFICATIONS SHOULD BEGIN AS OF JUNE 1, 2022.

4b. If not we would like to begin the process what is the first step?

PLEASE CONTACT YOUR LOCAL DSS.

4c. Once in the program what do we need to do and what records to we have to keep?

SEE WIPA AND 1619(B) AND MBI-WPD HANDOUTS.

4d. How much money can an individual earn, who do we report it to, and how much can the individual save in an account and still keep our services?

SEE 1619(B) AND MBI-WPD HANDOUTS. EACH PROGRAM HAS DIFFERENT LIMITS.

4e. There are other acronyms in the " alphabet soup" that I am not aware of? Can we go over what they stand for?

YES, SEE THE TITLE PAGE. THEY ARE ALL SPELLED OUT

5. I would like to know about what happens to the SSI when the parent retires and starts to collect social security themselves. It's my understanding the SSI then transfers to something else collected under the parent.

Also, what if a parent passes away. Do they collect under something different than SSI?

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6. Since "E" is now retired and collecting SS why is son Michael now on Medicare? Do we still need to report Michael's income (\$400 month) to SS? Any other implications we need to be aware of?

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7. How can my daughter add her employer to her "My Social Security" account, so that she can report wages online for SSDI purposes? No matter how many times we ask for help with this, we can't get it to happen.

YOU MUST TELEPHONE SSA (800-772-1213), TO ASK THEM TO ADD THE EIN NUMBER TO YOUR MY SOCIAL SECURITY ACCOUNT SO THAT YOU CAN UTILIZE ONLINE REPORTING.

8. I am the landlord (the apartment I rent to client is 6miles from my home) can I continue to work as com hab paid staff? Finding it difficult to keep staff.

COVID pay? What is it? How to file for it?

Vaccine pay?

Housing subsidy has been cut by \$143 this is making it tougher to cover rent Is there more funds coming for housing/rent in the future?

Don't understand the housing tab where you can add out of pocket expenses that may allow for an increase in housing benefit Please explain.

Staffing is the other big problem-difficult to get qualified staff

THESE ARE ALL GOOD QUESTIONS OUTSIDE OF TONIGHT'S TOPIC OF DISCUSSION AND SHOULD BE BROUGHT TO THE BROKER FOR ANSWERS.

9. My question concerns SSDI and sick, vacation, holiday and comp time.

I am attaching a few pages from the Social Security POMS (Program Operations Manual System) which I found online. . There is a section on SSDI I am attaching to this email that clearly states that Holiday, Sick and Vacation Pay do **not** count as income for SGA computation purposes. (There is a separate section in the POMS for retirement benefits with different definitions).

I spoke to the SSA Patchogue office twice regarding these questions. Both times we were told that holiday, vacation and sick pay **do** count as income. That is clearly not so according to the manual. I was referred to SILO by a friend and they are sure that holiday, vacation, and sick days do **not** count toward SGA.

The SILO rep checked with their attorney and said comp time also would **not** count as income but the social security rep sent me the letter attached and said if it would count towards SGA office if it is a special payment because of Covid. The definition of SGA from SILO's website is also attached..

I was wondering if you could address how to handle the submission of paystubs to SSA?. If they include the above as wages he could go over SGA.



SILO SGA
Defs061.pdf



SSDI and SGA.pdf

SEE WIPA HANDOUT.

PLEASE CALL TO THE CWIC FOR ADDITIONAL INFORMATION.

10. If an adult (age 20) has a full disability through New York State, do they ever transition from Medicaid to Medicare & Medicaid medical coverage.

SEE MOVING FROM SSI TO SSDI HANDOUT.

YES. MOST SSI BENEFICIARIES CAN KEEP THEIR MEDICAID EVEN AFTER THEY NO LONGER RECEIVE A CASH BENEFIT FROM SSA. THOSE RECEIVING SSDI BENEFITS FOR A PERIOD OF 24 MONTHS, WILL RECEIVE MEDICARE AS WELL.

11. My son Alec is going to be 21 yrs. old and is aging out of school and I would like just information and what's next and how about going about it

PLEASE START WITH YOUR SCHOOL DISTRICT TRANSITION COORDINATOR.

12. I am 67 years old and need to start collecting my Social Security Retirement Benefit. Apparently, this will trigger a (CDR) review of my son's Autism-related

disability. (My son has a SSD Benefit due to a prior short PT work record as well as due to my Hubby's SS Retirement a few years ago (DAC)).

Any tips/suggestions on how to help this Continuing Disability Review (CDR) process go more smoothly this time? It was a very stressful experience last time (DAC review). The Reviewer seemed wishy-washy about renewing the 1 year prior made disability decision. (Maybe he was a rookie?) Not a fun thing to go through.

IT'S EXTREMELY IMPORTANT TO HAVE LOTS OF SUBSTANTIATING EVIDENCE OF THE DISABILITY.

12a. I hope that my son (age 30, ASD diagnosis) can someday be able to work (PT?) (or . . . maybe even FT???) . How does SSD work if the disabled person loses their SSD Benefit due to employment, but later has some disability-related difficulty and can't work and needs their SSD Benefit back?

What's a good strategy/plan regarding employment and one's SSD Benefit? Is there a safety net of any kind?

SEE SSDI WORK INCENTIVE PROCESS HANDOUT.

MANY WORK INCENTIVES EXIST FOR THE VERY REASONS YOU MENTION ABOVE.

12b. Related to ASD diagnosis; my son has SSD, Medicare, Medicaid, "Extra-Help", and "QMB" (Qualified Medicare Beneficiary). Recently a Doctor's office said that my son may no longer be eligible for QMB, but I haven't received any notice of this from Medicare about this.

What are the eligibility requirements for QMB

PLEASE SEE: <https://www.benefits.gov/benefit/6177>

13. What happens when a consumer goes full-time ?

-no longer working under SGA - the long term considerations to disability status with SS

SEE SEIE, PASS, IRWE, SUBSIDY, SSDI PROCESS HANDOUTS.

THIS VERY MUCH DEPENDS ON WHICH BENEFIT THE INDIVIDUAL IS RECEIVING: SSI OR SSDI.

CHATBOX QUESTIONS:

1.A person who has a parent who is collecting SSDI (when they retire or become disabled themselves) will also get 1/2 of their parents SSDI- correct?

THE INDIVIDUAL WILL RECEIVE THE HIGHER OF THE TWO BENEFITS, THEIR OWN OR THEIR PARENT'S, NOT BOTH

2. Please repeat the name of the Acces VR assessment

DVE DIAGNOSTIC VOCATIONAL EVALUATION A DVE IS AN INDIVIDUALIZED PROGRAM CONSISTING OF TESTING AND REAL WORK ASSESSMENTS. IT IS DESIGNED TO DETERMINE A PERSON'S ABILITIES, INTERESTS AND NEEDS IN ORDER TO IDENTIFY REALISTIC WORK GOALS AND EMPLOYMENT OUTCOMES.

3. When does the trial work period happen?

SEE SSDI PROCESS HANDOUT

“DURING YOUR TWP, WE PAY YOU DISABILITY PAYMENTS NO MATTER HOW MUCH YOU EARN. HOWEVER, IF YOU EARN UNDER \$970 IN A MONTH IT IS NOT COUNTED AS A TRIAL WORK MONTH. HOW IT WORKS:

- LASTS FOR NINE MONTHS.**
- THE NINE MONTHS DO NOT HAVE TO BE IN A ROW.**
- MUST TAKE PLACE WITHIN 60 MONTHS (FIVE YEARS).“**

4. Will the recording be made available to attendees?

YES THE MEETING IS BEING RECORDED AND WILL BE AVAILABLE AT ISSNY.ORG UNDER THE DEPARTMENT TAB – “FAMILY LIAISON” IN THE DROP DOWN

5. Can car expenses counted towards work incentives, since the person needs to get to work?

YES. SEE IMPAIRMENT RELATED WORK EXPENSES (IRWE) HANDOUT

IRWE DEDUCTIBLE TRANSPORTATION COSTS

- THE COST OF STRUCTURAL OR OPERATIONAL MODIFICATIONS TO YOUR VEHICLE THAT YOU NEED TO TRAVEL TO WORK, EVEN IF YOU ALSO USE THE VEHICLE FOR NON-WORK PURPOSES.**
- THE COST OF DRIVER ASSISTANCE, TAXICABS, PARATRANSIT, SPECIAL BUS, OR OTHER TYPES OF TRANSPORTATION YOU NEED BECAUSE OF YOUR DISABILITY RATHER THAN THE LACK OF PUBLIC TRANSPORTATION.**
- MILEAGE EXPENSES AT A RATE DETERMINED BY US FOR AN APPROVED VEHICLE AND LIMITED TO TRAVEL TO AND FROM WORK.**

6. So what would be the max amount someone who gets SSI can earn per month, please?

SEE SSI EARNED INCOME EXCLUSIONS HANDOUT

WITH NO ADDITIONAL DEDUCTIONS, EARNINGS OF \$1767 PER MONTH WILL HAVE A \$0 SSI BENEFIT.

7. Do you lose Medicaid if the SSI is reduced to 0 due to work income?

NO. SEE CONTINUED MEDICAL COVERAGE HANDOUT

YOU MUST MEET THE FOLLOWING QUALIFICATIONS: WERE ELIGIBLE FOR AN SSI CASH PAYMENT FOR AT LEAST ONE MONTH, WOULD BE ELIGIBLE FOR CASH PAYMENT EXCEPT FOR EARNINGS, STILL BE DISABLED, STILL MEET ALL OTHER ELIGIBILITY RULES, INCLUDING THE \$2000 RESOURCE TEST, NEED MEDICAID IN ORDER TO WORK, HAVE GROSS EARNED INCOME THAT IS UNDER THE THRESHOLD OF THE AMOUNT (\$50, 534) REQUIRED TO REPLACE SSI, MEDICAID, AND ANY PUBLICLY FUNDED ATTENDANT CARE, (CDPAP/S) IN NYS.

8. What if you take college certificate course but less than 8 hours a week?

SEE STUDENT EARNED INCOME EXCLUSION HANDOUT. THE REQUIRED HOURS ARE 8 HOURS PER WEEK.

9. So would a cab receipt that takes one to and from work (or an Ableide receipt) would be an IRWE?

IT SHOULD, BUT PLEASE CHECK WITH THE SSA OR WIPA FOR CONFIRMATION.

10. I was under the impression that parents "should never give" their child money to pay for items, wouldn't that count as countable income to the individual?

THE FUNDS USED FOR IRWEs SHOULD COME FROM THE BENEFICIARY.

11. A lot of our "kids" probably move from SSI to SSDI as DACs. Will that be part of this presentation?

THAT PROCESS IS NOT DIRECTLY TIED TO EMPLOYMENT. IF A DISABLED ADULT CHILD (DAC) MEETS ELIGIBILITY REQUIREMENTS, THEY MAY RECEIVE SSDI BASED ON THEIR PARENT'S WORK RECORD. COULD BE ENTITLED TO 50% OF A DISABLED OR RETIRED PARENT'S BENEFIT AND 75% OF THE BENEFIT WHEN THE PARENT PASSES AWAY.

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12. Can someone please clarify the difference between SSI and SSDI

SEE SSA PROGRAMS HANDOUT.

THE MAJOR DIFFERENCE IS THAT AN SSI DETERMINATION IS BASED ON AGE/DISABILITY AND LIMITED INCOME AND RESOURCES, WHEREAS AN SSDI

DETERMINATION IS BASED ON DISABILITY AND WORK CREDITS. IN ADDITION, IN NEW YORK STATE, AN SSI RECIPIENT WILL AUTOMATICALLY QUALIFY FOR HEALTH CARE COVERAGE THROUGH MEDICAID.

13. Would the job coach ask the employer to fill out the (SUBSIDY) Work Activity Questionnaire?

YES. THAT SEEMS APPROPRIATE.

How do you apply for Medicaid buy in?

PLEASE CONTACT YOUR LOCAL DSS.

14. I called Medicaid in order start the 1619b was on hold due to Covid. Would you know if that is still true?

ALL MEDICAID IS CURRENTLY “FROZEN,” BUT RECERTIFICATIONS SHOULD BEGIN STARTING JUNE 1, 2022

15. What about someone who has never received either SSI or SSDI, makes over 1350 but can get a subsidy certified from their employer and has work related expense receipts. Is it possible to apply for SSDI in this case?

SEE WIPA HANDOUT FOR ADDITIONAL INFORMATION.

THAT IS A VERY INTERESTING QUESTION, BUT I CANNOT PREDICT SSA’S RESPONSE, AS THAT IS PUTTING THE “CART BEFORE THE HORSE.”

16. Is the employee work activity questionnaire and an employer’s cooperative statement the same?

I AM NOT FAMILIAR WITH THE “EMPLOYER COOPERATIVE STATEMENT.”

17. Please provide an example with details of exactly how this would work for a person with a \$1300/mo. SSD benefit who gets a job. So I understand this better

FOR SPECIFIC, INDIVIDUAL SITUATIONS PLEASE SEE THE WIPA HANDOUT. A CWIC MAY BE ABLE TO HELP.

18. Does that also apply to legal guardian?

NOT SURE WHAT THIS IS IN REFERENCE TO.

19. Recertified is only for SSDI

MEDICAID RECERTIFICATIONS DO NOT APPLY TO THOSE INDIVIDUALS RECEIVING SSI, BUT DO APPLY TO THOSE RECEIVING SSDI.

20. Can you apply for a credit card when you receive SSDI benefits?

YES.

21. Can you clarify who is covering the service dog expenses? My sister does have a support dog and we have never submitted receipts.

SEE IMPAIRMENT RELATED WORK EXPENSES HANDOUT.

THIS NOT A COVERED OR REIMBURSABLE EXPENSE. IT IS A DEDUCTION FROM A WORKING PERSON'S COUNTABLE INCOME AS DETERMINED BY SSA.