

TITLE II DISABILITY BENEFITS AND WORK

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>> TERRY DONOVAN: Thank you, and welcome to today's session. Again, thank you for joining us. For those who have been attending these in the past, this is our third in our sessions on Introduction to Social Security Benefits, Work Incentives and Employment Support Programs. We'll get started in approximately five minutes.

A couple of pieces to note, and we will mention these again, if you have questions, please put those in the Q & A box. If you have technical questions during the webinar, please put those in the chat box and we'll figure all that out. As time is available, we will answer questions at the end of the session, as well as provide information about obtaining CRC credits for today's presentation.

Thank you very much. We'll get started in approximately five minutes.

>> TERRY DONOVAN: Good morning. Thank you for joining us for today's session with Lucy Miller, a third in our series on Social Security Disability Benefits, Work Incentive Programs and Employment Support Programs.

A couple of pieces before you get started, if you have questions, please put those in the Q & A box. If you have technical issues, put those in the chat box. We're monitoring both, so if by chance technical ends up in Q & A, or you have a question in chat, don't worry about it. We'll bring it all together.

As time is available at the end of the session, Lucy will answer questions. Those questions we're unable to answer at the end of the webinar, we will provide answers to all the questions that get answered during the webinar, as well as the unanswered questions, and those as well as the archived recording of today's session we will be posting on the Project E3 Community Practice site.

Also, in the last few minutes before we end the session Jen will let people know how to apply for and obtain CRC for this credit.

So without further ado, here is Lucy.

>> LUCY MILLER: Welcome to lesson three in the series of six in the Introduction to Social Security Disability Benefit Programs and Work Incentives, Lesson Three, Title II Disability Benefits and Work. This is where we start to get into the real meat of the program. We're going to look at the Title II disability benefits and talk in detail about how paid employment affects the cash payments as well as Medicare coverage.

So what are we opening that you'll take away from this really important lesson? Well, upon completion of this training, it's our expectation that you'll be able to identify and describe the factors that Social Security considers when they're looking at a beneficiary in deciding if they're engaging in SGA. And that stands for "substantial gainful activity."

We hope that you'll be able to describe work incentives that can be applied to reduce how much of the countable income is considered when Social Security is making an SGA determination.

Third, we hope you can describe work incentives that allow beneficiaries to test their ability to work without losing cash payments. These are the critical safety nets that are very important to describe to beneficiaries to relieve that fear they have about going to work.

Four, we hope you can describe work incentives that allow beneficiaries to get payments back again if they're lost because of earnings. And we hope many beneficiaries will be able to work at a level where cash payments stop. We just want to be aware they're ensured benefits can come back again if they're needed. Very important reassurance to provide beneficiaries.

Finally, we hope that you can describe how something called the extended period of Medicare coverage allows beneficiaries to keep that really valuable Medicare coverage even if those cash payments stop because of work.

Remember, lots of beneficiaries are afraid about the loss of that health insurance, and without health insurance they often can't manage the disability. So we need to make sure that we're offering really good complete information about how Medicare coverage can be extended, even if work is done at a level that would cause this cessation of the cash payment.

All right. Let's get started.

We're going to begin with a brief review, just to kind of go over some of the things we learned in the previous lesson, some things to remember about the Title II disability benefits.

Remember, we're going to keep the door shut. We're not going to be talking about the SSI program at all during this hour. That will be in the next hour. This is all about the Title II disability benefits.

Remember, there are three different types of benefits under this umbrella program.

SSDI, Social Security Disability Insurance, that's when you're collecting a benefit off your own work record, the contributions that you made to the trust fund out of your own paychecks.

Then we have CDB, that's Childhood Disability Benefits, and those are benefits paid for off of the number of a parent for a certain select type of individual. You have to be over 18. Remember, your

disability has to have been incurred before the age of 22, on and on.

Then DWB's, remember, the smallest group within this category, that we really didn't go over. If you do find one, these are folks who are collecting off of the work record of a deceased spouse.

All right. Title II benefits, remember, are a form of insurance. Remember that FICA payment that comes out of your paycheck, your parent's paycheck, our spouse's paycheck, that is your insurance premium, and that's going into the trust fund. If you have insured status, and you incur a disability, and you meet the requirements, you get to collect that insurance payment.

Remember, Title II payments are not means tested. They are a wage replacement program. So your ability to earn and support yourself a living matters, but unearned income and resources are not relevant. Social Security is not concerned about those in this program, no effect on the benefits for resources and unearned income.

Now, the amount of disability payment that you receive is based on a complex formula, it's determined at the Social Security Administration, and it's based on how much you earned in your past, or whoever's work record you're collecting on, however much that individual earned.

Now, the SGA guideline for countable earned income applies at initial application and forever onwards. As a reminder, the SGA guideline, that number changes based on the year. So we haven't included those figures in this lecture, but we do provide charts that show you the current SGA guideline and the previous SGA guidelines, all the way back to the beginning. And that is as a handout for this lesson. Make sure that you do print that off and take a look at it. Because those guidelines are important.

So let's understand the SGA concept. And people really misunderstand what SGA is. They tend to oversimplify it. It's really critical that beneficiaries understand SGA is not just a number. They get really fixated on this dollar figure, but it's way more than that. And that's good. It's a decision. It's an evaluation. Social Security is looking at a human being, their ability to work and to earn, and they apply all kinds of criteria and concepts to make that determination correct and fair.

And this is all good. It isn't just a number. So we want to steer people away from focusing on that SGA guideline to the exclusion of all of the other really important information that Social Security is gathering and evaluating during an SGA determination.

It truly is an assessment of the value of an individual's work effort, their ability to support themselves by working. And this value may or may not be the same as the dollar amount that the individual earned. And I know that sounds confusing, but we'll explain some work incentives that will bring this whole concept of

determining the value of someone's work into hopefully clarify it and help you understand how Social Security does that.

SGA determinations require judgment and interpretation. They are not black and white. And again, this is good. We want Social Security to look at a lot of factors when determining if someone is engaging in SGA or not. It isn't just that number.

There are lots of things that are considered, lots of things that are weighed, work incentives that are applied, and then that determination comes out based on all of that information that has been weighed and evaluated.

Now, something to know about SGA determinations is they can't be made in, quote, real time. So if someone gets a job, and they're working, and let's say their countable gross wages are high, and they might exceed the SGA guideline, Social Security, that initial month, isn't going to say, "You're engaging in SGA." They have to let the individual work and earn a little bit to see is this person able to sustain those level of earnings? What is the true value of this individual's work? What are the countable earned income? Maybe not everything counts.

See, lots of things have to be considered. So this idea that you get a job this month and Social Security, you know, determines you to be engaging in SGA the next day, it doesn't work that way. It takes time. All right?

Again, this is good. This allows for multiple considerations, multiple factors, to be taken into account when Social Security is looking at an individual, their work, their ability to work, the value of their work, and a multitude of factors.

Again, though it makes things complicated and more subjective and harder to explain, perhaps, but this makes the whole determination process more fair. Right?

And the last thing to point out, only Social Security employees can make SGA determinations.

Now, you may be referring individuals to your local WIPA provider, and the CWICs there will be helping beneficiaries look at their current or past work to estimate whether or not SGA is in evidence, but CWICs don't have the final say in that. CWICs understand the process. They can explain the process to the beneficiary and other stakeholders, and that's a huge value that they have, but they don't work for Social Security. They don't have the authority to say, "You're engaging in SGA."

Okay? That has to be done by the Social Security Administration.

The CWIC can advise. They can explain. They can clarify. But they are not the deciders. Only Social Security can make those determinations. So no matter who it is, that individual is going to need to report that work to Social Security, and Social Security employees will make that evaluation.

So the concept of the SGA guidelines is really important. And these are amounts that are set every year that really determine, or thereabout, the value of the work, or what the value of an individual's work is compared against. That's a better way of saying that.

These are guidelines. We don't want you to get real fixated on black and white here. And they're different for various years.

Again, we don't cover those amounts in the lectures components of the class. We do provide that in the handouts. It's really important that you print off that handout so that you can see what the guidelines are for this year and past years.

Work performed in a given year is compared to the SGA guideline for that year. If someone comes to a WIPA project, and they perform work in 2015, then Social Security will look at the value of that work and compare it to the 2015 SGA guideline. Not the 2014, '16, '17. It's very specific by calendar year. That's why that chart is important for you to have.

Now, Social Security isn't, again, just interested in the single month of work, in most cases. They're really looking for a pattern of work.

And when you think about what the SGA determination is all about, truly, in essence, it's about Social Security looking at a person, their ability to work, the value of their work, and making a determination about that person's ability to support themselves by working. That's really what this is all about, because the SSDI benefits, CDB benefits, they're wage replacement programs.

So it's more than just a single month. That's why, another reason why, making these determinations the minute after someone gets a job, that's impossible, because it's about a pattern. We're looking to see, do you have the ability to sustain this?

It's more than just that one month and a nickel over whatever the guideline is. It's much more complex.

Now, something important to know, if you are receiving benefits based on statutory blindness, do you remember that last lesson we talked about being evaluated for benefits or found eligible for benefits as statutorily blind as opposed to other disabilities. There's a different SGA guideline for folks who are statutorily blind. That's an important piece of information to know. On that chart, the handouts for this lesson, the figures for the statutorily blind SGA guidelines are available there, as well as for the non-blind. So it's something for you to know.

So when Social Security is making that SGA determination, they have a real, live human being with work that they are doing or have done, what are all the things that are coming into that claims rep's head? What are they considering? What are those factors? What are the evaluatory concepts that person is interested in?

Well, here are two of them. Number one, they're looking to see whether there are circumstances that can reduce how much of that person's earned income is going to count. It's a process that sounds very simple that we refer to as determining countable earned income.

There's a lot underneath that that adds complexity, but remember there's all kinds of rules in these programs that allow beneficiaries in certain circumstances to deduct some of their countable income when Social Security is making this determination.

You can see why we want to steer people away from focusing on that number. Okay? It's a decision.

Secondly, the length of time the beneficiary was able to maintain SGA-level work is relevant. Right? If someone tries to go to work, and they try really hard, and they're over that SGA guideline for a single month or something, Social Security doesn't want to take away those valuable cash benefits. They want to see, are you able to sustain that?

These are things that are fair. Right? That really are good that Social Security is considering.

All right. We're going to focus in. We had the number one and number two on the last bullet. We're going to focus in on the number one right here.

How does Social Security determine countable earned income? When a beneficiary's earned income is submitted to Social Security, they may not count all of those gross wages during the SGA determination. There are two really important provisions that the Social Security employee will consider when they're looking at that earned income and trying to figure out how much to count.

Okay. These are specific work incentives and they do have some interesting names but they're really important that you learn the language of the Social Security work incentives.

Number one, they're going to consider a very unique work provision called subsidy and special conditions. We'll cover that in a minute.

Second, they look at another group of provisions known as impairment-related work expenses. Here is the acronym. You'll hear CWICs and Social Security employees refer to this group of provisions as IRWE's. Okay?

Let's jump in with the first one, subsidies and special condition. All right. Do you remember three or four slides back we talked about SGA really being an evaluation of the value of someone's work? Not just what they earned, but the value.

Well, subsidy and special conditions is really how Social Security implements that concept. And here is how it works. Here is the understanding behind it.

Sometimes a person with a disability, that disability results in the need for extra help. Right? Extra assistance. Maybe extra supervision. Maybe a minor change in job functions. Maybe a reduced production rate. Maybe more time being allowed to do the

job. But those of you who help people get jobs, people with disabilities, you understand this. Right? These are accommodations, things that may need to be tweaked or changed to accommodate an individual with a disability.

Social Security recognizes that when this happens, the individual's wages may represent not only pay for their work effort but also represents some help from someone else or maybe that would result in a higher pay being received than would be received by a nondisabled employee for the same work.

I know that that is a difficult concept to kind of wrap your mind around, but it's critical. It's really comparing the value of that individual's work, after you kind of subtract the value of extra help, accommodations -- right? -- that are provided, and then comparing the value of that work to what a nondisabled peer would be paid.

If the earnings that that individual with the disability receives doesn't actually reflect the value of that person's work effort, Social Security has to assess the actual value and they have to do that in a different way.

Let's take a look at that.

All right. So remember, they're interested in an individual's ability to perform substantial work, not just the earnings. Okay? It's not just about the money. It's about your ability. And remember, at the core of all of this, it's a wage replacement program. They're trying to determine, do you have the ability to support yourself by working?

All right?

So a subsidy or a special condition is support that the person with the disability receives on the job that could result in more payment being received than the actual value of the services performed.

Now, Social Security considers the value of these subsidies when they determine whether or not a person is engaging in SGA. The value of extra help or the higher earnings may be deducted from the monthly earnings when Social Security determines if work is SGA.

Okay?

Let me give you a little example, because this is hard to understand.

My background is in supportive employment, and some of you may come from that background. I found a job, negotiated a job, at a local factory. I'm from Louisville, Kentucky. It was at a local factory. This gentleman had a significant disability, intellectual impairment and other conditions. The employer was very interested in working with him. Several other employees in that company were relatives. And they were willing to work with us very closely to negotiate a very specialized job for this gentleman. He worked on a production line but his job was very different than most of the people working on the production line. We reduced the number of

duties he did, because he had difficulty transitioning between a lot of different tasks. He was also permitted to work at a somewhat slower pace and received extra supervision. Now, we provided some job coaching in the beginning and that is actually a special condition, where the value of that job coaching was subtracted off of this gentleman's wages when Social Security was looking at the value of his work. Right? Because they're not interested in the value of the job coach's work; just the person with the disability.

But even after our job coach had removed himself from the daily presence at the job site, there was extra supervision provided by a team leader.

And when we reported this work and Social Security was looking not just at the gross wages this gentleman earned, but at the value of his work, after deducting all of the special conditions, the help, the accommodations, the allowances, then taking that and comparing it to a nondisabled peer, their determination, very wisely, was this gentleman is not engaging in SGA. Even though mathematically if you just looked at the wages without considering anything else it might have been over the guideline.

So that's a little bit of an illustration of how that works.

I know that's very difficult to understand, but it's a wonderful provision and it really allows Social Security to look at an individual and a unique situation and make a fair, just, and appropriate determination of SGA.

So the next one is about impairment-related work expenses. This one is a little easier to understand.

Really, this work incentive is exactly what its name says. There's a recognition within Social Security that some people with disabilities may incur special costs. They may have expenses that they have to pay because of their disability, and because they're working, that a nondisabled peer would not incur.

So it's only fair if an individual with a disability is paying for special things, services, items they need to work, that Social Security should take the value of those expenses and deduct those off of the gross wages before they decide if the work effort is substantial, if SGA is in evidence.

And the name is exactly what it is. These expenses have to be impairment-related. They have to be work-related. They have to be actual expenses that come out of the beneficiary's pocket and aren't reimbursed by another source.

And it allows individuals to earn more than perhaps the SGA guideline and still retain cash payment.

So you can see, again, that SGA guideline, it is not black and white. And we don't want people to focus only on that figure.

We want them to look at the decision-making process.

Let's look in more detail, because there are some criteria.

First of all, the expense. It has to be related to an impairment that the individual has, or something that they're receiving treatment for.

Doesn't have to be the primary disability of record, but it does need to be an impairment, a disability, a condition, something that is quantifiable and that the individual is receiving treatment for.

It has to be something necessary for work. So you have to think about that. If it's an expense that the individual has made for nonwork issues, that doesn't count. It has to be work-related.

It has to be paid out of the person's pocket and not reimbursed.

It has to be paid in a month in which earnings were received, but there are some really cool exceptions here. Sometimes, a person may have to buy a big-ticket item. Maybe a computer with adaptive software, very expensive. It is possible to take a big-ticket item like that and prorate it over a number of months. We're not going to go into detail on that. Your CWIC, your local WIPA project, could help you with that. But it's important to know even something like that could be approved as an IRWE.

Now, the expense has to be reasonable. Really, what Social Security means there is usual and customary. It has to be the usual price for that item in the local community.

So as long as the expense meets all five of these criteria, then it's very likely to be approved.

You do have to ask for approval. There's no special form to use. It's just done via a letter or even a personal meeting at the field office where this is explained. You do have to keep documentation to prove that the expenses were actually paid. That's really important. There's some paperwork involved here. People have to keep those documents.

The determination of whether or not something counts as an IRWE, again, that's Social Security. CWICs, WIPA projects, we can help with that and advise and give our opinion, but remember we aren't the deciders. Social Security employees are. These are things that we can help write up, help explain, but then Social Security makes a decision.

Typically, we request the determination in writing because if the determination, if we don't agree with the determination, that is an appealable kind of event, and we do provide some simple IRWE request templates in the handouts. Same thing with the subsidy. These are a little complicated. We wouldn't expect you to be writing this up. This is a good referral for a WIPA professional to assist with.

Again, receipts, receipts, receipts. If the individual doesn't do the paperwork, you can't prove you paid the expense, if Social Security deducted those off of earnings, then there could be a problem later on with that down the road if the beneficiary failed to keep the documentation.

Again, CWICs can help the beneficiary understand that, but it's really important that beneficiaries understand that.

The next thing we talked about early on is all things Social Security considers when they're looking at SGA, so the next group of considerations. The first one was how much to count. Right? We had subsidies, special conditions, and IRWE's. That goes into that decision about how much of that earned income are we going to count.

So the next type of consideration is how long was the SGA-level work maintained? If the countable earned income was consistently showing over the guideline, then Social Security goes through a whole other decision-making process.

Social Security doesn't want to take critical cash payments away from people who try to work at a significant level and they're doing everything they possibly can do, they're doing exactly what Social Security and all the rest of us want, but it doesn't work out. It doesn't work out because maybe it was just too much, that the disabling condition was exacerbated by the work or the person really tried but it just, because of the disability, wasn't -- the person wasn't successful. They weren't able to maintain that long-term.

Because of that, there is a provision that the claims reps consider when they're making SGA determinations called an unsuccessful work attempt, or UWA. Basically, this is an effort in which a beneficiary does substantial work. They get out there and get that really good job. They give it a try. Maybe it's more than the SGA guideline, but the person isn't able to maintain it. Meaning no more than six months.

So less than six months. And because of that person's disability, or maybe it's the removal of some special accommodations that was needed because of the disability, the person either wasn't able to keep the job, they had to quit, or maybe they had to pull back and reduce the number of hours or reduce the number of days so those countable wages are below the SGA guideline.

This is an important consideration. If someone gives it a shot, it doesn't work out, three months, they gave it their best and had to pull back or had to resign, Social Security can look at that short-term and say, you know what? That's not SGA. It's not SGA because it was an unsuccessful work attempt. We're just going to let that go and move on. That's really fairness at play there.

You can see, again, it isn't just a number. It's a decision. Okay? This is something that really makes sense in terms of we don't want to penalize people who are doing exactly what everyone wants. They want to work. They want to try. And it just doesn't work out.

Now, what do we do when someone has that kind of job where maybe the countable earned income is up and down and up and down, and those of us, and yourself probably included, if you're helping people get jobs in, like, the service industry, that's really common, isn't it?

You may have one month you get a lot of hours. You may have the next month you don't. How does Social Security deal with that?

Well, they have a whole set of rules that allows them to look at that kind of up-and-down wage history and they can average it to see are we seeing a pattern of work activity here? Are we seeing that this individual really is showing us the ability to support themselves by working?

Now, averaging sounds really easy, but if you actually look at the regulations in Social Security's rulebook about how averaging is applied, it's really complex.

We're not going to cover it in any detail, because it's too much. but it's important that you understand there is an accommodation for people that have that kind of pattern of wages.

Now, if an individual is clearly showing that the value of their work is SGA, it's not going up and down, it's just staying up here, then averaging isn't necessary.

If someone's value of their work is small, is low, and that's as much as they can do, averaging isn't necessary there, either, because it's clear. This person is not showing us that ability.

It's only when those wages go up and down, where there's that fluctuation, where Social Security would apply this set of rules to try to figure out, you know, the value, consistent value of the work.

It's only applicable at certain times and not others.

We could literally spend two hours training you on averaging, so we're not going to go there.

If you have folks that are in jobs where their wages are going up and down, those are the kind of folks that really should get advice from a CWIC or WIPA project just so they understand when Social Security is evaluating their work how that will go.

Again, SGA determinations, we don't make those. We're not the deciders. That's done at the Social Security office.

All right. Now, let's look at some of the things that Social Security beneficiaries come to us with, some of the concerns.

So we've spent most of this lesson talking about how SGA determinations are made. You can see they're complex. But there are some additional provisions built into this program that allay fears, that can ease fears.

And here are the most common concerns. If you've been doing employment services for people with disabilities any time at all, you've heard these concerns. If I engage in SGA, will my benefits stop right away? People worry about that. Maybe right away, do I have enough earnings to fully replace my benefits? I want to be prepared. Right? All of us would feel that way.

Second, if I try to work at a substantial level but it doesn't work out, let's say I do engage in SGA, I've got this great job, and I'm going, going, going, and my benefits stop because I'm engaging in SGA, and then something happens. I come out of remission. I have

an exacerbation of my medical condition. I have to pull back or I have to quit. What happens then? We want to make sure people understand how benefits can be reinstated.

Will I lose my Medicare if I work at a substantial level?

So even if someone engages in SGA, there are some protections. Let's take a peek at those because they're really important.

What are some work incentives programs or provisions built into this system, Title II disability benefits, that allow beneficiaries to test their ability to work before that critical cash payment goes away? Am I allowed to try it first to see how it goes? Yes, you're afforded the trial work period, or TWP. This provides beneficiaries the ability to test their ability to work for a limited period of time while maintaining full benefit checks, no matter how much the beneficiary earns.

This is a promise that Social Security is making to beneficiaries and this is a powerful promise.

Now, the individual must continue to meet the medical definition of "disability" under the Social Security regulations in order for benefits to continue under the trial work period, but assuming medical coverage isn't an issue the trial period is a marvelous safety net.

Let's look at some facts about it.

Now, to even use a trial work period month, your gross earnings have to be over another dollar figure. That's called the trial work period guideline. Again, we don't cover those in the lecture, but we do provide you with those factors. Just like the SGA guideline, those figures change year-to-year.

The chart will show you what the TWP guideline is for this year, last before that, year before, year before that that, so you're clear on that.

If your earnings are under the TWP guidelines, and that's gross earnings, then you don't have to even worry about the use of a TWP month.

The TWP guideline is always a figure that is below the SGA guideline.

Now, during a trial work period no other work incentives apply. Like there's no way to reduce how much of your earned income counts when Social Security is looking to see if you've used a trial work month. All of your gross earnings count.

There's no special trial work period amount for individuals who are statutorily blind. Remember, there's a different SGA guideline for people who are statutorily blind, but the trial work period guideline is the same for everyone.

The trial work period doesn't end until nine work period months have been used or have occurred within the same five-year period. Now, that is a concept that gets people very confused. It takes a few times of hearing it explained before you get it, but we have

attached some wonderful readings that explain this and give some examples. Be sure that you go through that so that you have a clear understanding.

So this idea that it's only nine trial work period months in an entire lifetime, no, no, no, no. I mean conceptually you could have an unlimited number of trial work period months and never finish your trial work period if they were super spread out. Right? Because it's all about nine months occurring within the same five-year period.

Now, TWP months don't have to be consecutive. As indicated before, there can be lots of time in between. Maybe I used up a TWP month in the year 2012, and I didn't use up anymore until 2014. That's okay. It's just that your trial work period doesn't end until nine of those qualifying months, months in which your earnings were over the TWP guideline for that year, nine of them have to all fall in the same five-year period for your TWP to end.

Now, the thing to remember is that beneficiaries only get one TWP per period of entitlement, but remember it could be substantially more than nine months. It's all about how many months fell in the same five-year period, when the trial work period ends, meaning all nine months have occurred in the five-year period, then it's over. And you don't get a second one in that period of entitlement. Okay?

Just something to know. It's a limited resource. Right?

So what are some other work incentives that allow beneficiaries to test their ability to work? Well, once the trial work period is over, Social Security will look at the beneficiary's job and their work earnings. They'll look to see if subsidies, special conditions, or IRWE's could be applied to reduce how much they're counting during the determination. If it looks like the person is engaging in SGA, they send the individual a letter, but they still give you three more months to keep your check. It's called the grace period. It's kind of like a three-month period where you can get used to the idea that, okay, I'm going to be living off my earnings now. My check is going to stop eventually, after those three months. It kind of gives you that time to get acclimated to that idea.

Remember, you've already had nine trial work months. That's pretty awesome. Then that's over. Even if you're showing your ability to support yourself by working, which is what SGA is, then you get three more months to receive that cash payment, and then your cash payment will stop. You're not terminated. Your cash payment will simply stop. We'll explain that in a minute. So you have three more months.

So the good news, the good news, even, even if you went back to work, earning over that SGA guideline right away, I have a super awesome job making \$60,000 in a year and I maintain that level of wages, assuming you haven't used up any of your little work incentives

before, cash benefits wouldn't stop for at least 12 months. That's a year. So Lucy, where did you get that month?

Nine months of trial work, plus three months of a grace period, that's 12. That's worst case scenario, assuming you haven't used up those limited resources. Remember, because you only get one trial work period.

And you may have used some months in the past.

But worst case scenario, 12 months, full paycheck, full benefit checks. That's really a good deal.

Now, remember, that since these work incentives are only afforded once during a period of entitlement, sometimes beneficiaries will have past work that Social Security may not be aware of or maybe they are.

So you never quite know where someone is in this process until some research has been done.

But never fear. This is what WIPA's do. This is what the CWIC's do. We can help the beneficiary before they accept a job, hopefully, determine where are you in this process? Have you used some of your TWP months? Maybe you've used them all and maybe you've already used your grace period. That can happen. But with information, we can help people plan. Right?

But if a person has never worked before, this is their first job, you can tell them 12 months. Twelve months of full benefit checks plus full paychecks, and that's really a pretty good bargain.

So there's even work incentives that allow beneficiaries to get their checks back. Remember back to the questions that beneficiaries have, the concerns. If I go to work at SGA will my check stop right away? No. We just learned, TWP, grace period. No, not necessarily, assuming those work incentives are available to you. No.

What's the next question?

Let's say I work at SGA, my check stops, which is good. Something happens, and I need to get my check back again. What am I going to do? Remember, I said after your grace period, if Social Security decides you're engaging in SGA, if your check stops, you're not terminated, just ceased. I know those words are hard to distinguish but they're important. Social Security language is a very precise language, and you can't substitute one for the other. Termination and suspension are not the same.

So after the trial period ends, Social Security gives you another safety net. It is a three-year period after the end of the trial work, and those months are consecutive. It's just a three-year period during which if you work at a level that was determined to be SGA and your checks stopped, if something happened during that three-year period where you had to stop working or you had to reduce your wages so that it was no longer SGA, your check can come back again. It's not a complex process. You notify Social Security.

Typically, that reinstatement of your cash payment is very quick, like the next month or possibly the month after. But you're not going to be without money for months and months.

This is a wonderful safety net.

Remember, it's called the extended period of eligibility and it's a three-year period. Here are some important facts on this slide. If you finish your trial work period, it starts. So once you're trial work period ends, nine months, right, in the same five-year period, that next month the EPE begins, and it's a three-year period. It is 36 consecutive months. So once it starts, you can't stop it. It's kind of like a run-away train. Once it stops, it goes. It's just three years.

There's no way to bank months. There's -- if your suspended benefits are reinstated, if your countable earnings fall below the guidelines.

If you engage in SGA and your check stops during this three-year period, the promise Social Security makes you is we're there for you. If something happens, call us. Come down and tell us. Your benefits can be reinstated.

Remember, all of this is assuming medical recovery is not an issue for you. Remember, you have to still meet the medical requirements.

But this is another way that we can assure beneficiaries nobody is going to yank that rug out of from under your feet and then leave you with nothing. There are safety nets. Right?

There are lots of provisions up front. Trial work period, grace period, after that determination if your check stops you have another three-year period where you can get your checks back again.

And while you're in your EP, that's the difference of the terms, you're only suspended. You're not terminated. You're not out of the computer system. Your check is simply stopped. You can get it reinstated. That's the main things to remember.

Now, if the beneficiary isn't performing SGA and doesn't perform SGA during the EPE, well, okay, it just ends. The individual is continuing to work. They're not engaging in SGA. Okay. Their benefit continues on. The check never stops. It doesn't go down. In this program, it's either your full check or no check. It's not -- they don't reduce your check.

So if you never engaged in SGA, and lots of people with disabilities go to work and are just not able to work at that level, there's nothing the matter with that. That's fine. You may have used your trial work period, and you may have used your EPE, but your check is not going to job. That's all about SGA.

If the benefits are reinstated during the EPE, they will continue indefinitely until the person again performs SGA or Social Security determines that there has been medical Improvement, where you had the medical review. Remember, just like the trial work period, it is a limited resource. You get one, one EPE per period of entitlement.

When that has been used, it is not renewable for that period of entitlement.

Now, what's another work incentive that allows beneficiaries to get benefits back again? People are like, well, what if I get beyond that three-year safety net? Then what do I do if I my disability becomes exacerbated, something happens? It's okay. It's okay. There's another provision. It's called expedited reinstatement, or EXR.

It allows individuals who have terminated from benefits -- remember, you don't terminate during your EPE. You don't determine until after that safety net has expired. But if you're engaging in SGA, and you get through that nine months, the three months, the 36 months, you're going to be terminated from benefits. You're supporting yourself by working now.

Something happened. You lose your job. You had to pull back. You can file for something called expedited reinstatement. It is what its name says. It's a way to reinstated for your benefits in a quick "expedited" way.

It's available to people for 60 months, which is five years, from termination forward. You have another five-year period after termination. Remember, termination cannot occur during the EPE. It's after that three-year period, you get another five-year period where you get access to this quick back on, easy back on.

Some things to know. During that time, if your wages fall below SGA, you have to be unable to perform SGA due to the same or related disability that you had before. You get up to six months of provisional payments which is really cool while Social Security is performing a medical review to see if you still meet that criteria.

So six more months.

Those can be processed quickly so you know you're not going to be in an emergency, dire situation. You'll have some income to rely on there.

Let's say you get your provisional benefits. They process that very quickly. You get to the sixth month. They find, oh, you no longer immediate the disability standard. That's okay. You don't have to pay back the provisional benefits.

Now, if you no longer meet the disability standard you're not going to have benefits moving forward, but you still would have reaped the benefit of those provisional payments and you don't have to pay them back. That's really a nice benefit.

So see, again, more safety nets and more safety nets.

The last safety net, and the last question that beneficiaries ask is, tell me about my Medicare.

People with disabilities, you know, may have medical conditions they simply cannot be without health insurance. So even though they may not be at all uncomfortable to let go of the cash payment,

depending on their ability to earn, the ability to retain access to Medicare is important for a lot of people.

Don't worry about that, because there is an extended period of Medicare coverage, and it allows beneficiaries to retain Medicare coverage, that's including premium-free part A. If you know anything about Medicare, you don't pay a premium for part A for at least 93 months. It's like eight years after the end of the trial work period if your cash benefits are ceased due to employment.

Now remember, if you're unable to engage in SGA, you work a little, and your cash payments never stop because of SGA, your Medicare is not going to stop. When you're entitled to a cash payment that has not stopped because of work, your Medicare continues uninterrupted.

The EPMC is a safety net for people who work at a level where their cash payments stop, which is the ultimate goal. We want that, assuming a person can replace their benefits by working.

This is a guarantee your premium-free part A will continue.

Now, you can continue your part B, which is your regular doctor's visits, or even part D, which is prescription drug, but you'll have to pay those premiums. You've been paying them all along, but you would have to pay those premiums now, but you can keep that.

There's even a way to keep your Medicare after this period. That's where CWIC would help you with that. But you can actually buy into part A. You probably didn't know that, but you can.

So you can see there's lots of good news to relay to beneficiaries. We outlined their major concerns and they're very legitimate concerns. You need to know what those concerns are and follow the material in this lesson to help address those concerns that beneficiaries express when they're thinking about work or pursuing work. Because we want to plan ahead. We don't want someone to be unprepared for the cessation of the cash payments. We want people to be prepared and know what's going to happen.

Now, this is a general overview. There's more to this. Remember, a one-hour lesson isn't going to make you an expert, and you don't need to be. Know where your experts are. There's lots of complications that we didn't cover in all this that a CWIC can help explain. And individual circumstances vary. So there's going to be lots of customization that a CWIC can do to make sure a beneficiary is clear what's going to happen.

Remember, you have a ton of additional resources in the lesson. Be sure to scan those. You have some suggested readings and then some additional supplementary materials, links to a bunch of website, excerpts from the CWIC training manual, all of that available.

The next lesson, lesson four, is going to be an overview of the SSI program. The SSI program includes some complications that the SSDI, CDB, DWB programs don't have. So we have an extra lesson on that.

And then lesson five will move into the effect of work on the SSI cash payment.

So onto the next lesson.

>> TERRY DONOVAN: Thank you. Thank you, Lucy.

So now, Heidi, I think we have time for a couple of questions.

Also, Lucy referred to materials that are available. We're posting those materials on our Project E3 Community of Practice site. So you can find those there.

Take it away, Heidi and Lucy. Thank you.

>> HEIDI DECKER MAURER: Thanks, Terry.

Lucy, that was a great presentation.

Lucy has been answering questions pretty well all throughout the presentation. We have 14 questions so far, which is great.

>> TERRY DONOVAN: Oh, wow.

>> HEIDI DECKER MAURER: We have a few of them open. One of them, Nicole, parts one and two will be available on the Project E3 website, webinars. I can go ahead and send you some information on that.

And Irene, I'll put some of the resources in our -- in the chat box.

So I don't know. Lucy, do you maybe want to quick recap some of the questions that you've answered already?

>> LUCY MILLER: Sure. Sure. There were some really, really good questions.

One question was about, "Oh, I had a client and their check got reduced because of work and they weren't able to cover all their costs. And what happened?" I said, uh-oh, you got your doors flapping in the breeze, because between the SSI program and the Title II program, in the Title II program you either get your full check or no check. There's no way to get a reduction in your cash payment because of work. That's SSI. We'll cover that in the next lesson.

People asked about what -- can you assume, if you're in your extended period of eligibility, your EPE, and your engaging in SGA and your check stop and suddenly you lost your job, should you assume Social Security knows that happened? Oh, heavens no. No! Never assume that there is this automatic tracking that Social Security has got their eye on you. No. That does not happen.

You have to take responsibility for your own benefits.

So if you lose your job or your wages fall below SGA, you go down to the local field office. There's really no other way to do that, with whatever documentation you have to show the claims rep, "I'm not working anymore. I got fired. I quit. Or my hours got reduced. I should be getting a cash payment."

And they'll process that for you in person. That's important for everyone to know. Don't ever assume Social Security knows anything about your employment status. People are like, well, they're taking that FICA out of my check. Don't they know I'm working? No. Not

unless you tell them. They're not watching that. They have hundreds of thousands of people on these benefits.

If you think they're tracking your trial work period, your EPE, without you taking responsibility for that? That is how you get overpaid. Making that assumption will get you overpaid, because you won't report. You won't have the SGA determination made on time. That was another question. How can I avoid getting overpaid? We only get overpaid in the Title II program if you engage in SGA and your checks should have stopped entirely.

So you have to be responsible for yourself. Beneficiaries need to know the rules.

In this program, ignorance is about as far away from bliss as you can possibly imagine. This is how you become a victim to this, the big bureaucracy. Beneficiaries need to know what should happen to my check. What is my trial work period? When does it start? When did it end? By seeing a professional benefits counselor, these folks can be taught strategies for understanding the impact of work on benefits for anticipating what's going to happen to my check based on the job that I have and then you can literally track your own trial work period, your EPE. It's fussy but it isn't undoable, but you can't do it if you don't know. That's the biggest problem we have.

So people go to work. They think, "Well, Social Security knows I'm working." No, they don't. Not unless you tell them.

Even sometimes when you do tell them, that information gets lost. So you got to be on it. You really do. It's up to you.

You'll be the one that suffers if you get overpaid. They'll find it eventually and then you'll owe them a ton of money. You don't want that.

>> TERRY DONOVAN: Great. Thanks, Lucy. Just a couple minutes, and then maybe if you can stay on for a couple minutes after the top of the hour.

Jen, do you want to give people the CRC information? I'm certain if people have not left they're going to leave now, and maybe you put it in the chat, but if you'd like to tell people about the CRC information, et cetera. Thanks.

>> JENNIFER GUNDLACH KLATT: All of our webcast resources are housed within our community of practice. I added that link in the chat box for your access. Here you can find the archived webcasts and any handouts and the evaluation link. Within the evaluation, you can request the CRC there. An email is going out tomorrow with more detailed instructions about this.

Terry?

>> TERRY DONOVAN: Great. Thanks.

So Lucy, any other -- or Heidi, any other questions? You said you answered most of them. Any other synopsis that came up you'd like to comment on before we wrap it up?

>> LUCY MILLER: Someone did ask is there any way to reduce how much of your income that counts during your trial work period. The answer to that is no. There are no work incentives that can be applied to reduce how much counts. It's pure gross wages. And they look at how much you earned in that month. And if it's over the TWP guideline, that's a TWP month.

>> TERRY DONOVAN: Okay. Great. Thank you.

I think we're at the top of the hour. Sounds like things went quite well.

Let's see. Heidi, did you put or maybe even say verbally our discussion call we'll have in July that also includes Lucy fielding calls that may come up?

Want to mention that real quick?

And then we'll be done.

>> HEIDI DECKER MAURER: I'll be glad to, Terry. Following these webinars we typically have a discussion group either a few days or a few weeks afterwards. We'll like to welcome anybody to come to these if you've attended the webinar. It's a way for you to kind of digest the information that you've gotten today and come up with any questions that you may have.

I'm going to go ahead and put a link to the discussion group right in the chat box for the registration for the next meeting. We just need to have people register so that they can use Zoom for it. And you'd get a link after having registered.

So kind of a lot of stuff in the chat right now.

I believe most of the information will also be sent along with the email that Jen is sending out for the CRC credit. So I don't think anybody needs to really sweat getting all of these links copied and pasted. But that's -- we basically have given you all the resources that we could cram into this hour-long meeting.

But we'd be glad to have people come to the discussion group. It's going to be on July 17th. The registration link is in the chat right now. And then we will have our next webinar on July 25th.

If you'd like to join us for the next part, that's when that presentation will be sent out and Lucy will -- Lucy is available for the questions.

If you have questions, you know, between now and the discussion group and you just want to send them along, you can email them to us, too, and we'll make sure they get answered one way or another.

But I think that's all I have. Anyone else?

>> TERRY DONOVAN: Thanks, Heidi.

We will leave the site open for a few minutes for those of you who might be copying down. You can copy and paste the chats. But we will leave the site open for another five minutes or so if there's information, all the information that Jen and Heidi and even some

of the questions answered by Lucy if you'd like to cover over some of that.

All the questions, just to reiterate, all the questions and the answers will accompany this recorded and archived presentation that we'll put on the project E3 site, as well as other information.

So thanks again for attending. We really appreciate it. And we're done at our end, but as I said we'll leave the site open a few minutes for those of you who may want to copy information that Jen and Heidi have been posting. Thanks very much for coming. We hope to see all of you and more at our next session. Bye-bye.

(End presentation at 12:03 p.m. CT.)

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