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Cape May, Camden, Atlantic, Gloucester, Cumberland and Salem Counties

Remote service is offered by the following agency, which can be contacted at the address and phone listed below:

Full Circle Employment Solutions LLC
P.O. Box 7030
Hyattsville, MD 20787
Phone: 888-466-2942 x20

Definition of Disability

“The inability to engage in 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.**”

Reporting to SSA

1. Always use **copies of check stubs** to report earnings
2. Always keep **copies of everything** you submit
3. Always submit them **in person** at the SSA Office for your zip code area.
4. Always **get a receipt** from the Claims Rep before leaving the SSA Office.
5. If you can't submit in person, send it **certified mail**, so you have **proof** SSA received it.
6. Proof can be used to file a **request for reconsideration** or a **waiver of overpayment**,
7. **Never** report earnings over the **phone**.

SSI

1. Supplemental **S**ecurity **I**ncome
2. Named aptly, as it is meant only to supplement existing income.
3. Before SSA is willing to **add to** your income, they need to know what you **already have** and what you have **coming in**, each month.
4. Requires **no work history**
5. You must also either have a **disability** or be over **65** to qualify

Resources Defined

- Money you **already have** or possessions you can **turn into money** to support yourself that month.
- Examples are bank accounts, stocks, business assets, real estate or personal property.

Excess Resources

1. Count for as long as they exist
2. Eliminate both cash and Medicaid for as long as they exist
3. If spent down before twelve months elapse, benefits can resume
4. If held for 12 months or more, benefit cannot be renewed and must be reapplied for
5. Can be placed into a PASS Plan to bring a beneficiary back under the resource limit, even retroactively
6. Can be spent down before the 1st of the following month, unless 12 months were reached with them.

Resource Limits

- **\$2,000** for singles
- **\$3,000** for eligible couples

Allowable Resources

Property Essential to Self Support

Primary Residence

SSA knows beneficiaries need a place to live before they can go to work. So, they won't penalize you for owning a home.

Primary Vehicle

SSA knows you need a way to get to work. So, they won't penalize you for owning a vehicle.

2019 SSI Federal Portion

- Full Federal Benefit Rate (FBR): **\$771 Single/\$1,157**
- Value of the Third Reduction: **\$514**
- Presumed Maximum Value: **\$494**
- State Portion: Amount dictated by living arrangement.
- Each state has different criteria for supplements.
- Some states do not add a state portion at all.

NJ State Supplements

Living Arrangements	Individual	Couple
Congregate Care Facility	\$150.05	\$618.36
Living alone or with others	\$31.25	\$25.36
Living alone with and Ineligible Spouse	\$153.00	N/A
Living with an Essential Person	\$25.36	N/A
Living in the Household of Another	\$44.31	\$93.09
Medicaid Facility	\$10.00	\$20.00
Residential Health Care Facility	\$210.05	\$738.36

NJ State Supplement Definitions

A: Congregate care facility.

Includes recipients in:

- Residential health care facilities who are under the supervision of the Department of Human Services,
- Residential facilities for children and adults under the supervision of or placement by the Division of Developmental Disabilities or the Division of Youth and Family Services and supervised or placed by the Department of Human Services, and
- Assisted living residences and in comprehensive personal care homes licensed by the New Jersey Department of Health and Senior Services.

NJ State Supplement Definitions (Cont.)

B: Living alone or with others.

Includes recipients residing in a federal Code A or C living arrangement who do not meet the definitions of other state living arrangements. Includes persons in:

- The Transitional Residency Program when their placement is through the Division of Mental Health and Hospitals, Department of Human Services;
- Room and board facilities licensed by the Department of Community Affairs; and
- Persons in medical facilities who reside in a federal Code A living arrangement on the basis of their eligibility under section 1611(e)(1)(E) of the Social Security Act.

NJ State Supplement Definitions (Cont.)

C: Living alone or with an ineligible spouse.

- Applies to recipients who live only with their ineligible spouse or their ineligible spouse and foster children.
- Uses federal criteria. Recipient currently has an essential person living in the household and in December 1973 was receiving assistance under an approved state plan that covered the needs of an essential person.

D: Living in the household of another.

Includes recipients residing in a federal Code B living arrangement.

NJ State Supplement Definitions (Cont.)

G: Medicaid facility.

Includes recipients residing in a federal Code D living arrangement.

I: Residential health care facility.

Includes facilities that have been approved by the New Jersey Department of Community Affairs (DCA) and are either free-standing or attached to a nursing home, an assisted living residence, or a comprehensive personal care home approved by DCA.

Value of the One-Third Reduction Rule (VTR)

- A recipient who lives in another person's household and receives both food and shelter from within the household (Living Alone or with Others) has his or her income guarantee reduced by one-third.
- This reduction is taken in lieu of counting the actual value of the support that is received.
- However, a recipient who has some rental liability or pays at least a pro rata share of the household food and shelter costs would not be classified under living arrangement B and would not be subject to the VTR rule.

When is it not a VTR?

1. Individual lives in own household
 - Lives in noninstitutional care
 - Has ownership interest in the home in which he/she lives
 - Has rental liability for the shelter in which he/she lives
 - Lives in a public assistance household
 - Pays a pro rata share of the household operating expenses

When is it not a VTR? (Cont.)

2. Individual lives in another's household but does not receive both food and shelter
 - Is separately consuming food
 - Is separately purchasing food
 - Is contributing an earmarked share for food or shelter
 - Whose household operating expenses do not include food (e.g., all food is purchased with food stamps) or do not include at least one item of shelter (e.g., all shelter expenses are paid by someone outside the household).

When is it not a VTR? (Cont.)

3. Individual does not live in a household
 - transients
 - residents of institutions

4. Individual does not meet the throughout a month requirement

3. Individual lives alone



Presumed Maximum Value Rule (PMV)

- If an individual or a couple receives In-Kind Support and Maintenance (ISM) but is not subject to the VTR rule, then the PMV rule applies.
- This rule would apply to an individual who lives in another person's household but does not receive both food and shelter from that person, or lives in his or her own household and receives in-kind support from either someone inside or outside of the household.
- The PMV equals one-third of the income guarantee plus \$20 (the general income exclusion) and caps the amount of ISM that SSA counts. An amount less than the PMV may be used to calculate a person's payment if the individual can show that the actual value of the ISM received is lower than the PMV.

Calculating the Actual Value (AV) of In-Kind Support & Maintenance (ISM) for an **Individual**

Total Household Operating Expenses

÷ # of Household Members

= Individual's Pro Rata Share

Individual's Pro Rata Share

- Individual's Contribution

= **AV of ISM (Individual)**

Example Calculation AV Individual

Household Operating Expenses	\$600
Divided by 5 Household Members	÷ 5
Pro Rata Share of Shelter	\$120
Next, compute Jason's pro rata share of food:	
Household Expense for Food	\$360
Divided by 4 Household Members (exclude Mr. Binder)	÷ 5
	\$72
Finally, compute the AV of food and shelter received by the couple:	
Pro Rata Share of Food	\$72
Combined Pro Rata Share of Shelter	\$120
Total	\$192
Less Contribution	-100
Actual Value of the In-Kind Maintenance and Support	\$92



Calculating the AV of ISM for a **Couple**

Total Household Operating Expenses

÷ # of Household Members

= Pro Rata Share of Each Member of Couple

Pro Rata Share of Each Member of Couple

x 2

= Combined Pro Rata Shares of Couple

Combined Pro Rata Shares of Couple

– Couple's Combined Contribution

= AV of ISM (Couple)

Example Calculation AV Couple

Household Operating Expenses	\$600
Divided by 5 Household Members	÷ 5
Pro Rata Share of Shelter	\$120
	× 2
Combined Pro Rata Share of Couple	\$240
Next, compute Mrs. Binder's pro rata share of food:	
Household Expense for Food	\$360
Divided by 4 Household Members (exclude Mr. Binder)	÷ 4
	\$90
Finally, compute the AV of food and shelter received by the couple:	
Pro Rata Share of Food	\$90
Combined Pro Rata Share of Shelter	240
Total	\$330
Less Contribution	-175
Actual Value of the In-Kind Maintenance and Support	\$155

2019 PMV & VTR Rates

Receiving In-Kind Support and Maintenance (ISM)	Federal Benefit Rate (FBR)	Presumed Maximum Value* (PMV)	Value of 1/3 Reduction (VTR)
Eligible Individual			
In a household	\$771.00	\$277.00	N/A
In household of another ¹	\$771.00	N/A	\$257.00
In nonmedical institution ²	\$771.00	\$277.00	N/A
Eligible Individual with an Essential Person			
In a household	\$1,157.00	\$405.67	N/A
Both in household of another ¹	\$1,157.00	N/A	\$405.67
Both Members of an Eligible Couple Living Together			
In a household	\$1,157.00	\$405.67	N/A
Both in household of another ¹	\$1,157.00	N/A	\$405.67

Deciding between AV & PMV

- Compare the **AV** to the **PMV** for an individual. The **lesser** amount is household income if the inside **ISM** is the only **ISM** received.
- Note that there is no \$5 tolerance applicable to **ISM** subject to the **PMV** rule; even if the **AV** is less than \$5, such **ISM** is chargeable.

2019 SSI Checks with Supplements

Full Benefit

Single: **\$802.25** Couple: **\$1,201.31**

VTR Benefit (Value of the One Third Reduction)

Single: **\$558** Couple: **\$864.42**

PMV Benefit (Presumed Maximum Value)

Single: **\$525.25** Couple: **\$844.42**

AV Benefit (Actual Value)

Determined by formula for each.

Unearned Income

Any money that a beneficiary receives that month that is **not remuneration for work**.

Income Test Formula

Unearned Income Only

Monthly Unearned Income	\$500.00	2019 Federal Benefit Rate	\$771.00
General Income Exclusion	- \$20.00	Total Countable	- 480.00
Countable Income	\$480.00	Federal Portion	\$291.00
		NJ Supplement Portion	+ \$31.25
		Actual Check	\$322.25
		Total Gross Income	\$822.25

Law Provision 1619a

1. Allows SSI recipients to work and keep a **portion** of their cash benefit.
2. Established an **income test formula**, through which all earned and unearned income is run in order to decide what the ongoing need is, so that the check can be adjusted accordingly.
3. Allows a beneficiary to gradually move from **public support** to **self sufficiency**.
4. Means that **check amounts change** as often as income changes.

Income Test Formula Earnings Only (No ISM)

Gross Monthly Earnings	\$400.00	2019 Federal Benefit Rate	\$771.00
General Income Exclusion	- \$20.00	Total Countable	- \$157.50
Countable Earnings	\$380.00	Federal Portion	\$613.50
Earned Income Exclusion	- \$65.00	NJ Supplement	\$31.25
Countable Earnings	\$315.00	Actual Check	\$644.75
Divide by 2	157.50	Total Gross Income	\$1,044.75

Income Test Formula Unearned & Earned, No ISM

Monthly Unearned	\$225.00	2019 Federal Benefit Rate	\$771.00
General Income Exclusion	\$20.00	Total Countable	- \$304.00
Countable Unearned	\$205.00	Federal Portion	\$467.00
Monthly Earnings	\$263.00	NJ Supplement	\$31.25
Earned Income Exclusion	\$65.00	Actual Check	\$498.25
Countable Earnings	\$198.00	Total Gross Income	\$986.25
Divide by 2	\$99.00		

Income Test Formula (VTR Rule)

Gross Monthly Earning	\$300.00	2019 Federal Benefit Rate After	\$514
General Income Exclusion	- \$20.00	Total Countable	- \$107.50
Earned Income Exclusion	- \$65.00	Federal Portion	\$406.50
Countable Earnings	\$215.00	NJ Supplement	+ \$44.31
Divide by 2	\$107.50	Actual Check	\$450.81
2017 Federal Benefit Rate before 1/3 Reduction	\$735.00	Total Gross Income	\$750.81

Income Test Formula (PMV)

Gross Monthly Earning	\$300.00	2019 Federal Benefit Rate After PMV	\$494
General Income Exclusion	- \$20.00	Total Countable	- \$107.50
Earned Income Exclusion	- \$65.00	Federal Portion	\$386.50
Countable Earnings	\$215.00	NJ Supplement	+ \$31.25
Divide by 2	\$107.50	Actual Check	\$417.75
2017 Federal Benefit Rate before 1/3 Reduction	\$750.00	Total Gross Income	\$717.75

Student-Earned Income Exclusion Requirements

1. Under age **22**
2. Not married or head of your household
3. Regularly **attending** school

2019 SEIE Amounts

Student Earned Income Exclusion Amounts

- **\$1,870** of earned income per month, in 2019, not counted.
- **\$7,550** annually – these amounts are for the year 2019; they are adjusted each year based on the cost-of-living.

An IRWE is...

- Impairment **Related Work Expense**
- Paid for by the **beneficiary**
- A **service** or **product** the beneficiary needs in order to **work**.
- Is entered into the **income test formula** before the division occurs, in add, making is one dollar for every two.

Examples of IRWE's

1. Attendant care services
2. Transportation costs
3. Medical devices
4. Work-related equipment
5. Prosthesis
6. Residential modifications
7. Routine drugs and medical services
8. Diagnostic procedures
9. Non-medical appliances and devices
10. Other items and services (expendable medical supplies, cost of helper animals)

Definition of Blindness

20/200 or less in better eye with glasses or field of vision less than **20 degrees**.

Blind Work Expenses (BWE's) Examples

1. Guide dogs
2. Fees
3. Transportation to and from work
4. Vehicle modifications
5. Training to use impairment-related items
6. Taxes
7. Prosthesis
8. Meals consumed during work
9. Other work-related equipment
10. Non-medical equipment/services
11. Drugs
12. Physical therapy
13. Expendable non-medical supplies
14. Mandatory pension contributions



Plan for Achieving Self Support (PASS Plan)

1. A way to save for a **big ticket item**
2. Used to exclude **income & resources**
3. An alternate method of **obtaining or retaining SSI**
4. **Must be** in writing
5. **Must contain:**
 - A **feasible occupational goal**
 - A **savings and spending plan**
 - A list of **items and services** needed and their **cost**
 - A **timetable** for achieving goal
6. Must be expected to **increase person's prospect for self-support**

Crucial Piece of the Plan

- Must list monthly **expenses**
- Must be able to show **how you will meet** these monthly expenses **without** the money you are committing to the PASS account.

P. 5 of PASS Plan Income

E.3. List the income you currently receive or expect to receive.

Type of Income Amount Received

Social Security Disability (SSDI)	\$	Monthly
Supplemental Security Income (SSI)	\$	Monthly
Earned Income (Wages)	\$	Monthly
Self-Employment Income	\$	
Other (please list):	\$	
Other (please list):	\$	

E.4. How much of this income, other than SSI, will you set aside to pay for the items or services requested?

\$

P. 6 of PASS Plan Expenses

PART F – CURRENT LIVING EXPENSES

Average Current Living Expenses

HOUSEHOLD EXPENSES AMOUNT PER MONTH

\$ Food (Do not include food stamps.)

\$ Rent/Mortgage

\$ Property Insurance/ Taxes not included in mortgage

\$ Gas

\$ Other (Please list)

\$ Electric

\$ Heating Fuel

\$ Water/Sewer

\$ Garbage Removal

\$ Telephone (Home and Cell)

\$ Cable/Satellite TV

\$ Internet

P. 6 of PASS Plan Expenses

PART F – CURRENT LIVING EXPENSES

Average Current Living Expenses

PERSONAL EXPENSES

Recreation, Movies, Restaurants

Clothing.....

Haircuts, Manicures.....

Dental/Medical After Insurance.....

Vehicle Expenses (Gas and Maintenance).....

Transportation Costs (Bus Pass, Etc.).....

Membership (Gym, Dating/Social, Etc.).....

Service Animal.....

Pet Expense.....

Other (Please list).....

P. 6 of PASS Plan Expenses

PART F – CURRENT LIVING EXPENSES

Average Current Living Expenses

INSTALLMENTS AMOUNT PER MONTH

Auto Loans/Leases.....

Insurance Premiums.....

Credit card Accounts.....

Child Support/Alimony.....

Other (Please list)

TOTAL MONTHLY EXPENSES: \$ _____

PASS Cadres

New York Region

PASS Cadre Location	Jurisdiction	Names A-M	Names N-Z
New York, NY	New Jersey, Downstate New York	Bob MacGowan: PASS A-M 1(866)348- 5403 x23648	Lisa Flores: PASS N-Z 1(866)348- 5403 x23645

Additional Income Exclusions

- **Parent's income** / resources once a child reaches age **18**, regardless of student status.
- **State** or **locally** funded assistance based on need
- **Rent subsidies** under HUD programs and the value of food stamps
- **Infrequent** or irregularly received **income** (**\$20 or less a month**)

FBR's Past & Present

Year	Single	Couple
2005	\$579	\$869
2006	\$603	\$904
2007	\$623	\$934
2008	\$637	\$956
2009	\$674	\$1,011
2010	\$674	\$1,011
2011	\$674	\$1,011
2012	\$698	\$1,048
2013	\$710	\$1,066
2014	\$721	\$1,082
2015	\$733	\$1,100
2016	\$733	\$1,100
2017	\$735	\$1,103
2018	\$750	\$1,125
2019	\$771	\$1,157

Breakeven Point - 2019

STEP ONE	2019 Federal Figures
\$771.00 (Or any check amount)	Federal Benefit Rate
x 2	Multiply by 2
= \$1,542.00	Subtotal
STEP TWO	
+ \$85.00 (If there is unearned income + 65, instead of 85)	EIE & GIE
= \$1,627.00	Breakeven point
EXAMPLE USING THE NJ STATE SUPPLEMENTS	
A \$802.25 SSI Check is done with \$1,689.50 of earnings	Breakeven point with standard supplement

Deeming

- The process of considering another person's income and/or resources to be available for meeting an SSI beneficiary's basic need for food and shelter.
- Social Security bases the concept of deeming on the idea that those who have a responsibility for others share their income and resources for the benefit of these persons.
- Social Security determines that a certain amount of the responsible party's income and/or resources are "deemed" available for the needs of the SSI claimant or recipient. (When applying or eligible)

Deeming Relationships

- Parental-to-Child (Minor)
- Spouse-to-Spouse (Ineligible Spouse)
- Sponsor-to-Legal Alien (and LA's ineligible spouse)
- Multiple Deeming (More than one SSI eligible individual resides in a household/more than one deeming relationship exists)

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Law Provision 1619b

- Allows for a beneficiary to remain eligible for **Medicaid** after reaching the break even point and **losing the SSI check**, as long as the check was lost due to **earned income** or **2 special types of unearned income loopholes**.
- Allows a beneficiary to remain eligible for **resumption of cash benefits** for **12 months**.
- Has an **annual earnings threshold**.

2019 NJ 1619b Medicaid Earnings Threshold

- If earnings exceed **\$35,520** in 2019, SSI Medicaid **will stop**.
- In NJ, beneficiaries who lose **SSI Medicaid** can regain Medicaid through the **NJ Workability(Medicaid Buy-In)** Program.

Loopholes into 1619b Medicaid Eligibility

- 503 of Public Law 94-566, the “Pickle Amendment”
- Section 1634(c) DAC

Title II COLA (“Pickle Amendment”)

Under section **503 of Public Law 94-566**, the “**Pickle Amendment**,” title II beneficiaries who would continue to receive SSI/SSP payments (or would continue to be eligible for benefits under section 1619(b)) but for their **title II COLAs** continue to be considered SSI recipients for Medicaid purposes. If an individual's other income would not have precluded continuing SSI payments (or deemed payments under section 1619) without the title II COLAs, the State must continue to consider the individual to be an SSI recipient for Medicaid purposes.

The Pickle Amendment Applications

- **Other Income** — If an SSI recipient had title II and other income which resulted in loss of SSI, increases in the SSI FBR or a decrease in the other income can result in eligibility for Medicaid continuation under the Pickle amendment.
- **Windfall Offset** — Windfall offset cases that receive SSI payment first and then lose SSI eligibility are like cases with other income.

NJ DAC Medicaid 1634

Section 1634(c) requires States to consider title II childhood disability beneficiaries (also known as disabled adult children, **DACs**, or childhood disability beneficiaries, **CDBs**) who lose SSI eligibility as if they were still SSI recipients for Medicaid purposes so long as they would have remained otherwise eligible for SSI benefits but for their entitlement to (or increase in) title II benefits on or after July 1, 1987.

NJ DAC Medicaid 1634 Requirements

- Is at least 18 years of age
- Disabled before the age of 22
- Lost SSI due to the receipt of SSDI DAC

Non DAC, According County BOSS Offices

A DAC Beneficiary who was not had not received SSI prior to receiving DAC benefits.

NJ Achieving a Better Life Experience (ABLE) Accounts

- A **tax-advantaged savings** account that an eligible individual can use to pay for **qualified disability expenses**.
- The **eligible individual** is the owner and designated beneficiary of the ABLE account.
- An eligible individual may establish an ABLE account provided that the individual is **blind or disabled by a condition that began before the individual's 26th birthday**.
- **If you do not have SSDI**, the BOSS worker should ask you to prove that you have been denied, due to earned income, which is a good thing.

NJ ABLE Accounts (Cont.)

- A beneficiary is limited to **one ABLE** Account, with Two exceptions: **rollover** and **90 days** from closure
- **Upon death**, funds remaining in the ABLE account, after payment of all outstanding qualified disability expenses, must be used to **reimburse Medicaid for any medical benefits received.**

NJ ABLE Eligibility Criteria Options

- SSI eligible, based on disability that began before age 26
- Be entitled to disability insurance benefits (DIB), childhood disability benefits (CDB), or disabled widow's or widower's benefits (DWB) based on disability that began before age 26
- Certify (or an agent under a power of attorney or, if none, a parent or guardian must certify) that the individual: has a medically determinable impairment meeting statutorily specified criteria for disability occurring before age 26.

Designated beneficiary

- **SSI** eligible, based on **disability** that began **before age 26**
- Be entitled to disability insurance benefits (**DIB**), childhood disability benefits (**CDB**), or disabled widow's or widower's benefits (**DWB**) based on disability that began before age 26
- Certify (or an agent under a power of attorney or, if none, a parent or guardian must certify) that the individual: has a **medically determinable impairment** meeting statutorily specified criteria for disability occurring before age 26.

Contributions

- May be made in the form of cash or a check, money order, credit card, electronic transfer, or a similar method.
- Can come from any individual, trust, estate, partnership, association, company, or corporation.
- Limited to the amount of the per-donee gift-tax exclusion in effect for a given calendar year. For 2019, that limit is **\$15,000**.

Distributions

- A distribution is any **payment from an ABLE account**. (A program-to-program transfer is not a distribution.)
- The designated beneficiary or person with signature authority determines when a distribution is made.
- Distributions (other than rollovers and returns of contributions) may be **made only to or for the benefit of the designated beneficiary**.

Qualified Disability Expenses

Qualified disability expenses (QDEs) are **expenses related to the blindness or disability** of the designated beneficiary and for the benefit of the designated beneficiary.

Qualified Disability Expenses List

- Education
- Housing
- Transportation
- Employment training and support
- Assistive technology and related services
- Personal support services
- Health
- Prevention and wellness
- Financial management and administrative services
- Legal fees
- Expenses for ABLE account oversight and monitoring
- Funeral and burial
- Basic living expenses.

Housing Expenses

- Mortgage (including property insurance required by the mortgage holder)
- Real property taxes
- Rent
- Heating fuel
- Gas
- Electricity
- Water
- Sewer
- Garbage removal

Rollover

- **The contribution of a designated beneficiary** (or a family member of the designated beneficiary), of all or a portion of an amount withdrawn from the designated beneficiary's ABLE account, provided that the contribution is made **within 60 days of the date of the withdrawal**.
- **No rollover** should have been made to an ABLE account of the designated beneficiary **within the prior 12 months**.

Exclude Contributions as Income

- Contributions to an ABLE account from the **income of the designated beneficiary**.
- Contributions include **rollovers** from a member of the family's ABLE account to an SSI applicant, recipient, or deemor's ABLE account.

The fact that a person uses his or her income to contribute to an ABLE account does not mean that his or her income is not countable for SSI purposes as it normally would be.

First party contributions

- A contribution **made by the designated beneficiary** into his or her ABLE account is **not income** to the designated beneficiary.
- Income **received** by the designated beneficiary and deposited into his or her ABLE account **is income** to the designated beneficiary.
- The income is income in the first instance, but the **contribution is not income.**
- An individual **cannot use direct deposit to avoid income counting.**

First party contributions (Cont.)

Examples of payments that might be direct-deposited into an ABLE account, but still are **counted as income** as they otherwise would be, include:

- Wages
- Benefit payments (Title II, Veterans Administration, pensions, etc.)
- Mandatory Support payments (child support or alimony)

Third Party Contributions

- Made by **persons other than the designated beneficiary.**
- Made with **funds that do not otherwise belong, or are not otherwise due, to the designated beneficiary**
- Treated as a **completed gift**
- **A transfer of funds from a trust**, of which the designated beneficiary is the beneficiary and which is not considered a resource to him or her, to the designated beneficiary's ABLE account generally will be considered a third party contribution for ABLE purposes.

Exclusions

- **Account earnings:** The funds in an ABLE account can accrue interest, earn dividends, and otherwise appreciate in value.
- **\$100,000** of the balance of funds in an ABLE account (this reflects the SSA limit. NJ has a \$305,000 limit but SSA will only allow \$100,000.)
- **Distributions:** A distribution from an ABLE account is not income but is a conversion of a resource from one form to another.
- **Retained distributions** for a QDE not related to housing

When Balance and Distributions Count

- Portion of the balance **exceeding \$100,000**
- Retained distributions **for housing expenses or expenses that are not QDEs as a resource**
- **Previously excluded distributions** used for a non-qualified purpose or housing expense

Excess Resources- ABLÉ Account

Rule for indefinite benefit suspension and continuing eligibility for Medicaid during periods of excess resources *attributable to an ABLÉ account*

- SSA **suspends the recipient's SSI benefits** without time limit (as long as he or she **remains otherwise eligible**)
- If SSI eligible for Medical Assistance (Medicaid) purposes **(Law Provision 1634)**
- If eligibility **does not terminate after 12 continuous months** of suspension.

EXAMPLE: Excess resources — recipient is suspended but retains eligibility for Medicaid

Paul is the designated beneficiary of an ABLE account with a balance of \$101,000 on the first of the month. Paul's only other countable resource is a checking account with a balance of \$1,500. Paul's countable resources are \$2,500 and therefore exceed the SSI resource limit. However, since Paul's ABLE account balance causes him to exceed the resource limit (i.e., his countable resources other than the ABLE account are less than \$2,000), **suspend Paul's SSI eligibility** and stop his cash benefits, but he **retains eligibility** for Medicaid in his State.

Excess Resources- Non-ABLE

Special Suspension Rule does not apply when:

- The balance of an SSI recipient's ABLE account exceeds \$100,000 by an amount that causes the recipient to exceed the SSI resource limit
- The **resources other than the ABLE account** alone make the individual ineligible for SSI due to excess resources.

EXAMPLE: Combination of resources — recipient loses SSI eligibility

Christine is the designated beneficiary of an ABLE account with a first of the month balance of \$101,000. Christine's only other countable resource is a checking account with a balance of \$3,000. Christine's countable resources are \$4,000 and therefore exceed the SSI resource limit. However, because her ABLE account balance is not the cause of her excess resources (i.e., her countable resources other than the ABLE account are more than \$2,000), the special rule does not apply, and Christine is not eligible for SSI because of excess resources. Suspend Christine's SSI benefits using payment status N04. Her **Medicaid benefits stop**.

NJ WORKABILITY is...

- The **Medicaid Buy-in** program in NJ.
- Allows individuals who **work** to be **eligible** for **Medicaid**.

NJ WORKABILITY 2019 Income Allowances

Earned Income:

- 250% of Federal Poverty Level
 - **\$2,603** Single **\$3,520** Couple, after formula is applied to Income of:
 - Single: **\$63,492** year or **\$5,125** month
 - Couples: **\$84,552** year or **\$7,064** month

Unearned Income:

- 100% of Federal Poverty Level
- Single: **\$1,041** per month
- Couples: **\$1,410** per month (NJW couple-both disabled & employed)

NJ WORKABILITY Disregarded Income

- **Social Security Disability Insurance** from own account
- **Railroad Retirement Benefits** from own account

NJ WORKABILITY Resource Limits

- **Individuals under \$20,000**
- **Couples under \$30,000**



NJ WORKABILITY Coverage includes but is not limited to...

- Doctor
- Dentist
- Hospital
- Personal care assistant
- Services
- Podiatry
- Laboratory services
- Outpatient psychology service
- Home health care
- Medical transportation
- Surgery medical supplies
- Nursing facility
- Occupational therapy
- Prescription drugs
- Psychiatry
- Durable medical equipment
- Eye glasses
- Hearing aides
- Dentures
- Speech therapy

NJ WORKABILITY Allowable Assets

- **IRA/401K** account funds
- Value of **home**
- Value of **vehicle**

NJ WORKABILITY Premium

- **Under 150% of federal poverty level:**
 - **No premium is paid**
- **Over 150% of federal poverty level:**
 - Individuals: **\$25.00 month**
 - Couples: **\$50.00 month**
- **Premium collection began on **January 1, 2017****

NJ WORKABILITY Definition of Employment

“working in a paid occupation, whether in cash or in kind, including, but not limited to, **full-time employment; **part-time** employment; the practice of a profession; self-employment; farm work; home-based employment; or other gainful work. An individual who identifies himself as **self-employed** must have net earnings of at least **\$400.00** annually in accordance with requirements of the Internal Revenue Services under Title 26 of the United States Code (U.S.C. 26) and **file taxes** accordingly.”**

NJ WORKABILITY Definition of Employment (Cont.)

***Must be working full or part time (at least 10 hours per week)**

NJ WORKABILITY Application Process

- **County Boards of Social Service** will process the **applications** and establish **service**
- Bring the following information to your appointment:
 - **Birth Certificate**
 - **Proof of SSDI** benefit or **proof of the disability** itself
 - Recent **pay stubs** or a **letter from the employer** detailing gross monthly wages
 - **Recent bank statement**

The NJ Workability Application Process (Cont.)

- If you have SSDI, the BOSS worker will likely assume you meet the SSA definition of disability.
- If you do not have SSDI, the BOSS worker should ask you to prove that you have been denied, due to earned income, which is a good thing.
- Once the BOSS worker sees your SSDI denial letter, he/she start a strictly SSA Blue Book medical determination for you, as the earnings portion of the definition should be disregarded, as it is for minors.

SSDI

1. **Social Security Disability Insurance**
2. Is aptly named and works the same way any other insurance does
3. The **FICA tax** taken from a paycheck is, in affect, the **premium** paid for eligibility
4. **Work history** determines the amount of your benefit

SSDI

5. Has **no resource** limit

6. **Only** Workers Compensation or other Federal and State Disability checks **affect** your benefit **amount**

7. **Work Incentives** determine if you are either eligible for the **entire check**, or **no check at all**.

8. Comes with **Medicare** after **2 years**, except for those with renal failure or one of **50 different cancer conditions** (called Compassionate Allowances), who are eligible immediately.

SSDI

THE MOST IMPORTANT THING TO REMEMBER ABOUT SSDI IS THAT ONLY WORK CREATES IT AND ONLY WORK CAN CHANGE OR STOP IT. THEREFORE, ONLY WORK IS COUNTED TO DETERMINE CONTINUED ELIGIBILITY.

Trial Work Period 2019

- **Unless medical recovery** is an issue, beneficiaries are entitled to a Trial Work Period (TWP)
- TWP provides **opportunities to test work skills** while maintaining **full benefit checks**
- Begins **first month of entitlement** to benefits
- The **Trial Work Amount** is annually indexed

**\$880
80 hr.**

9 mo.

**60 mo.
window**

**All
earnings**

Trial Work Amounts

DATES	NON-BLIND	BLIND
1/1/06 – 12/31/06	\$620	Same
1/1/07 – 12/31/07	\$640	Same
1/1/08 – 12/31/08	\$670	Same
1/1/09 – 12/31/09	\$700	Same
1/1/10 – 12/31/10	\$720	Same
1/1/11 – 12/31/11	\$720	Same
1/1/12 – 12/31/12	\$720	Same
1/1/13- 12/31/13	\$750	Same
1/1/14- 12/31/14	\$770	Same
1/1/15- 12/31/15	\$780	Same
1/1/16- 12/31/16	\$810	Same
1/1/17- 12/31/17	\$840	Same
1/1/18- 12/31/18	\$850	Same
1/1/19- 12/31/19	\$880	Same

Extended Period of Eligibility (EPE)

- 1. Begins month following 9th TWP**
- 2. 36 consecutive months**
- 3. Eligible** for check when earning **below** the current Substantial **Gainful Activity** figure
- 4. First time** at or above SGA, a **3-month “Grace Period”** will kick in
- 5. After “Grace Period,” ineligible** for a check during months earnings are at or above SGA
- 6. Remain eligible** for **Medicare**, even when ineligible for a check

SGA Amounts Index Up

DATES	NON-BLIND	BLIND
1/1/05 – 12/31/05	\$830	\$1/380
1/1/06 – 12/31/06	\$860	\$1,450
1/1/07 – 12/31/07	\$900	\$1,500
1/1/08 – 12/31/08	\$940	\$1,570
1/1/09 – 12/31/09	\$980	\$1,640
1/1/10 – 12/31/10	\$1000	\$1,640
1/1/11 – 12/31/11	\$1000	\$1,640
1/1/12 – 12/31/12	\$1,010	\$1,690
1/1/13- 12/31/13	\$1,040	\$1,740
1/1/14- 12/31/14	\$1,070	\$1,800
1/1/15- 12/31/15	\$1,090	\$1,820
1/1/16- 12/31/16	\$1,130	\$1,820
1/1/17- 12/31/17	\$1,170	\$1,950
1/1/18- 12/31/18	\$1,180	\$1,970
1/1/19- 12/31/19	\$1,220	\$2,040

IRWE's

- The **full value** of **IRWE's** can be **deducted** from gross earnings to come up with a countable earnings figure that falls **below SGA**.
- Can be used **alone** or in **conjunction** with subsidies or other IRWE's.
- Can only be applied during the **EPE**

No BWE's for SSDI

- Blind Work Expenses can only be applied toward **SSI** accounts, **not SSDI** accounts
- Blind beneficiaries already have a **Blind SGA** to allow for gross earnings that reach over the usual SGA level

Subsidies

- **Goods or services** paid for by someone **other than the beneficiary.**
- Can be used **alone** or in **conjunction** with other subsidies or IRWE's.
- Costs assigned to a subsidies are **subtracted** from the **monthly gross** to arrive at a **countable earnings** figure that would allow SSA to count a beneficiary who is making **at or above SGA** to be counted as if he were **below SGA.**
- Can only be applied during the **EPE**

Types of Subsidies

1. Employer **Wage** Subsidy
2. Employer **Accommodation** Subsidy
3. Agency **Job Coach** Subsidy
4. Agency **Job Sampling Wage** Subsidy

1. Employer Wage Subsidy

- Exists whenever the beneficiary is **paid the same wage** as others, but is allowed **special conditions** because of his/her disability.
- **Monetary values** are assigned to the **special conditions**.
- **Employer** provides documentation for this
- **Beneficiary** takes documentation to the local SSA Office to establish the subsidy.

2. Employer Accommodation Subsidy

- **Goods or services**, provided at the **employer's expense**, without which a beneficiary's disability would prevent job performance.
- **Proof of payment** provided by employer.
- **Beneficiary** brings proof of employer payment to SSA to establish the subsidy.

3. Job Coach Subsidy

- Exists if the beneficiary still requires **Job Coaching** during the **EPE**.
- Counts, whether or not it's on site.
- Is calculated by multiplying the **beneficiary's hourly wage** by the number of **monthly job coaching hours**.
- A **doctor's note** stating the need for the coach and **proof of hours** provided from the job coaching agency establishes the subsidy.

4. Agency Job Sampling Subsidy

- Exists whenever an **entity other than the employer** is paying a portion of the beneficiary's wage as an incentive to the employer.
- Whatever amount this is **should not be counted by SSA** for as long as the subsidizing agency provides it.

Subsidies for the Self Employed

1. Unpaid Help Subsidy

Services donated to a beneficiary's business

2. Unincurred Business Expense Subsidy

Equipment or material donated to a beneficiaries business

*These are applied in addition to regular business expenses.



**EASY
back
on!**

Expedited Reinstatement (EXR)

- 1. Eligible for EXR up to 60 months after EPE or the loss of check eligibility, which may fall outside the EPE, if beneficiary again falls below SGA**
- 2. The reason for falling back under SGA must be disability related**
- 3. Up to 6 provisional checks are issued during the determination process**
- 4. If not reinstated, may be able to keep provisional checks**
- 5. If reinstated, starting with the first provisional check, a beneficiary receives 24 more months of checks, but non-consecutively**

After 24 months of EXR, a beneficiary is entitled to...

- **A new Trial Work Period**
- **A new Extended Period of Eligibility**
- **A new 60 month period of Extended Medicare coverage and eligibility for Expedited Reinstatement of Benefits, should disability dictate the need for such**

Tracking Sheet for SSDI

YR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
'14							750	770	750	750	790	750
'15	780	750	750	800	750	790	790	800	800	800	900	950
'16	800	800	900	900	900	1130	1100	1150	1150	1150	1100	1150
'17	1170	1150	1150	1150	1180	1180	1150	1150	1180	1150	1200	1180
'18	1170	1170	1180	1180	1200	1200	1200	1200	1350	1350	60 Mo.	
'19												

Table Key	Under TWP	TWP	EPE / Check	Grace Period	EPE / No Check
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SSDI & Taxes: What is Countable?

Step 1: Add up the following items

- + ½ of Social Security Disability payments
- + Taxable pension payments
- + Gross Wages
- + Interest on savings accounts or similar savings vehicles, including tax sheltered or tax deferred interest
- + Dividends on stocks, bonds, mutual funds, or other investments
- + Passive income, such as rent
- + All other normally taxable income

= **Combined Income**

When SSDI is Taxable

Step 2: Measure Combined Income Against Countable Limits:

Filing federal tax return as an "individual"

- If combined *income** is between \$25,000 and \$34,000, you may have to pay income tax on up to 50 percent of your benefits.
- If more than \$34,000, up to 85 percent of your benefits may be taxable.

Filing a joint return

- If you and your spouse have *combined income** that is between \$32,000 and \$44,000, you may have to pay income tax on up to 50 percent of your benefits
- If more than \$44,000, up to 85 percent of your benefits may be taxable.

Married and filing a separate tax return,

- You probably will pay taxes on your benefits.

Reporting and Payment of Taxes on Benefits

- Each January you will receive a **Social Security Benefits Statement (Form SSA-1099)** showing the amount of benefits you received in the previous year. You can use this **Social Security Benefit Statement** when you complete your federal income tax return to find out if your benefits are subject to tax.
- If you do have to pay taxes on your Social Security benefits, you can make quarterly estimated tax payments to the IRS **or** choose to have your **taxes withheld** from your benefits. (**Form W-4V**)

PABSS

1. Protection and Advocacy for Beneficiaries of Social Security
2. Run by Disability Rights New Jersey
3. Assists SSI and SSDI beneficiaries with:
 - a. Ticket assignment issue
 - b. Work related overpayment issues
 - c. Employment Network service issues
 - d. WIPA service issues



The Ticket to Work

**Social Security
Administration**

Ticket to Work and Self-Sufficiency

Ticket Number
123-45-6789TW

Claim Account Number

987-65-4321 W

Issue Date



This ticket is issued to you by the Social Security Administration under the Ticket to Work and Self-Sufficiency Program. If you want help in returning to work or going to work for the first time, you may offer this ticket to an Employment Network of your choosing or take it to your State vocational rehabilitation agency for services. If you choose an Employment Network and it agrees to take your ticket, or if you choose your State agency and you qualify for services, these providers can offer you services to help you go to work.

An Employment Network provides the services at no cost to you. The Social Security Administration will pay the Employment Network if you assign your ticket to it, and the Employment Network helps you go to work and complies with other requirements of the Program. An Employment Network serving under the Program has agreed to abide by the rules and regulations of the Program under the terms of its agreement with the Social Security Administration for providing services under the Program. Your State agency can tell you about its rules for getting services.

Commissioner of Social Security

What does a Ticket to Work do?

Tickets to Work are used to access **employment support services.**

Employment Support Services

The simplified definition of Employment Support Service is **assistance** in the following areas:

- **Preparing** for work
- **Getting** work
- **Retaining** work

The following slides detail the more complex official list of Employment Services as it appears in Ticket to Work materials. However, all services are contained in each of the above mentioned broad services areas.

Employment Support Services

1. Business/employer mentoring programs/internships
2. Career consulting (e.g.: portfolio preparation, resume writing, interview skills)
3. Career strategies (e.g.: skills assessment & development, job coaching)
4. Case management
5. Job Placement/employment services (e.g.: job search, placement assistance)
6. Job Training
7. Other Services: Essential Basic Needs Support
8. Post Employment Support (e.g.: job/employment retention services)

Employment Support Services (Cont.)

9. Referral services or support from local mental health or developmental disabilities providers
10. School to work transition services
11. Self-employment/ business start-up
12. Situational Assessment
13. Special language capability
14. Transportation assistance
15. Work incentives counseling

Using a Ticket to Work

1. Can be used **immediately**, shelved and used **later**, **not used** at all
2. Has **no bearing** on SSI and SSDI Work Incentives
3. Can only be assigned to an **Employment Network**
4. An **IWP (Individual Work Plan)** must be signed by the beneficiary and EN representative and submitted, by the EN, to Maximus before assignment begins

Using a Ticket to Work

5. While in use, a ticket is a **CDR (Continuing Disability Review) protection**, meaning CDR's cannot be conducted **during Ticket use**

6. Ticket **usage** is governed by **Timely Progress**. Timely Progress Reviews are done, every **12 months**, to ensure beneficiaries are advancing towards an employment goal

7. If a beneficiary doesn't make timely progress, Ticket usage is **suspended** and a **CDR** is conducted **immediately**.

Using a Ticket to Work

8. Tickets can be **withdrawn** and **reassigned** by the beneficiary.
9. EN's **do not** have to accept a Ticket
10. EN's can **discontinue** services under a particular ticket
11. EN's can **share** a Ticket, but **not simultaneously**

Employment Networks

1. Most EN's only offer **selected** employment support services, not the entire list.
2. NJ Division of Vocational Rehabilitation is the only EN who can **auto assign** tickets to themselves upon the start of services.
3. Even if an EN offers a particular service, it may elect **not to** offer that service to certain beneficiaries.

Employment Networks

4. EN's do not receive **remuneration** until at least **1 full month of work** is done at, or above, the **Trial Work Amount** (\$780 in 2015) level.
5. EN's do not continue to receive **remuneration** unless **work continues** at that level
6. A **listing** of EN's is available at www.yourtickettowork.org



Timely Progress Guidelines During Each 12-month Progress Review Period

- | | |
|---------------------------------|--|
| 1st-12 months | <p>(after 12 months of ticket use)</p> <ul style="list-style-type: none"> • Complete 3 months of work at Trial Work Level (TWL), OR • Complete a GED or high school diploma, OR • Complete 60% of a full-time course load for an academic year in a college or technical/trade/vocational training program, OR • Complete a combination of this work and education requirement |
| 2nd-12 months | <p>(13-24 months of ticket use)</p> <ul style="list-style-type: none"> • Complete 6 months of work at Trial Work Level (TWL), OR • Complete 75% of a full-time course load for an academic year in a college or technical/trade/vocational training program, OR • Complete a combination of this work and education requirement |
| 3rd-12 months | <p>(25-36 months of ticket use)</p> <ul style="list-style-type: none"> • Complete 9 months or work at Substantial Gainful Activity (SGA) level, OR • Complete an additional full-time academic year of study, OR • Complete a 2-year or 4-year college program, OR • Complete a 2-year technical/trade/vocational training program, OR • Complete a combination of this work and education requirement |
| 4th-12 months | <p>(37-48 months of ticket use)</p> <ul style="list-style-type: none"> • Complete 9 months of work at Substantial Gainful Activity (SGA) level, OR • Complete an additional academic year of full-time study, OR • Complete a combination of this work and education requirement |
| 5th-12 months | <p>(49-60 months of ticket use)</p> <ul style="list-style-type: none"> • Complete 6 months of work at Substantial Gainful Activity (SGA) level with no SSDI and/or SSI cash benefits in months worked, OR • Complete an additional academic year of full-time study, OR • Complete a 4-year degree program |
| 6th-12 months | <p>(61-72 months of ticket use)</p> <ul style="list-style-type: none"> • Complete 6 months of work at Substantial Gainful Activity (SGA) level with no SSDI and/or SSI cash benefits in months worked, OR • Complete a 4-year degree program |
| 7th-12 months | <p>(73-84 months of ticket use)</p> <ul style="list-style-type: none"> • Complete 6 months of work at Substantial Gainful Activity (SGA) level with no SSDI and/or SSI cash benefits in months worked * |

*** The guidelines for any subsequent 12-month Progress Review are the same as for the 7th 12-month Progress Review.**

VR Cost Reimbursement

- Reimbursement when beneficiaries achieve 9 continuous months of earnings at SGA level in a 12 month period.
- Only State VR's are allowed this payment option
- Purposes: 1. To make VR services more readily available to beneficiaries 2. To generate savings to the Social Security Trust Fund (for SSDI beneficiaries) and the General Revenue Fund (for SSI recipients).

Processing Payments

- VR submits the Vocational Rehabilitation Provider Claim form (SSA-199) along with supporting documentation, to SSA.
- Documentation includes: 1. Evidence of earnings 2. A breakdown of the direct costs associated with the case.

Payment Timeframes

- The payment period starts on the day the beneficiary's case was opened or the date the person became eligible for disability benefits (if they were not yet eligible when at case opening).
- The payment period goes to the 9th month of SGA level earnings or the last month of SSDI entitlement or SSI eligibility, whichever comes first.
- Must be filed “timely”, meaning filed with SSA within 12 months of the last day of the 9th month of SGA level earnings.

Lump Sum Reimbursements Include...

- 1. Direct costs** incurred, based on the monthly breakdown of service costs during the "period of VR," which is the **1st day** of the month the beneficiary entered services or became eligible for benefits (whichever comes last) to the **last day** of the month the case was closed.
- 2. A negotiated monthly fee to cover indirect costs** associated with administration, counseling and placement services for each month during the "period of VR"

Lump Sum Reimbursements (Cont.)

3. The cost of approved **post-employment** services provided **after case closure** up to the 9th month of SGA level earnings (if applicable).

EN Request for Quotation

EN Request for Quotation (RFQ) addresses conditions under which an EN can refer a beneficiary to VR for services and still keep the Ticket.

- A written Referral Agreement must be in place.
- Without the agreement, shall not actively or passively refer a beneficiary to VR for services." A passive referral is defined as any statement (written or verbal) understood by a beneficiary as directing him/her to VR

Referral Agreements

- Address how the EN will compensate VR for services provided, since VR cannot submit for reimbursement if the EN keeps the Ticket.
- Must be signed by both VR and EN prior to referral.
- Submit a copy of the agreement to the Operations Support Manager (OSM) within 2 weeks of signing.
- Referral Agreement is not necessary if EN or Ticket Holder unassigns the Ticket before referral.

Partnership Plus Agreements

- Allow VR to pass the ticket to an EN
- Allow VR and EN's to share Ticket Reimbursement
- Is not simultaneous
- VR gets all Phase 1 Milestone Payments
- EN gets all Phase 2 and Outcome Payments
- Unsuccessful case closure entitles the EN to Phase 1 payments as well as Phase 2 and Outcome Payments