



## Improving Employment Outcomes by Individuals with IDD within SSA

### Executive Summary

The Social Security Administration (SSA) provides essential income for some individuals with intellectual and developmental disabilities (IDD) either through Supplemental Security Income (SSI) and/or Title II benefits (Social Security Disability Insurance or Childhood Disability Benefits). The overall intent of SSA is to support individuals to navigate rehabilitation or training so that they may become gainfully employed and reduce their dependence on SSA benefits.

Although significant effort is being focused on helping those with IDD to become self-sufficient and employed to their full capacity, the current implementation of SSI/Title II Benefits and the associated SSA Work Incentive System are ineffective for many, complicated, and can disincentivize those with IDD who wish to work to their maximum capacity. Whether applying for benefits or while receiving benefits and wanting to work, people with disabilities are often being "misinformed" that they should work fewer hours to keep their benefits or simply not work at all. (An indicator that the system is broken from the self-advocate, agency, families, individuals, and supporting counselors/service staff perspective.)

#### Factors Amplifying Problems

The problems associated with work and SSA benefits have intensified driven by cost of living increases; confusion over how to utilize and apply for work incentive programs, especially with the new paid work experiences such as apprenticeships and internships offered through education/service agencies; problematic interactions between the individual and Social Security system is complicated by real/perceived procedures, deadlines, and forms, making it extremely difficult to navigate the processes; Increases in the minimum wage to \$15.50+/hour (CA), accelerating a persons with IDD's ability to meet SGA with fewer hours of employment; frequent changes in the economy and changes in disability-related needs (such as mental and/or physical health) of persons with IDD can result in periods of unemployment; problems with access to Social Security Administration (SSA) and Office of Hearing Operations (OHO) creates delays for resolution of benefit disputes Note that examples are shown below:

Cost of Living Increases	Paid Apprenticeships/Internships	Minimum wage Increases
Confusing Work Incentives	SSA Deadlines/Forms	Changes in Disability Needs
Limited Access to SSA & OHO	Delays in Benefits Dispute Resolution	SGA with Fewer Work Hours
IWD with IDD Limited Supports	Accommodation Access of MH Needs	Frequent Changes in the Economy



## Key Problems

We analyzed the problems into the following six key areas:

- ✓ **Employment:** Difficulties in reporting wages and linking them to accommodations, which can lead to errors by SSA in managing IDD cases. Problems in guaranteed receipt of critical notices. Insufficient knowledge at Social Security offices regarding primary benefits for Individuals Intellectual/Complex Disabilities. Headcount shortages for Area Work Incentive Coordinator (AWIC) staff reduction and expanded responsibilities. Specifically, OC does not have an SSA Area Work Incentive Coordinator.
- ✓ **Work Incentives:** Implementation of work incentives drives poverty with hasty income reductions triggering trial work periods based on poorly constructed milestones; confusion over how to initiate employment incentives and tying them to employment. Problems with reinstatement if the individual should become employed is difficult, thereby motivating those with IDD to not hit salary plateaus to avoid losing benefits.
- ✓ **Continuing Disability Review:** The notification process can result in missed communications with timelines are challenging. Ability to meet SGA is the standard used by SSA to determine if a person can be gainfully employed. This threshold may not measure economic sufficiency in all geographies. There also seems to be some confusion as to whether it is a measure of recovery from a lifelong disability. SSA lacks the process to ensure Subsidies and Special Conditions which are taken into account.
- ✓ **Medical Insurance:** There are problems associated with maintaining medical insurance, while working or when employment ends.
- ✓ **Problem Resolution and the Appeals Process:** Overpayment invoices can go back years and be implemented when benefit is lost. Appeals must be initiated within 60 days of receiving a SSA notice. In some cases when aid paid pending applies, then the appeal must be within 10 days. But most cases do not involve aid paid for the pending. Excessive waiting periods for hearings (up to 2 years).
- ✓ **Expedited Reinstatement:** Only 6 months for provisional benefits, while waiting on appeals can take years. Difficult to reinstate benefits.

## Proposed Recommendations

We studied each problem and came up with a list of suggestions on how to resolve these issues:

Legislative Changes	All Stakeholder Training	SSA Procedure Changes
Family Training & Support	New SSA Forms	My Social Security Additions
Enhanced SSA Staffing	Software & Technology Enhancements	IDD Supports



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Below are the top nine recommendations:

- 1) **Enhance MySocialSecurity Application to allow for reporting of Work Incentives / Employment Supports with wage reporting.** Making employment and work incentive data available on My Social Security will increase accuracy and transparency; remove problems associated with lost data. and ensure that SSA has all the correct information prior to starting any type of CDR or Overpayment proceedings. This is a cost savings reducing workload, improving turn-around, lowering unnecessary hearings.
- 2) **Limit overpayment to one year of benefits, if the delay is not due to IDD and/or Representative Payee failure to report.** The size of the Overpayment Burden is directly related to SSA delays caused by untimely file reviews. Faster notification means that the IDD can address the problem. But if they are unaware of the problem, the Overpayment Burden can increase significantly. (Similar to not hearing about an overdue book from the library for 20 years.) Minor cost increase to SSA – but reduces financial burden on individuals with IDD who lack financial means.
- 3) **Reset timeframes for IDD Continuing Disability Review to ten years** using Blue Book classifications to identify those with more severe/significant disabilities that are unlikely to substantially improve. This will reduce the burden on SSA to implement CDRs and will reduce stress on families.
- 4) **Fix people’s ability to resume SSI / SSDI based on need, guaranteeing immediate reinstatement upon loss of employment.** Allow IDD to resume SSI/SSDI based on need, guaranteeing immediate reinstatement upon loss of employment. This one action will reduce fear of losing benefits and thereby increase the likelihood that IDD will attempt employment. As a result, the IDD community will work more hours and generate more tax revenue. Many may achieve financial independence and better quality of life.
- 5) **Provide additional assistance when going through an appeals process,** expanding the role of the benefits planner, WIPA, or CWIC to include representation for helping persons with IDD/families navigate the appeals process. Slightly higher cost but will help individuals who lack means but need to navigate the appeals process.
- 6) **Stop confusing ability to work with still being disabled;** do not link disability designation with ability to earn a living. Will increase costs to SSA.
- 7) **Modify Title II Trial Period by making the nine-month trial work period consecutive versus nonconsecutive earnings.** Prevent triggering success that has not been achieved.



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- 8) **Implement Case Management Tracking System**, that tracks open issues and timelines (case number) with guaranteed response time. Improve beneficiary satisfaction. Lower costs by streamlining problem resolution. Provide better data for managing escalations.
  
  - 9) **Establish Hot Line for help with IDD**. Improve beneficiary satisfaction. Reduce problems by having more timely responses to questions.