

NAVIGATING THE MAZE: THE SOCIAL SECURITY SYSTEM

AGENDA

- I. THE SOCIAL SECURITY ADMINISTRATION (SSA)
ELIGIBILITY REQUIREMENTS – *SSI, SSDI & DAC*

- II. THE APPLICATION PROCESS - *SSA form 3820-Child, SSA form 3368-Adult: The Sequential Evaluation Process*

- III. THE APPEALS PROCESS – *Request for Reconsideration, Hearing before ALJ, Appeals Council Review & Federal District Court*

- IV. THE TICKET TO WORK PROGRAM – *SSA work incentives, BPAO & PABSS*

- V. QUESTIONS & ANSWERS

eligibility - meet the SSA medical and

non-medical requirements.

Definition of disability – The law defines disability as the inability to do any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months (20 CFR §404.1505).

statutory blindness – Defined in the law as central visual acuity of 20/200 or less in the better eye with the use of correcting lenses. An eye which has an limitation in the field of vision so that the widest diameter of the visual field subtends an angle no greater than 20 degrees is considered to have a central visual acuity of 20/200 or less (20 CFR §404.1581).

Substantial gainful activity (sga) – SGA is work that (a) involves doing significant and productive physical or mental duties and (b) is done (or intended) for pay or profit (20 CFR §404.1510).

The SGA for a non-blind individual is \$800.00/mth and \$1330.00/mth for a blind person. These amounts are gross earnings (before taxes) and change each year.

Other Requirements

ssi

ssdi

- | | |
|--|---|
| <ul style="list-style-type: none">* Aged (65+), Disabled or blind* Have limited income and limited resources* Living arrangements and support* Citizenship (Non-citizens can get SSI in some cases) | <ul style="list-style-type: none">* Not working or earning above SGA* Have insured status from previous work |
|--|---|

The Application Process

- To establish your “protective filing date” call SSA at 800-772-1213 and tell the service representative you want to apply for your disability benefits.
- An appointment will be set up with the local SSA field office for you to complete and file the *Disability Report*.
- An appointment letter will be mailed to you informing you of your appointment date and time as well as any other documents you will need to bring to the interview.
- You can request that the *Disability Report* be sent to you prior to your appointment and have it filled out before you go to the SSA office.

Evaluation – The completed application is forwarded to the Disability Determining Service (DDS) which uses the Sequential Evaluation Process to determine disability.

The Sequential Evaluation Process

- Is the individual working at a substantial level ?
- Is the individual’s medically determinable or combination of impairments “severe?”
- If the impairment is determined to be severe, does it meet or medically equal the severity of a listing in SSA’s Listing of Impairments ?
- If the impairment is severe, but does not meet or equal the severity of the listings, does the individual retain the capacity to do his/her past relevant work, considering his or her residual functional capacity ?
- If past relevant work is precluded, does the individual retain the capacity to do any other kind of work (which exists in significant numbers in the national economy)

considering the individual's residual functional capacity and the vocational factors of age, education and work Experience ?

The appeals process – You have the right to appeal any decision made by the Social Security Administration

Steps in the Appeals Process

- Request for Reconsideration of Decision
- Request for a Hearing before an Administrative Law Judge (ALJ)
- Request for an Appeals Council Review
- Federal District Court

The Ticket to Work and Self-Sufficiency Program - "The Ticket"

What is the TICKET TO WORK (TTW) Program ?

The ticket to work (TTW) program is the cornerstone of the ticket to work and work incentive improvement act of 1999. the goal of the Ttw program is to expand the universe of service providers available to individuals entitled to ssi and ssdi in obtaining the services necessary to find, enter and maintain employment.

The legislation also removes barriers that previously influenced people's choices between healthcare coverage and work.

Who is Eligible to receive a "Ticket" ?

To be eligible for a "ticket" you must BE:

- (1) Age 18 and have not reached your 65th birthday
- (2) Currently receiving SSI, SSdi or concurrent (receiving ssi & ssdi) eligible
- (3) ssa records show that your case is not designated as a "medical improvement expected" (MIE) diary review case
- (4) Your case is designated a "medical improvement expected" (Mie) diary review case and ssa has conducted at least one continuing disability review (cdr) and has determined that your disability continues
- (5) You will only be entitled to receive one ticket while you are entitled to ssi or ssdi
- (6) If your ssi or ssdi is terminated and you are reinstated, you will be entitled to another ticket

How Does the TTW Program Work ?

SSa has contracted with national, state and local service providers, known as employment networks (EN), that work with beneficiaries to provide support and employment-related assistance. Tickets can be used to obtain rehabilitation or employment services or a job from any EN the beneficiary chooses.

the beneficiary and the en design and agree upon an employment plan outlining the services to be provided to assist the beneficiary in obtaining employment. The ticket is then considered “assigned” to the EN. When services are being provided and the beneficiary is working toward his/her work goal, the ticket is “in Use”.

Other Facts about the TTW Program...

- the ticket program is **voluntary!!!**
- Beneficiaries receiving tickets are not required to participate in the program or go to work.
- The ticket Program is for those who want to get off of their ssi or ssdi benefits.
- No continuing disability review (cdr) while ticket is in use.
- Creates new employment and support systems (EN, pabss, bpao)
- Rewards work outcomes.

To learn more about the ticket to work program or ask further questions, you can call **maximus** toll free at:

Voice: 1-866-yourticket / 1-866-968-7842

tdd line: 1-866-tdd2work / 1-866-833-2967

www.yourtickettowork.com

www.ssa.gov/work

www.socialsecurity.gov

you can also contact the PABSS advocate at Protection & Advocacy in your area:

Sacramento 916-488-9950 1-800-719-5798 tty
Oakland 510 -430-8033 1-800-649-0154 tty
Los Angeles 213-427-8747 1-800-781-4546 tty
San Diego 619-239-7861 1-800-576-9269 tty
Pai toll free number 800-776-5746
Website www.pai-ca.org

SSA Work Incentive Programs

The ssa has work incentive programs which encourage ssi and ssdi beneficiaries to enter, return to or advance in the work place. These work incentives can allow the beneficiary to keep some or all of his/her cash benefits and medical coverage while they work.

The goal of the ssa work incentive programs are to “significantly reduce or eliminate” the individual’s dependency on public benefits. The work incentive programs under ssi and ssdi are different because each program has its own work rules.

ssi work incentive programs

- The Ssi work incentive formula
- General income exclusion – gie
- Earned income exclusion – eie
- Student earned income exclusion – seie
- Impairment related work expense – irwe
- Blind work expense – bwe

- Section 1619 a and 1619 b – continued medi-cal coverage
- Section 301 – continued payments in a Vocational rehabilitation program

*** The plan for achieving self-support – pass ***

Ssdi work incentive programs

- trial work period – twp
- substantial gainful activity - sga
- extended period of eligibility – epe
- impairment related work expense –irwe
- subsidy
- special conditions
- extended medicare coverage
- medi-cal buy-in program - California working disabled (c wd)
- expedited reinstatement
- section 301 – continued payments under a vocational rehabilitation program

Protection and Advocacy for Beneficiaries of Social Security (PABSS)

Purpose of the PABSS Program.

The purpose of the Pabss program is to provide ssi and ssdi beneficiaries information and advice about obtaining vocational rehabilitation and other employment services.

The pabss program is also obligated to provide advocacy and other services that a beneficiary needs to secure or regain gainful employment.

PABSS Program Priorities

1. investigate and review any complaint of improper or inadequate services provided to a beneficiary with a disability by a service provider, employer or other entity involved in the Beneficiary's return to work effort.
2. provide information and referrals to social security beneficiaries with disabilities about work incentives and employment, including information on the types of services and assistance that may be available to assist them in securing or regaining gainful employment, particularly services and assistance available through employment networks (en) under the ticket to work and self-sufficiency program.
3. Provide information and technical assistance on work incentives to beneficiaries with disabilities.
4. provide consultation to and Legal representation on behalf of beneficiaries with disabilities when such services become necessary to protect the rights of such beneficiaries.
5. assist beneficiaries with disabilities in disputes before ssa involving work-related program decisions and benefits overpayments that are clearly a barrier to employment.
6. provide information and technical assistance to governmental agencies, employment networks (en) and other service providers and advocacy organizations.

7. advocate to identify and correct deficiencies in entities providing vocational rehabilitation service, employment services and other support services to beneficiaries with disabilities.

Who is Eligible to Participate in the PABSS Program ?

to be pabss eligible you must be:

1. a current recipient of SSI, SSDI or concurrent eligible (Must be receiving cash payments).
2. The issue Must be employment/work related.