

Frequently Asked Questions about the Ticket to Work Program January 2011

Questions about Ticket Eligibility and/or Assignment

Question: If a person applies for EXR and is approved do they automatically become eligible for a new ticket or do they have to wait for 24 months of payments again until their IRP is complete?

The beneficiary's old ticket terminates and the beneficiary becomes eligible for a new ticket immediately.

Question: Can you clarify what is required for a ticket to be "in use" with a state VR agency as opposed to "assigned".

Basically, the ticket must be "assigned" if the State VR agency is acting as an EN, which means the State VR agency chooses to be paid under its elected EN payment system. The State VR agency must establish an IPE for the beneficiary, and the beneficiary formally agrees to assign the ticket to the VR agency as demonstrated by completing and signing an SSA-1365. The ticket is automatically in-use when it is assigned, and it will remain in use throughout the ticket assignment unless the beneficiary places it in Inactive Status or does not meet the timely progress requirements..

If the VR agency is serving a beneficiary under the cost reimbursement option the beneficiary's ticket is NOT considered to be assigned, but it is in-use under a new status called In-Use SVR, and it continues to be in-use unless the beneficiary places it in Inactive Status or does not meet the timely progress requirements.

The beneficiary will receive protection from Medical CDRs whenever the ticket is "in use," whether assigned or under In-Use SVR.

Question: We meet with a lot of people who may never work over SGA, but they want to assign their ticket and work. How does that work? Are they not a good candidate for ticket assignment?

Social Security is committed to helping SSDI and SSI disability beneficiaries return to work to the extent possible, whether through the Ticket program or other SSA work incentives. Under the new payment schedule for the Outcome-Milestone Payment System, there is incentive for ENs to help beneficiaries reach TWP-level

earnings and sustain them. While the beneficiary continues to receive cash benefit payments, the EN could earn over \$9,000 based on 2011 payment rates (for more information on the 2011 outcome and outcome-milestone payment rates, refer to <http://www.yourtickettowork.com/selftraining/Payments%20at%20a%20Glance%202011.pdf>).

The problem with beneficiaries who want to assign their ticket, but who may never work at a level which would cause loss of cash payments is that eventually they will not make the expected progress under the program and may lose protection from a medical CDR. However, these individuals may place the ticket in Inactive Status and automatically forego the protection from a medical CDR indefinitely if they don't want SSA to conduct a progress review that they know they will not pass.

Never discourage a beneficiary who wants to work from seeking a service provider under the ticket program to help them work or increase earnings. Each case will be different.

Question: If a person is on SSI and becomes eligible for a disability benefit, do they get another ticket?

No, the ticket continues in whatever status it is currently in. If it is assigned and payments have been processed on the ticket at the SSI rate, payments will continue to be processed at that rate throughout the life of the ticket. If no payments have been processed on the ticket at the SSI rate, once payments are attained they may be processed at the rate for SSDI cases.

Question: When a person puts their Ticket into inactive status, is there a time limit they can do that for?

No, there is no time limit on being in inactive status. The beneficiary would need to understand that while he/she is in inactive status, the ticket is not considered to be "in use". This means that medical CDRs may resume.

Question: Is there a potential for VR to screen through their beneficiaries when they come in and say they don't want someone because they'll never earn over SGA?

State VR agencies have a mandate from the federal Rehabilitation Act that requires them to serve any eligible individuals who want to go to work and could benefit from VR services. There is no rule requiring beneficiaries to engage in SGA in order to receive services from the State VR agency. A State VR agency could not deny an otherwise eligible individual services just for that reason.

Question: Is there a limit for how long a ticket can be used?

No, not really – as long as the ticket hasn't been terminated or all available payments haven't been consumed it can continue to be used. An EN could certainly decide to stop delivering services, or the beneficiary could take the ticket out of assignment at any time.

Question: If someone switches ENs, would they pick up where they left off on the timely progress chart?

Yes, all in-use months are counted, including the 90 day period when the ticket is still in-use after the ticket is unassigned or after the VR case is closed.

Question: If VR serves someone, and they go to work - in 90 days they go to no cash payment (because they are making too much money), and are told they can no longer assign their ticket. Is that still true?

Under the revised ticket regulations beneficiaries can assign their ticket during this 90 day period even if not in cash payment status. To assign the ticket after this period, the beneficiary must be in current pay status.

Question: Is there a form to reassign a ticket? Is there a form to request that a ticket be placed in inactive status? If you unassign your ticket and reassign with a different EN, how do you do that in writing?

There is no set form required to unassign or place a ticket in Inactive Status, but the request must be in writing. The same rules for assigning a ticket apply to reassigning a ticket. The ticket must be available for assignment and the EN and beneficiary must complete and sign an IWP and send it to the OSM.

Question: A beneficiary assigned a ticket to VR to a find job. She got a job by herself, and cancelled the ticket to VR. I'm worried about the consequences.

If the VR agency can prove that the contribution of services from the VR agency during the time that the ticket was assigned to the beneficiary contributed to the beneficiary's later employment, then the VR agency may be entitled to EN payments. There wouldn't be any consequences for the beneficiary. She needs to formally unassign her Ticket if that is her intention, and then she'd be afforded a 90 day extension period to find another EN. If she doesn't re-assign her ticket in the 90 day period, then her ticket won't be "in use" and she will be subject to medical CDRs again.

Question: Can beneficiaries assign their ticket to an EN instead of VR if they are attending school?

Certainly – as long as the beneficiary can find an EN who will agree to assignment and who is willing to provide the services and supports the beneficiary needs to be successful in school. The problem is that most ENs are not going to have the

resources equivalent to the State VR agency when it comes to paying for post-secondary education. Even though an EN may not typically fund a beneficiary's educational pursuits, it may be able to be supportive in other ways, such as help the beneficiary secure financial aid, arrange transportation, etc.

Questions about Timely Progress

Question: I have a question about the timely progress quick reference chart. Suppose a person is going to go to school, they've got their high school diploma, but they need to work, so they'd be using two of the programs simultaneously. So in the first 12 month period, could they do 30% of a course load and work 3/12 months?

Yes, this scenario is possible. SSA recognizes that people's lives don't fit neatly into 12 month increments and that attending school and working may need to be blended together at times. It is very possible to meet the timely progress requirement by achieving 50% of an educational requirement and 50% of the work requirement for that particular progress review period. As long as the total between the two equals or exceeds 100%, the beneficiary would be considered to be making timely progress.

Question: Is it true that beneficiaries in a 4-year degree program are not required to work at all during that 4-year period?

Yes, that is correct. Actually, it is even more lenient than that when you look at what must be achieved at the end of each 12 month progress review period. If the beneficiary does not work he or she must meet the full educational requirement for each review period, i.e. 60 percent of a full course load by the end of year 1, 75 percent of a full course load by the end of year 2, and a full course load in each of the next 3 years, and completing the program by the end of the year 6.

Question: Can a person complete a 4-year degree program and go into year 6 without working at all?

Yes, technically this would be possible and the beneficiary would still be considered to have the ticket in use and making timely progress. The beneficiary must have the specified level of work, education, or a combination of the two to be making timely progress. Whichever review period the beneficiary is at when he or she completes the 4 year degree, he or she must meet the work requirement for the next sequential review period at the time of the next review. In essence, this means that if the beneficiary completes the degree program early, such as by the end of the third review period, he or she must meet the work requirements of 9 out of 12 months at SGA level earnings by the time of the fourth review period.

However, if the beneficiary completes the degree requirements by the end of the fourth, fifth or sixth review period, the beneficiary would need to move directly into employment that stops cash payments for at least 6 out of 12 months in that

year. If the beneficiary were receiving SSDI and had not worked at all up to this point, it would be nearly impossible to meet this requirement since the 9 month Trial Work Period would still be intact and would protect cash payments from being ceased.

Question: What if a beneficiary can't go to school or work full time?

The Ticket to Work rules for timely progress do not actually say that a beneficiary must go to school or work full time. Beneficiaries simply must meet the various requirements for making timely progress based on the progress review time period they are in. For example, by the end of the first timely progress review period, a beneficiary who is working on getting their GED is required to have attained this goal. This does not mean that 40 hours per week have to be spent on this activity. It simply means that a certain outcome is expected at the end of the first 12 month review period. Similarly, during progress periods in which work is required, the requirements relate simply to the amount of money that is earned, not the amount of time the person worked to earn that money. Some people may be able to work less than full time and still meet the SGA level earnings requirement.

If the beneficiary can't meet the level of work and/or education or training progress required for the review period, the beneficiary will lose medical CDR protection. If the beneficiary receives a medical CDR that results in benefits ceasing, he or she may apply for benefit continuation under section 301.

Question: If a beneficiary is working with VR under the cost reimbursement option, when do the timely progress review periods begin?

The first progress review period would begin as soon as the Individual Plan for Employment (IPE) is signed and conclude after 12 months of the ticket being assigned and in-use or in use with the state VR agency under the cost reimbursement option, which is when the first progress review would be conducted. After each subsequent 12 months of ticket use, a progress review will be conducted.

Question: Who is responsible for notifying the beneficiary of their status related to timely progress reviews – the EN or MAXIMUS?

MAXIMUS would be responsible for this task. They will mail decision letters of adverse actions to beneficiary. They will not send a letter when the decision is favorable.

Question: What if you're working with people who received special SSI waivers to prevent them from losing their cash benefit – such as an individual participating in one of the Youth Transition Demonstration (YTD) projects. How would these special rules affect the timely progress reviews?

Participation in demonstration projects such as this or the 2-for-1 demo, will not disadvantage the beneficiary, if the beneficiary's earnings would have caused benefits to cease if he or she were not participating in the program, than that same level of earnings will be sufficient to pass the progress review for the fifth and subsequent review periods.

Question: Can beneficiaries have the variance tolerance applied in only one progress review period, or more than once?

The variance tolerance may be applied to each progress review.

Question: If a CWIC has questions about a beneficiary's status related to timely progress who would they contact to get clarification? How do we track "timely progress"? Is it through SSA or MAXIMUS?

The CWIC would need to obtain a signed consent to release of information from the beneficiary and then submit the release with the question to MAXIMUS.

Question: According to the timely progress chart, in the first 12 months a person completes a GED, then they pick up with the work requirement in the second 12 months. The work requirement for the second year would be 6 months with gross earnings at the TWP level or above. If they had completed a high school education or a degree, wouldn't they pick back up with the lowest work requirement?

No. The beneficiary is expected to make certain levels of progress commensurate with the amount of time he or she has been in the Ticket program. The beneficiary has to attain the expected level of progress in the appropriate 12-month progress period. When the individual is in the second progress period, the first 12-month progress period options are no longer the measure of progress. The work requirement in the second 12-month progress period is TWP level earnings for at least 6 months. That is the goal to achieve in that year in order to be considered making timely progress and to continue having the ticket be "in use" for the purpose of medical CDR protections.

Question: The example was given of somebody studying teaching. I know that in some states you have to sit for an exam after you get the degree. Where does that exam fall in the group of timely progress?

The exam would not be counted towards timely progress. The final measure that would count towards timely progress would be whether the individual completed the degree program. The beneficiary would have six 12-month progress periods to complete the degree. In the next 12-month progress period, the requirement immediately jumps to paid employment with at least 6 of the 12 months with earnings sufficient to stop cash payments.

Question: If VR has a memorandum of understanding with an EN and the person is not timely progress, can the EN cancel the service?

These agreements are usually in place when the EN holds the ticket assignment and is referring the beneficiary to the state VR agency for services. The terms of such an agreement between the EN and a state VR agency should be upheld unless the parties mutually agree to change the terms. If a dispute arises, either party may seek the OSM's help resolving it.

Questions about Ticket Payments made to ENs or State VR Agencies

Question: Is it possible for a beneficiary to assign their Ticket to an EN and at the same time have it in use with VR under the old cost reimbursement system?

This is not acceptable and will not happen if state VR agencies and ENs always contact the OSM concerning the availability of the ticket and subsequently submit the necessary information to assign the ticket or have it placed in In-Use SVR status. Once the OSM formally places the ticket with an organization, the system will not allow it to be simultaneously placed with a second organization.

SSA also will not pay for simultaneous services provided by both organizations. If a beneficiary needs services from both organizations, SSA encourages ENs and state VR agencies to work together under partnership plus to arrange for the sequence of services that best suit the beneficiary. This may require an agreement between the agencies or even the willingness of the EN to unassign the ticket to allow VR to provide initial services and take the ticket assignment back for ongoing services.

Question: Wouldn't be possible to use two different ENs for two different things?

The ticket can only be assigned to one EN at a time. However, that EN may be a consortium of organizations that provide different types of services and work out their own division of EN payments made to the consortium.

Question: Can the beneficiary choose to have VR use cost reimbursement instead of Ticket assignment or does VR make that decision?

The State VR agency makes that determination. The manner in which the VR agency is paid should not affect the quality, quantify or nature of services provided.

Question: Is it true that when VR closes a case after serving a person under cost reimbursement and the ticket goes into use with an EN later in the progress, all the milestones would still be available since the ticket was previously in use but not assigned?

A ticket is considered to have all its value (i.e. all milestones available when the ticket was first assigned are still available) if: a) the ticket is placed in-use under the cost reimbursement option, but not assigned to the State VR agency, and 2) the individual is NOT employed at the time that the VR case is closed.

Question: So if an EN were receiving payment on a beneficiary's ticket, does that mean that the State VR agency that previously served the beneficiary cannot get paid under cost reimbursement?

Cost reimbursement for state VR agencies and EN ticket payments are no longer mutually exclusive. An EN can collect ticket payments on a beneficiary who assigned their ticket after case closure from the state VR agency. The state VR agency can also collect payment on that same beneficiary through the cost reimbursement option if the beneficiary works at SGA level for at least 9 months.

Let's look at an example of how this could work. Let's say you're being served by state VR and they give you counseling and send you to a 18 month computer program. You finish the program and get a good job, and your case is closed employed. As long as you work at SGA level for 9 continuous months, your VR agency can send a bill to SSA and be reimbursed according to SSA's rules. After your case is closed for 6 months, you have extenuating circumstances and need additional services. (Your ticket is still assignable, i.e. still in cash payment status and meet other eligibility criteria). You now assign your ticket, which has never been assigned previously, to an EN. The EN provides on-the-job support services to retain the employment. That EN is also billing SSA for payments under the Ticket at the same time that the VR agency is collecting reimbursement. They're not mutually exclusive. However, the payments are for services provided during different periods of time.

Question: If VR decides to go with cost reimbursement and then they close the file and the person reassigns it to an EN, wouldn't the ticket start over at the beginning with Phase 1 and the first 12 month timely progress requirements?

Concerning the payments that would be available to the EN, this depends on the beneficiary's status at the time that VR closed the case. If the individual is employed at the time of closure, Phase 1 milestones are not available to an EN. Concerning timely progress, all in-use months count toward the 12-month period even when the beneficiary moves from one service provider to another. Any period when the ticket is unassigned or inactive or the beneficiary has failed a progress review, does not count.

Question: I understand there is a way VR and EN can share responsibilities within an employment plan. The EN can get milestone payments for a certain part of the plan and then VR could come in for another part. Is there a way to share that?

One such arrangement is when the VR signs a memorandum of understanding with the EN that holds the ticket assignment. The EN has to compensate for the services they provide according to the terms of the agreement. But the Ticket can only be assigned to one entity at a time. An EN may also unassign a ticket to allow the beneficiary to work with the state VR agency to reach some of the goals of the beneficiary's employment plan with the understanding that the beneficiary will return to the EN. If the beneficiary is working when the state VR agency closes the case, Phase 1 milestone payments will not be available to the EN that subsequently takes on the ticket assignment.

Question: I understand that milestone payments to EN's are based on gross earnings of ticket holders but outcome payments are based on countable earnings. Is this correct?

Yes, this is the case although that isn't really the way the regulations describe it. The work requirement for outcome payments is at least 6 months with earnings sufficient to cause the loss of cash benefits. When SSA suspends SSI benefits, they look at gross countable earnings. Similarly, when SSA conducts SGA determination in order to cease disability payments, they look at gross countable earnings.

Question: What's the likelihood that frontline VR counselors will know the difference between cost reimbursement and outcome payments? Is there training that's happening?

These are program basics that VR counselor will come to understand on an as need basis. State VR agencies rely on the VR Provider's Handbook that SSA issues to give them in-depth information about cost reimbursement and the Ticket program. They received a revised Handbook in December 2008. Some VR agencies send their counselors to SSA for one-on-one training. SSA also offers annual training at the CSAVR conference. In addition, SSA is updating their training video for State VR agencies and will make that available.

As the OSM, MAXIMUS hosts regular training via teleconference and has relevant training material on their website.

Questions about Protection from Medical Continuing Disability Reviews (CDR)

Question: I have a question about medical and work CDRs. The work CDR will continue and the beneficiary may lose their benefits through that?

Yes. The Ticket to Work is all about folks gaining financial independence through work - i.e. working their way off the cash benefits. The only way SSA would know how much beneficiaries are earning is to complete a work CDR. CWICs will be able to help beneficiaries understand how work will affect their benefits and tell

them about other SSA work incentives that may help them keep cash benefits longer.

Question: So if someone is still not able to work their way beyond SGA they won't lose their benefits just because they use the Ticket?

No, there's no punishment if you don't use it, or if you do use it and don't achieve SGA level earnings. The ultimate goal is for someone to earn enough that his or her cash benefits stop, but there is no negative financial consequence to a beneficiary who does not achieve this outcome. The only negative consequence is not meeting the timely progress requirements and having medical CDR resume since the ticket would not longer be "in use".

Question: Are the CDR protections created by TWWIIA still being implemented?

Yes. CDR protection is only medical, though. Work reviews are always possible, whether a person has a ticket assigned and in use or not.

Question: If they're behind on medical review and start working, doesn't it kick up the dust and make them do it?

Report of work sometimes causes a medical CDR to be initiated. However, if the beneficiary has the ticket assigned or placed in In-Use SVR status with the state VR agency, this would not be the case. The beneficiary would be protected from a medical CDR.

Question: Does a person have to have their Ticket assigned to an EN before the TWP is complete or just at least one month prior to earning SGA in order to receive CDR protection?

Neither. The person simply has to have their ticket assigned with an EN, or have a signed IPE with the State VR agency providing services under the cost reimbursement option prior to SSA initiating the medical CDR. Having said that, the beneficiary does have to be making timely progress at each 12-month progress review in order to continue to have the ticket "in use" which is what keeps the medical CDRs from being initiated. The requirements for making timely progress do eventually relate to having gross earned income above the current TWP guideline and later having countable earnings sufficient to stop cash benefits.

Question: If a beneficiary had a ticket but has never assigned it, do they still need to have a medical CDR within the last year before applying their ticket with an EN? I know you covered those who have a medical condition who are expected to recover and have not undergone their initial medical CDR, but what about those who haven't had one in the past year? I have had numerous people turned down to use their ticket to work because it has been more than a year since their last CDR.

Under the previous ticket rules, beneficiaries classified as Medical Improvement Expected (MIE) could not get a ticket until the first medical CDR was completed. There was no reference in those regulations to a one year period. In some cases, the first medical CDR would be performed after one year, but some people are reviewed after 6 months, while still others are not reviewed until a longer period has past.

Under the new ticket rules, there is no wait of any length for any adult disability beneficiary. Individuals who are found eligible for SSA benefits based on adult disability rules are provided a ticket immediately.

Question: If a beneficiary has a Ticket considered to be "in use" but not activated, is the person still getting protection from a medical review?

The beneficiary will not have CDR protection when he or she has placed the ticket in inactive status, and these inactive months do not count toward the progress review period. The ticket is not considered in-use while it is in inactive status. However, it is still assigned to the EN or placed with the state VR agency. The beneficiary may continue to work towards the goals in the employment plan to the extent possible but does not expect to make the required progress. If the beneficiary has the ticket in inactive status, receives a medical CDR that results in a medical cessation, the beneficiary may file for benefit continuation under section 301.

Questions about Assorted Other Issues

Question: I've got an EN who's asking me to do a training for their staff on work incentives. Not on the Ticket, but work incentives and what they mean for their beneficiaries. Can I do that?

You're not prohibited from doing it, but you're not required to do it. It is important to keep in mind that WIPA projects benefit when ENs understand how work affects the disability benefits and how to apply work incentives. As staff time permits, WIPA projects are encouraged to help ENs gain this type of knowledge.

Question: Are the Ticket queries operational and are CWICs permitted to access copies of these queries.

WIPA projects and CWICs are permitted to use the BPQY for information about the beneficiary, but so far, ticket status has not been included on the BPQY. SSA expects that future enhancements to the BPQY will include ticket information, but they do not have a projected date of when this will occur.

