

Ticket to Work

Current Regulations vs. Proposed Regulations

[This represents a Working Draft.]

In September, 2005, the Social Security Administration, in accordance with Public Law, reviewed the administration of the Ticket to Work program and provided the following comments for Public Input. These comments comprise proposed changes to the regulations to “improve the overall effectiveness of the program in assisting beneficiaries to maximize their economic self-sufficiency through work opportunities.”

The revisions focused on three major areas:

1. State Participation and Beneficiary Choice
2. Employment Network Payment Systems
3. Ticket Eligibility for Beneficiaries Whose Conditions May Medically Improve

Below is an overview of the potential impact of the proposed changes on the success of a One Stop serving as an Employment Network (EN) followed by the current regulation and proposed regulation.

State Participation and Beneficiary Choice

Overview of the Impact of this Change on One Stops Serving as an EN

Currently, a Ticket Holder must choose between being served by an EN or being served by VR. This forced choice is created by regulations that require each State VR system to choose between their traditional model of payment from SSA (cost-reimbursement) or one of the Ticket payment options (Outcome or Outcome-Milestones). In most states, VR has chosen cost-reimbursement because it guarantees payment of all services provided to “successful” beneficiaries. Once the Ticket Holder signs their VR plan, their Ticket is assigned.

The proposed regulations allow a Ticket Holder to choose to be served by an EN **and** by VR, though not at the same time. As SSA describes in their model, a Ticket Holder may receive VR service to meet their intensive up front needs and, after their VR case is closed, choose to receive long term support from an EN. This proposed change is in the best interest of Ticket Holders as VR does not currently provide long-term follow along as the Ticket program is designed to do.



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Current Regulations	Proposed Regulations
<p>“With respect to a beneficiary who holds a ticket, a State VR agency may elect, on a case-by-case basis, to participate in the program as an EN. If the State VR agency does so, it will be paid under an EN payment system it elects. With respect to a beneficiary that the State VR agency does not elect to serve as an EN, the State VR agency shall be paid for services provided to that beneficiary under the cost reimbursement payment system. Under our current rules, if the State VR agency elects to be paid for services under the cost reimbursement system, the beneficiary's ticket must be assigned to the State VR agency in order for that agency to be paid through that system. In addition, when the State VR agency is paid under the cost reimbursement system with respect to a ticket, our rules preclude any subsequent payment to an EN or a VR agency serving as an EN with respect to the same ticket.”</p>	<p>“a beneficiary's ticket need not be assigned to a State VR agency in order for the VR agency to be paid under the cost reimbursement payment system. We also propose changes in subpart C to provide that, in such cases when the beneficiary is receiving services from a State VR agency that has chosen to be paid under the cost reimbursement payment system, the beneficiary will be considered to be “using a ticket” as described in that subpart. This means that the beneficiary will be afforded protection from the initiation of a continuing disability review while receiving services from a State VR agency, provided that all the related provisions regarding timely progress are met.</p> <p>We also propose to make a related change that would allow for payment to an EN under a Ticket to Work payment system and to a State VR agency under the cost reimbursement payment system with respect to the same beneficiary. For example, the State VR agency could provide the initial, intensive rehabilitation services, and an EN could follow up by providing the ongoing support many individuals, particularly those with psychiatric and cognitive impairments, need to maintain their work efforts. We do not, however, permit a beneficiary to assign a ticket to an EN while a State VR agency is continuing to provide services.”</p>



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Employment Network Payment Systems

Overview of the Impact of this Change on One Stops Serving as an EN

The proposed regulations provide new opportunities for an EN to receive payments before the Ticket Holder is working and earning above the SGA (Substantial Gainful Activity) amount. The current regulations require a Ticket Holder to work and earn above SGA immediately for the EN to request payment. This is challenging for Ticket Holders who receive SSDI because without the use of work incentives, working and earning above SGA makes the individual ineligible for their cash benefit.

The proposed regulations were designed to allow a Ticket Holder and their chosen EN to progress through the phases of securing employment in a way that more closely resembles the natural progression of returning to work. With additional funds to support the initial phase of employment, the proposed regulations benefit both the Ticket-Holder and the EN.

Current Regulations	Proposed Regulations
“under the current outcome-milestone payment system, the current regulations provide that an EN's total potential payment is approximately 85 percent of the total that would have been potentially payable under the outcome payment system for the same beneficiary.”	“We are proposing to increase the total potential payment under the outcome-milestone payment system to 90 percent of the total. We are proposing a three-phased payment system that parallels the steps beneficiaries take toward self-sufficiency.”



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Current EN Payment Chart

OUTCOME PAYMENT METHOD				
Payment Type	Beneficiary Earnings Required After Ticket Assignment	% of PCB*	SSI Ticket-Holder	SSDI Ticket-Holder
Outcome	Social Security disability benefits and Federal SSI cash benefits are not payable to the individual because of work or earnings	40%	Up to 60 payments of \$218/month	Up to 60 payments of \$378/month
Total of Outcome Payments Available			\$13,080	\$22,680

MILESTONE-OUTCOME PAYMENT METHOD				
Milestone	Beneficiary Earnings Required After Ticket Assignment and Must Occur before the first Outcome Payment Month	% of PCB	SSI Ticket-Holder	SSDI Ticket-Holder
1	1 calendar month above gross SGA (\$900/month)	34%	\$186	\$322
2	3 calendar months above gross SGA	68%	\$371	\$643
3	7 calendar months above gross SGA	136%	\$742	\$1,287
4	12 calendar months above gross SGA	170%	\$928	\$1,608
Total of 4 Milestone Payments Available			\$2,227	\$3,860



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Outcome Payments	Same as Outcome above. Outcome payment amount depends on the number of Milestones achieved.	34%	Up to 60 payments of up to \$186/month	Up to 60 payments of up to \$322/month
Potential Total of Milestone + Outcome Payments			\$11,167 — \$13,867	\$19,340 — \$23,180

Proposed EN Payment Chart

PHASE 1

Gross wages above:	SSDI Ticket-Holder	SSI Ticket-Holder
\$320 for two weeks	\$1,135	\$1,135
\$640 for three months	\$1,135	\$1,135
\$640 for six months	\$1,135	\$1,135
\$640 for nine months	\$1,135	\$1,135
Total Phase 1 Payments	\$4,540	\$4,540

PHASE 2

Gross wages above:	SSI Ticket-Holder	SSDI Ticket-Holder
\$900 per month (SGA level)	\$197 (up to 18 months)	\$341 (up to 11 months)
Total Phase 2 Payments	\$3,545	\$3,751



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PHASE 3 (OUTCOME PHASE)

Earnings	SSI Ticket-Holder	SSDI Ticket-Holder
Net earnings > SGA and \$0 cash benefit	\$197/mo. For 60 months	\$341/mo. For 36 months
Total Outcome Phase Payments	\$11,820	\$12,276
Total Ticket Payments	\$19,906	\$20,567

*The Payment Calculation Base (PCB) is the national average disability benefit payable under each of the Social Security Administration's two disability programs based on Social Security formulas. Each December the Social Security Administration will calculate two PCBs and post them to its "work" Web site, www.socialsecurity.gov/work. PCB for 2007 \$946.02 for SSDI and \$545.85 for SSI. Individual payments have been rounded to the nearest whole dollar.

Ticket Eligibility for Beneficiaries Whose Conditions May Medically Improve

Overview of the Impact of this Change on One Stops Serving as an EN	
Beneficiaries who are designated as Medical Improvement Expected are ideal Ticket candidates. These individuals know that once they are proven to have medically improved through a Continuing Disability Review (CDR), they will lose the cash and medical benefits being provided by SSA. The Ticket provides the individuals with an opportunity to seek employment at a level that will allow them to be self-sufficient and will provide health benefits. These individuals are the most likely to seek employment at a level that would terminate them from benefits because they are likely to be terminated based upon their improved medical condition.	
Current Regulations	Proposed Regulations
<p>"You will be eligible to receive a Ticket to Work in a month in which.....</p> <p>(i)Your case is not designated as a medical improvement expected diary review case; or</p>	<p>"allow beneficiaries with an MIE designation to be eligible for a ticket without first requiring a continuing disability review to be conducted."</p>



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<p>(ii) Your case is designated as a medical improvement expected diary review case, and we have conducted at least one continuing disability review in your case and made a final determination or decision that your disability continues.”</p>	
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For more information or a complete copy of the current Ticket to Work regulations,

<http://www.ssa.gov/work/ResourcesToolkit/FinalRegs2002.html>

For more information or a complete copy of the proposed Ticket to Work regulations,

http://www.disability.law.uiowa.edu/dpn/docs/2005Nov_DPNLeads/tab3/Proposed_Amendments_Ticket_Program.doc



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