

# Returning to Work: Disability Benefits & Health Coverage

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# GOALS:

- Learn the Different Rules for SSI & SSDI recipients
- Identify how to stay on Medi-Cal when returning to work
- Identify how to stay on Medicare when returning to work

# Returning to Work

- **Supplemental Security Income  
(SSI or Title XVI)**
- **Social Security Disability Insurance  
(SSDI or Title II)**

# SSI Return to Work Rules

SSI benefit amount is reduced by:  
Countable Earned and  
Countable Unearned income

- Countable Unearned Income =  
Unearned Income - \$20 General Income Exclusion  
The reduction is dollar for dollar
- Countable Earned Income =  
(Earned Income - \$65 Earned Income Exclusion)/2

# SSI Example

Ms. Bonet receives \$930/mo from SSI. This month she started a new part time job and earns \$485/mo. She has no other income.



How will her new earned income affect her SSI?

- Calculation:
  - Countable Unearned Income: \$0
  - Countable Earned Income:  $(\$485 - \$20 - \$65)/2 = \$200$
- Answer: \$200 will be deducted.  
Ms. Bonet will receive \$730/mo from SSI.

# Impairment-Related Work Expenses (IRWE) Exclusions

- Applies to both SSI and SSDI
- IRWE reduces earned income dollar for dollar for the cost of items or services needed to perform work *due to disability*
- Countable Earned Income =  
(Earned income – Exclusion – IRWE)/2.

# What happens to SSI linked Medi-Cal?

- Even if earned income reduces SSI to \$0, SSI recipient can still receive Medi-Cal as long as income is under state threshold or individualized threshold.

(See section 1619 (B))

- 2019: California state threshold is \$37,706

# Other Disability-Related Medi-Cal Programs

If the worker is not eligible for 1619(b) or is on SSDI only, there are other options for Medi-Cal eligibility:

## 1. Aged and Disabled Medi-Cal

- Countable income must be under \$1271 to receive Medi-Cal without share of cost.
- Resource limits

## 2. Working While Disabled -- AKA 250% Medi-Cal

- Uses SSI rules for calculating earned income
- Disability income not counted
- Monthly sliding scale premium (\$20-\$250)
- Ways to save income



# Other Disability-Related Medi-Cal Programs

## 1. MAGI-Medi-Cal

- Age 19-64
- Income at or below \$1436/mo
- Resources not counted
- Not an option for workers on Medicare or over 65

## 2. Medically Needy MC with Share of Cost (SOC)

- Countable income determines SOC
- Must meet SOC every month
- Incur SOC amount in health care expenses before MC begins to offer assistance for that month

# What if the person stops working again?

- If the person had any SSI payment and SSI linked Medi-Cal, SSI payments will simply increase.
- If the person had no SSI payment, but retained Medi-Cal via 1619(b) SSI payments will be reinstated.
- If the person had no SSI payment or 1619(b) Medi-Cal AND it is within 60 months of cessation, the person may apply for ***SSI Expedited Reinstatement***
  - **Can provide 6 months provisional payment**
  - **SSA must find *no medical improvement***

# Continuing Disability Reviews

- Sometimes SSA can cut off SSI benefits regardless of work activity if they conduct a continuing disability review (CDR).
  - Remind client's to stay in treatment AND
  - Report their symptoms/limitations

# SSI Return to Work Rules

- Reporting
  - *Keep track of & report income.*
  - Four ways
    - In-person
    - **Certified** mail to your local Social Security office
    - Automated reporting
    - Mobile Wage Reporting with smartphone app  
(June 2019 – on line through my Social Security)

# SSDI Return to Work Rules

- **Supplemental Security Income  
(SSI or Title XVI)**
- **Social Security Disability Insurance  
(SSDI or Title II)**

# SSDI Return to Work Rules

- SSDI Recipients get:
  - 9 nonconsecutive months of Trial Work Period (TWP)
  - 36 consecutive months of re-entitlement period (Extended Period of Eligibility (EPE))

# SSDI Return to Work Rules

## TWP (Trial Work Period)

- Allows you to test your ability to work for at least 9 months.
- The months are not necessarily consecutive.
- During this period, regardless of earnings, worker continues to receive SSDI check.
- TWP starts when worker earns over the TWP amount (**2019**: \$880; **2018**: \$850; **2017**: \$840).

# SSDI Return to Work Rules

## EPE (Extended Period of Eligibility)

- Begins after TWP ends and lasts for 36 consecutive months
- Not entitled to SSDI check if earned income goes over Substantial Gainful Activity (SGA).
- Exception: Grace period. SSDI is payable on the first month over SGA and the following 2 consecutive months

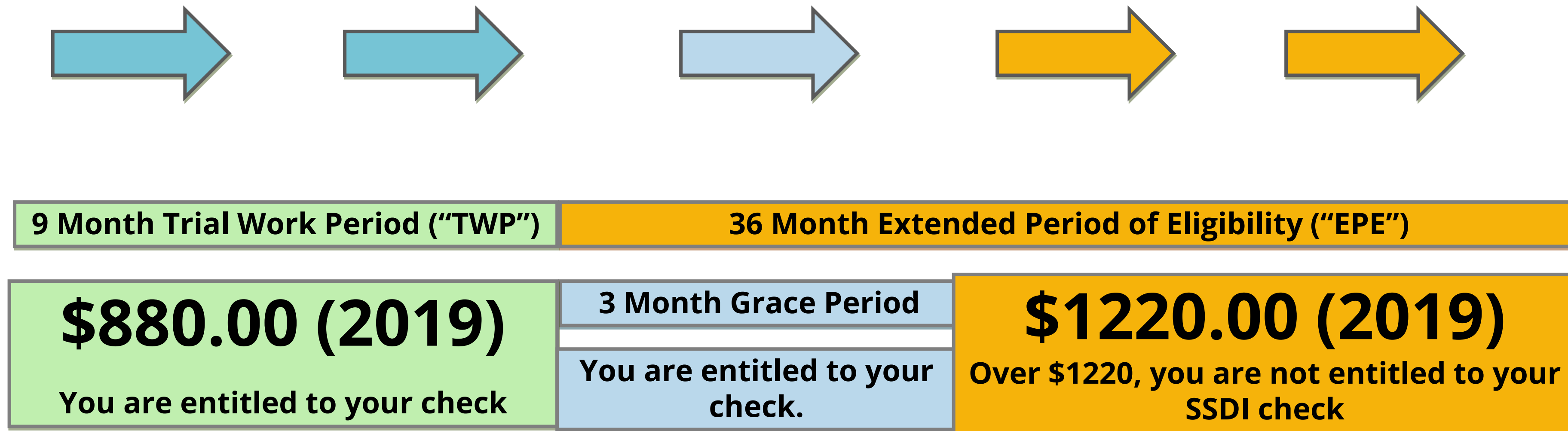


# SSDI Return to Work Rules

## Grace Period

- First time worker works above SGA in EPE, they are entitled to a 3mo grace period.
- If earn over SGA (**2019**: \$1,220) still entitled to check for that month and the next two consecutive months.

# SSDI Return to Work Rules



## What happens

**The first month that you earn over Substantial Gainful Activity, your SSDI will be cut off. You will have to re-apply or ask for expedited reinstatement.**

# SSDI: Keeping your Medicare

- SSDI linked Medicare
  - Continues for 7 years and 9 months after the TWP
  - Must continue to have a finding of disability

# SSDI Return to Work Rules

## Reporting

- ***keep track of and report earnings.***
- Four ways
  - In-person
  - Certified mail to your local Social Security office
  - Automated reporting: online through your My Social Security account
  - Phone



Resources

## **PRC Integrated Service Center - (415) 777-0333**

- Working While Receiving Disability Benefits workshop  
The last Thursday every month 10:00 am–12:00 pm (except Nov & Dec)

## **AIDS Legal Referral Panel - (415) 701-1100**

- Assists clients with HIV on some overpayment issues

## **API Legal Outreach – (415) 567-6255**

- Don't need to be an SF resident

## **Homeless Advocacy Project – (415) 575-3131**

- Prioritizes people with mental health impairments
- Closed Mondays

## **People with Disabilities Foundation - (415) 931-3070**

- Assists clients with mental illnesses on some overpayment issues