



SOCIAL SECURITY DISABILITY

BENEFITS & WORK:

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Who's Eligible for Social Security Disability?

People who are:

- Disabled, AND
- At least age 18, AND
- Have paid enough Social Security taxes on their earnings (or have a particular family member who has paid enough Social Security taxes on their earnings) to have "insured status"



Who's Eligible for Social Security Disability?

- NO limit on resources (assets)
- Most other income has no effect on Social Security Disability



Who's Eligible for Social Security Disability?

Two common kinds of Social Security Disability:

1. Social Security Disability Insurance (SSDI)
2. Childhood Disability Benefit (CDB) (also called Disabled Adult Child (DAC) benefit)



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- Receive on own work record
- Person with disability has "insured status"



Who's Eligible for Social Security Disability?

Two common kinds of Social Security Disability:

2. **Childhood Disability Benefit (CDB) (also called Disabled Adult Child (DAC) benefit)**

- Receive on a parent's work record
- Person with disability must:
 - Be age 18 or older
 - Have been disabled before age 22
 - Have a parent with insured status who is retired, disabled or deceased



How Disabled is “Disabled”?

- Must have a severe disability that has lasted (or is expected to last) at least 12 months, or is expected to result in death
- The disability has to prevent the person from doing “substantial” work (usually, earning \$1,350/month or more in 2022 (\$1,470/month in 2023), but sometimes earnings may be higher and the person may still qualify for Social Security Disability)



What's the Benefit Amount?

- It depends on the lifetime average earnings of the worker.
- In 2022, the maximum SSDI benefit is \$3,345 per month. In 2023, it's \$3,627 per month.
- The average SSDI benefit is \$1,364 per month in 2022; \$1,483 per month in 2023.
- Many people get much lower benefit amounts.



What Medical Coverage Does a Person Get With Social Security Disability?

- Medicare, BUT
- Must be entitled to Social Security Disability for 24 months before Medicare starts



When Would Someone Switch from SSI to Social Security Disability?

- A person who gets SSI and works could pay Social Security taxes long enough to be “insured” and qualify for SSDI. Depending on the age they became disabled, the person may usually qualify for SSDI by working 1-1/2 – 10 years.
- An adult on SSI whose disability occurred before age 22 could qualify for CDB if their parent retired, became disabled or died.



What Happens If You Switch from SSI to Social Security Disability?

- If Social Security Disability amount is low enough, may receive a partial SSI payment also.
- If Social Security Disability amount is high enough, SSI will stop, BUT
- There are ways to keep Medicaid even if SSI stops.



What Happens if You Get Social Security Disability and Go to Work?

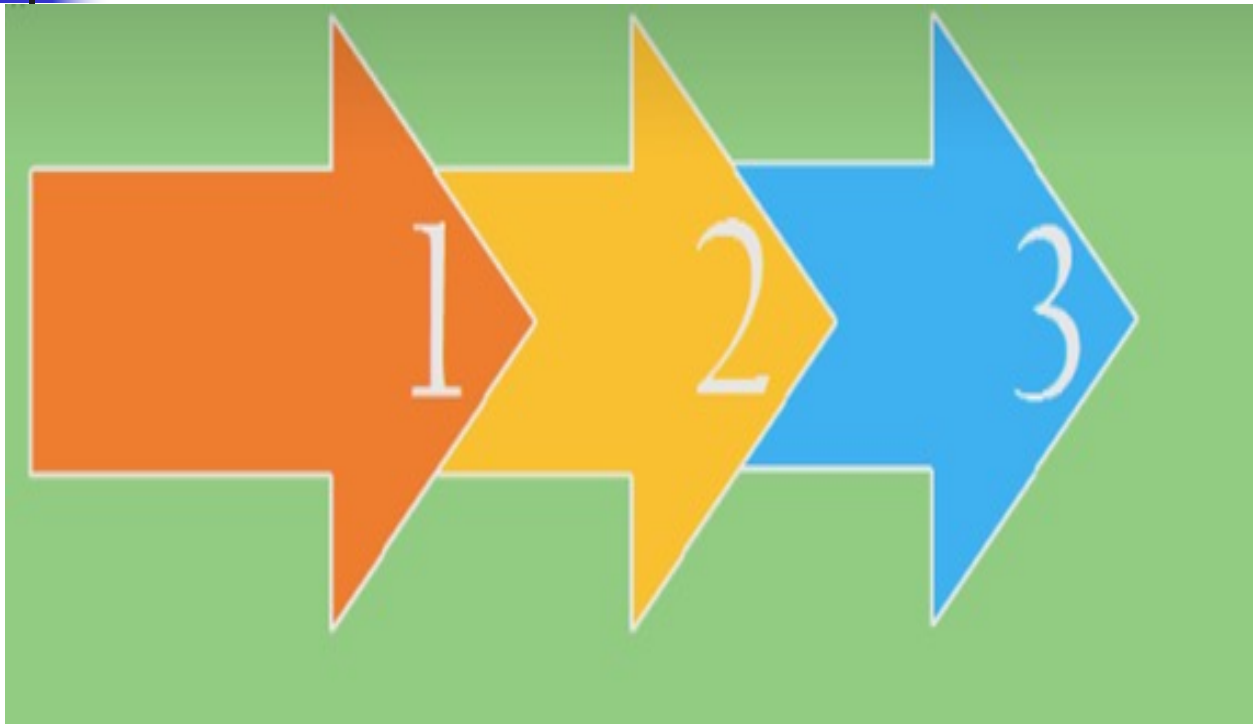
- When you get Social Security Disability and start work, your benefit may be affected, but
- Social Security Disability offers some safety nets called “work incentives” that limit the effect of work on your benefits.



What Happens if You Get Social Security Disability and Go to Work?

- Work incentives:
 - Let you keep Social Security Disability payments longer – sometimes permanently – while you work
 - Protect medical benefits even if you work your way off cash benefits
 - Let you get cash benefits back quickly and easily if you stop working

Three Phases of Work Incentives



Three Phases of Work Incentives

3 phases always occur in order:

1. Trial Work Period (TWP)



2. Extended Period of Eligibility (EPE)



3. Post Extended Period of Eligibility (Post EPE)






Three Phases of Work Incentives

Through all 3 phases:

- Must continue to be medically disabled to be eligible
- Benefit is “all or nothing” – get full benefit or \$0
- When person works, Social Security conducts work reviews to:
 - Figure out which phase person is in, and
 - Determine whether benefit will continue

Phase 1: Trial Work Period (TWP)



- Trial Work Period (TWP) – 9 months - Keep Social Security Disability no matter how much you earn.
- TWP is usually the first 9 months of earnings above a certain level (\$970/month in 2022; \$1,050/month in 2023)
- 9 months not necessarily consecutive

Phase 2: Extended Period of Eligibility (EPE)



EPE 2

- The first 36 months after the Trial Work Period ends.
- If earnings are “substantial gainful activity (SGA)”, Social Security Disability payment stops for the month
- Payment is only SUSPENDED, not terminated.
- Benefit eligibility continues.

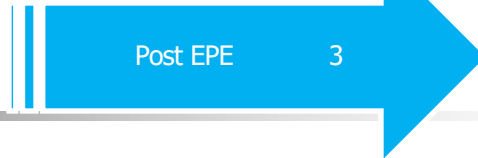
Phase 2: Extended Period of Eligibility (EPE)



EPE 2

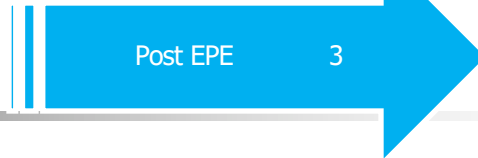
- If earnings drop below SGA at any time during the EPE, get Social Security Disability payments back without having to reapply.
- Just call local Social Security office to get payments back.
- EPE is like “Trial Work Period Lite” – don’t keep Social Security Disability for months that earnings are SGA, but get payments back if earnings later drop or stop.

Phase 3: Post Extended Period of Eligibility (Post EPE)



- If do SGA after the EPE, Social Security Disability payments are TERMINATED.
- If earnings later drop or stop, may be able to request Expedited Reinstatement.

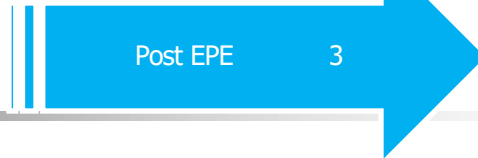
Phase 3: Post Extended Period of Eligibility (Post EPE)



Expedited Reinstatement (ExR)

- Option to get benefits back if they have been terminated due to SGA, but earnings later drop below SGA or stop.
- Quicker than reapplying
- Disability determination easier

Phase 3: Post Extended Period of Eligibility (Post EPE)



Expedited Reinstatement (ExR)

- Provides up to 6 months of “provisional payments” while you wait for a decision.
- Even if benefits are denied, don’t have to pay back provisional payments.



Substantial Gainful Activity (SGA)

- After the TWP, Social Security checks to see if earnings are **substantial gainful activity (SGA)**.
- If earnings are SGA, Social Security Disability payments may be **SUSPENDED** (during EPE) or **TERMINATED** (post-EPE).
- If earnings are not SGA, payments will continue.



Substantial Gainful Activity (SGA)

When are earnings **substantial gainful activity (SGA)**?

- If a non-blind person earns at least \$1,350/month gross wages in 2022 (\$1,470/month in 2023), they MAY be doing SGA.
- A blind person needs to earn at least \$2,260/month gross wages in 2022 (\$2,460/month in 2023) for earnings to possibly be SGA.
- Earnings below these amounts will not be SGA.



Substantial Gainful Activity (SGA)

- 2 subtractions are always allowed when deciding whether earnings are SGA:
 1. **Impairment Related Work Expenses (IRWE)** – expenses you pay for to work because of your disability
 2. **Subsidies and Special Conditions** – situations such as reduced job productivity or getting extra help on the job



Substantial Gainful Activity (SGA)

- Subtract IRWE's, Subsidies and Special Conditions from gross wages.
- If the difference is under \$1,350/month in 2022 or \$1,470/month in 2023 (or under \$2,260/month in 2022 or \$2,460/month in 2023 if blind), you can keep Social Security Disability.



Substantial Gainful Activity (SGA)

Example:

- Phoebe works 40 hours/week and earns \$15/hour (\$2,600/month gross wages). She has finished her Trial Work Period. She is not blind.
- She pays \$476/month for taxis to and from work because she can't drive due to her disability (IRWE).
- She is paid the full wage for her job, but her productivity is 70%. Her subsidy is \$780/month (30% of her wages).



Substantial Gainful Activity (SGA)

Example (continued):

- A job coach helps Phoebe 10 hours/month. Her special condition is \$150/month (10 hours/month x \$15/hour).



Substantial Gainful Activity (SGA)

Example (continued):

\$2,600/month gross wages

- 476/month IRWE
- 780/month subsidy
- 150/month special condition

\$1,194/month = below SGA

(\$1,350/month in 2022;
\$1,470/month in 2023)



Grace Period

- Even if you earn more than \$1,350/month in 2022 or \$1,470/month in 2023 after subtractions (or \$2,260/month in 2022 or \$2,460/month in 2023 after subtractions if you are blind) after the Trial Work Period, you have another safety net to protect benefits for 3 more months.
- The Grace Period lets you keep Social Security Disability payments the first month your earnings go over the limit, plus the next two months in a row.



Keep Medicare Even If Social Security Disability Stops Due to Work

- If your Social Security Disability payments stop due to work, you still keep free Medicare hospital insurance **at least** 93 months (7 years and 9 months) after the Trial Work Period ends. You can keep buying Medicare medical insurance and/or prescription insurance if you need it.
- Even after the 93 or more months, you can still get Medicare if you're still disabled and pay extra.



Keep Medicare Even If Social Security Disability Stops Due to Work

- If you continue to be disabled and to work, and you have limited income and resources, you may not even need to pay extra to keep Medicare hospital insurance.



Can You Be Better Off If You Work Your Way Off Social Security Disability?

Example:

- Rosina received only SSDI (\$850/month).
- She started working 20 hours a week and earning \$15/hour, and kept SSDI.
- She got a better job working 40 hours a week and earned \$18/hour. Her SSDI stopped.

Can You Be Better Off If You Work Your Way Off Social Security Disability?

Example:





Employed Individuals with Disabilities (EID) Program

- Program that enables workers with disabilities to pay a monthly premium to get Medicaid
- The person must:
 - Have a disability that meets Social Security's medical criteria
 - Be age 18 - 64
 - Work for pay
 - Meet a high income limit
 - Meet an asset limit (\$10,000 for an unmarried individual)



Employed Individuals with Disabilities (EID) Program

- Medicaid provides comprehensive health coverage if you have no other insurance.
- If you have Medicare or private insurance, Medicaid can supplement it.
- Monthly premium on a sliding scale from \$0 to \$55



Get Help to Use “Safety Nets” (Work Incentives)

- A Benefits Counselor can help you use these “safety nets” (called work incentives).
- A Benefits Counselor will show you how different amounts of earnings will affect your benefits, and can help you use work incentives to be sure you get ahead financially when you work.



Get Help to Use “Safety Nets” (Work Incentives)

- To get FREE benefits counseling, you can:
- Contact the Ticket to Work Helpline at 1-866-968-7842 (if you receive Social Security Disability or SSI, are 14 – 65 years old, and are working or trying to work)
- If you have a case open with the Maryland Division of Rehabilitation Services (DORS), ask your DORS counselor to arrange benefits counseling for you.