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SSDI/SSI Webinar
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>> Recording in progress.

>> KOHELL: Just giving it a few seconds for everybody to get in.

(Pause)

All right. Good afternoon. We'll begin our series here. This is a webinar that's going to begin in just a few seconds. I see there's still some people getting in.

All right.

So thank you for joining us. Some disclosures and housekeeping.

So the contents of this webinar were developed under the grant H421F240198 from the U.S. Department of Education known as the department.

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If you're on the phone, can't use chat, or your question doesn't answered, you may email info@DisabilitySmallBusiness.org. The webinar is being recorded, video, slides, and materials will be available on Past Events pages @DisabilitySmallBusiness.org within one to two weeks.

NDI Small Business Hub Programs.

Inclusive ventures, 21st Century strategies for entrepreneurs with disabilities. This is a five-year grant-funded program that began October 1, 2024, and will support the following:

State vocational rehabilitation agencies updating policies on small business start-up and development.

State vocational rehabilitation counselors seeking training and confidence in supporting self-employment.

Disability employment service providers expanding their support of self-employment.

Entrepreneurial support organizations adopting more inclusive practices to support individuals with disabilities.

And entrepreneurs with disabilities at any stage of business development.

Verizon small business digital ready is a learning, on-demand videos, tools, and courses on marketing, legal, financial, operations and trending topics available in English, Spanish with Chinese subtitles.

Community and networking. Interactive sessions for goal sharing and feedback. Live expert workshops.

And funding. Small business funding marketplace, powered by Next Street. Access to \$10,000 grant opportunities by completing two classes or live sessions.

You can register at the link.

Are you a business owner or aspiring entrepreneur with a disability looking to start, build, or grow your business?

Visit the DisabilitySmallBusiness.org for events and other resources.

Stream informational and motivational video content for disability-owned small businesses at disabilityowned.com.

Want to stay in the know about NDI Small Business Hub? Join our mailing list.

Questions or concerns? Please email info@DisabilitySmallBusiness.org.

There are some upcoming events. So SSI and self-employment is presented by Debora Wagner from Cornell University. That's on April 15th at 2:00 p.m. eastern.

Save the date: Insurance for entrepreneurs with disabilities, and that's presented by Maryland Insurance Administration, and that's May 20, 2026, at 2:00 p.m. eastern.

And another save the date, it's a five-part self-employment credential course presented by NDI Small Business and Cornell University. Those dates are set for June 2, 4, 9, 11, and 16 of 2026.

Now on to the presentation and less of me.

Social Security and self-employment. It's presented by Aleyda Toruno. Sorry if I messed that up.

Work incentives associate, Work Incentive Support Center, Yang-Tan Institute of Cornell University.

And today's date, March 18, 2026.

So I'm going to turn it over to you. Thank you.

>> ALEYDA TORUNO: All right. Thank you so much, Kochell. All right.

I'm going to go ahead and put the PowerPoint presentation up. All right. Does everything look good on your end, folks? All right.

And then just let me find the Q&A box. If people are having technical difficulties, Kochell, are you the person who will be responding to the questions on technical difficulties?

>> KOHELL: One of us will be. If not me, someone else on the team. But we'll get it.

>> ALEYDA TORUNO: Okay. All right.

All right. Well, welcome, everybody. And I am very happy to be here. Very excited to be here. The presentation title today is Title 2 and Work Incentives.

So you may be familiar with Title 2 and supplemental security income. Today we are just going to be in the Title 2 house.

There is so much information for you to learn that we have to divide up (chuckles) the disability benefits that we're going to talk about. So today, March 18, 2026, we're going to do Title

2 and work incentives. And then as mentioned earlier, my colleague Debora will do an SSI presentation on tax day, April 15th of this year, okay.

We're going to do a broad overview of the work rules for Title 2 and the work incentives. And when there is additional rules for self-employment, I will make sure to explain that.

We will be taking questions and if your question is not answered, NDI will be collecting questions to be answered after the training.

The training is being recorded, as you know.

So I'm just going to do a little bit of an introduction, and then we'll get started.

All right. So I work on a small team called the WISC team, the Work Incentive Support Center. And you can find us at Cornell's ILR school and we're within the Yang-Tan Institute.

And our WISC team provides training, credentialing, and support to practitioners in the field of work incentive planning. You can find us, like I said, at the Yang-Tan Institute.

And you see an image here of our beautiful school.

And this is the team I am on. You may be familiar with some of us. I am Aleyda Toruno. For the SSI presentation, Debora will be presenting that. Ray Cebula is our leader. And Parker, you know, he helps us out every once in a while but he's kind of a little bit of a slacker.

Michelle Alvord is our administrative assistant. Heather Cobb makes all things accessible.

Tonya Engst reviews our materials, makes sure they make sense and that they look beautiful. And Silvia is on our website team.

And collectively, we would not be able to do presentations without the whole team. We all play a big part in presenting this to -- providing this presentation to you.

I'm not going to read this slide, this next slide just talks about the grant that was mentioned earlier from the Department of Education. Feel free to read it after the training.

A special thank you to NDI for their leadership in managing this grant.

All right. I know you're all excited to get started. What are we going to talk about today?

Well, you see on the presentation slide here today's presentation, we are going to be in the Title 2 house. We'll do a Title 2 overview. And then we'll start talking about work incentives. We're going to talk about the Trial Work Period, which is a fabulous work incentive for people who are starting

out to go out there and work and attempt to go to work. It lets you get your feet wet without losing your benefits.

After the Trial Work Period, we'll talk about the re-entitlement period, which is the period of time following that ninth Trial Work Period.

And then we'll talk about work incentives that reduce countable income, because Social Security really just wants to know what do you make from the money that you are making, what of those are earnings, right?

Because there's some money that's not going to count. So we're looking at countable income. What are those work incentives that reduce countable income.

And then we'll talk about a game-changing rule expedited restatement of benefits or EXR.

And what I'm going to do is after each of these sections I'm going to pause for questions, and hopefully I'll be able to answer your question.

And if I'm not able to, I'll try to see if we can answer it at the end or we might have to answer it after the presentation. We'll address questions that we just couldn't get to or maybe they were just a little bit more complicated, okay.

Let's go ahead and get started. All right.

So first of all, like I mentioned earlier, we are in the Title 2 house. All right. We're going to talk about benefits for insured workers and their dependents.

So as I said, we're the Title 2 house. Title 2 of the Social Security Act provides benefits for several groups. Many of these you may be familiar with.

One of them is retirement benefits, right. You have a worker who's paid Social Security, they paid into the system, and now they've retired, right?

They've reached that age of retirement and they're receiving monthly benefits. That's a Title 2 program.

You may have parents or even grandparents that are retired. You can tell them, hey, did you know that's -- that benefit is part of the Title 2 of the Social Security Act?

And then there's survivor's benefits. If you have a worker who's paid into the system and they pass away, they -- the people that can receive benefits include the survivor's nondisabled spouse or a minor child.

By working and paying into the system, you're paying for an insurance program if something should happen to you.

Now, if the worker becomes disabled and unable to work because of a disability, then they can be eligible for disability benefits, right.

Another great reason to work is that you're ensuring yourself in the future if you're unable to work. And our focus

is going to be on disability benefits. If that's what you were guessing, you got it right, right?

We're going to focus on disability benefits.

So let's break down the different disability programs that you may already be familiar with, right. There's the Disability Insurance Benefits or DIB and that's the benefit that the worker receives when they pay into the Social Security system.

And of course they became disabled and unable to work. They receive a monthly cash benefit.

Now, if the worker has an adult son or daughter that had a disability at childhood, they may have been born with a disability, then that adult child now can be eligible for Childhood Disability Benefits or CDB. I used to work very closely with the developmental disability population and a lot of my clients had Childhood Disability Benefits or CDB benefits.

Now, if the worker dies and they have a -- they leave behind a widow or widower, the disabled widow or widower may be eligible for benefits as well. And these are referred to as DWB. So if you haven't already noticed, we use a lot of acronyms when it comes to Social Security, right.

Now, you may be familiar with each of these and you're probably wondering which one you're on. That's something definitely that you need to figure out. Most people refer to all three of these programs as the Social Security Disability Insurance program or SSDI. Sometimes when we're talking about these I might say SSDI or I might say Title 2. And I'm referencing each of these benefits.

But it is important to know which of the three Title 2 benefits a person is receiving. If you don't know, that's a little bit of work that you might have to do is figure out which benefit you're receiving.

So the work incentives we're going to talk about today apply to each of these benefits. And another thing to know is that CDB sometimes is referred to DAC or d-a-c. And that's because they used to be called disability adult child.

Some of us old timers that have been around a while still revert back to saying DAC benefits.

Now one of the wonderful things about this program is because it's an insurance program that we've paid into, right, when you work you pay into this system, there's no resource test. It's not a means-tested program.

It doesn't matter what you own. You can own three houses, three cars, a yacht, doesn't matter in terms of resources. This program doesn't care about resources.

And that will be really different when you go to Debora's training when she talks about SSI, so keep that in mind.

Let me see if we have any questions right now about any of these programs.

Okay. So we're not going to be talking about retirement benefits. But that's something that I might be able to answer for you after the training.

Now, if you are on both Title 2 and SSI benefits, you definitely want to attend Debora's training as well. Okay. Because today we're only in the Title 2 house. And the reason we have to separate out Title 2 and SSI is because it's a lot of information when we put it together.

And we learned that in the past. So the best -- the best thing we can do is separate it out as to not overwhelm with all the information you need to know.

So definitely attend Debora's training in April if you are also receiving SSI benefits.

All right. So let's get -- let's get started talking about the work incentives. And the first one we're going to talk about is the Trial Work Period or TWP.

And benefits are going to be paid during the Trial Work Period regardless of earnings. It is a wonderful work incentive.

So let's do an overview of the Trial Work Period. Okay. So everyone who goes to work for the first time has a Trial Work Period. Remember, we're in the Title 2 house, right? Social Security, disability, insurance, all the ones that we're talking about, we're in the Title 2 house.

The Trial Work Period is a nine-month period within a 60-month rolling period to test a person's ability to work. Right.

It encourages people to work without fear of losing benefits. Right?

You can test the waters, see what works, what doesn't, can I work part time, can I work full time. Absolutely.

You may be using a Trial Work Period when you earn above the Trial Work Period level. So the Trial Work Period level this year is 1,210 in gross wages per month. And that's in 2026.

We'll talk about folks who are self-employed in just a second who have net earnings from self-employment. So it's a little bit different what Social Security looks at when you're self-employed or running a business.

The great thing about the Trial Work Period is that benefits are paid during the Trial Work Period regardless of earnings. Again, we want to encourage people to go to work, so Social Security said let's have a Trial Work Period.

So people are not fearful and just attempting to go to work. Right?

So I know one question that I always get is well what if I'm not making over 1,210 in gross wages? What if I'm making

less? What if I'm making \$1,000? Then you're not using a Trial Work Period, right?

If you are earning above 1,210 in gross wages per month, you use one Trial Work Period and you have eight to go, right?

Now here's the catch with the Trial Work Period. No other work incentives apply during the Trial Work Period. The Trial Work Period stands alone. Okay.

Now the Trial Work Period level does generally increase each year, because it's based on the national average wage index.

And if you're interested in knowing what each year's Trial Work Period level is, we provided a link to all the past and current Trial Work Period amounts. Okay.

So if you have the PowerPoint, you can click on the Trial Work Period page and it will get you there. It's actually the Social Security website where they keep this information.

And if you're trying to figure out if you use a Trial Work Period or someone's used a Trial Work Period, you always use the Trial Work Period amount in effect when the work was performed, okay.

Okay. Now let's talk about Trial Work Period and self-employment. Because people who are self-employed, running a business, working for their own, they also have a Trial Work Period.

Now a self-employed individual uses a Trial Work Period month when net earnings in a month are above the Trial Work Period, right. What we just explained.

Except, you're probably wondering what do you mean by net earnings, Aleyda. So net earnings from self-employment is the amount left after some deductions, right.

So there's business expenses. So you have an overhead, right? In order to make money, you have to spend money, right?

So those are business expenses that are allowed by the IRS. So that's the first deduction.

The next deduction is the share of FICA taxes that an employer would pay for an employee because a self-employed individual must pay this tax themselves. So Social Security multiplies what's left by .9235 to give credit for that share of the FICA taxes that the self-employed person pays. Okay.

And then the net earnings from are self-employment is divided over the period worked, right. And that's how you get what the monthly net earnings are. All right.

So that's the -- that's one way that you trigger a Trial Work Period is if net earnings in a month are above the Trial Work Period.

Or there's another way to trigger Trial Work Periods. Is if the person is engaged in business activity for at least 80 hours

in a month. So how would you know if you are engaged in business activity for at least 80 hours in the month?

Well, what I used to tell my clients is let's keep track of what you're doing and I would help them create a little Excel spreadsheet or a little Word document where they would track what they did each day and how many hours they were working.

And that was a good way for them to track their business activity.

Now, it's also good to track what they're doing because start-up business activity doesn't count toward the Trial Work Period. So if your business is to sell, let's say, widgets on a website, right, and you're trying to find funding and trying to get this website going, the business activity doesn't start until you start selling those widgets.

So everything before that, finding the funding, maybe getting your business plan together and getting that website going might be counted as business activity.

But once you have that website, you're taking orders, making sure that that product is shipped and any follow-through on that, that's business activity. So those are the hours you want to look at when it comes to business activity. Okay.

I'm going to check to see if we have questions about the Trial Work Period. I started seeing questions pop up.

So someone is asking about a specific example. If someone makes \$5,000 in a month, that would count as a Trial Work Period month. What changes? Nothing. They use one Trial Work Period, they have eight more to go.

And so yes, you can earn any amount and you still receive your benefits when you're using your Trial Work Period.

So I hope that clarifies for you.

No other work incentives apply during the Trial Work Period. We're going to start talking about all those other wonderful work incentives that apply after the Trial Work Period. So just be patient, we'll get there. I know you're excited.

Okay. Remember, folks, we are in the Title 2 house, and I explained that the benefits that we're looking at are the SSDI benefits. It could be the disability insurance benefits, or the Disable Widower's Benefits. That's the house we're in.

Some great questions that are going to be answered really soon.

Okay. So net earnings, somebody wanted me to repeat what net earnings are. Net earnings is amount left after some deductions. The first one we talked about were the business expenses. Those are business expenses that are allowed by the IRS.

The second one is the share of FICA taxes that an employer would pay for an employee. And so the way that you get that amount is you multiply what's left after business expenses by .9235. That's what Social Security will do. Okay.

Good questions, folks. And some of them are -- you're just ahead of the game. We're going to get there.

Okay. All right. So let's get to what happens -- you must have a burning question right now. What happens after I use that ninth Trial Work Period? Remember, you only get nine trial work periods. They don't have to be used consecutively. Eventually after you use that ninth one, what happens?

Well, you enter what's called the extended period of eligibility. We're going to talk about this re-entitlement period or RP which is the first 36 months of that extended period of eligibility.

And benefits are paid when countable income is not above SGA. And we'll talk about what SGA means.

All right. So let's talk about this re-entitlement period, okay. So after the Trial Work Period, the person who gets Title 2 benefits will start their extended period of eligibility or the EPE. Again, lots of acronyms, right?

The first 36 months of the EPE is called the re-entitlement period or the RP. Okay.

During the re-entitlement period, during those first 36 months, Title 2 benefits will be paid for any month that the person did not work at the substantial gainful activity level.

And we'll talk about what SGA is in just a minute.

All right. So during this period of time, the first 36 months is this person working above SGA or below SGA?

And you have to think about it as a light that turns on and turns off. Because a person can be eligible if they're not working over that SGA level. But then it can be turned off if they are working over that SGA level and they can turn on and off benefits throughout this period of time.

Right. Now the first month in that re-entitlement period where the person is determined to be working over the SGA is called the cessation month. So when Social Security is looking at earnings or trying to determine should benefits pause, should benefits stop?

And they refer to this as a cessation month, okay.

Now, after the initial 36 months, that re-entitlement period, if the person works above the SGA level, their Title 2 benefits are terminated.

It's a big T, terminated. It's important to know when termination happens, because there's an additional work incentive that we'll talk about at the end that -- that is

basically a wonderful work incentive for people who terminate due to earnings from work.

All right. So again, the re-entitlement period, if you listen to the word re-entitlement period, right, re-entitled, someone can be entitled or re-entitled to benefits. It's possible they're working above SGA, benefits cease. But if they're working below SGA, they can be re-entitled to benefits.

Okay. So let's talk about countable income. All right. So when Social Security is trying to make decisions about whether someone is working above or below that SGA level, there's just some income that's not going to count.

Countable income isn't going to include paid time off. So think of sick pay, vacation pay. You're getting paid to not work. Right? You're on vacation somewhere, you're homesick, so it makes sense that Social Security will determine that any paid time off isn't going to -- isn't going to count towards that countable income. Great. That's a good thing.

And bonuses that are not based on work effort will also not count as part of that countable income. Let me give you an example.

Every Christmas an employer provides a Christmas bonus, let's say. And everybody gets it because the employers are generous and they want to acknowledge everyone's happy Christmas season, right?

All right. So because that's not based on work effort, that's going to be -- that's not going to be counted as part of countable income, right. And that's a good thing.

Now, after you figure out what money is not going to count, what pay is not going to count, work incentives can then reduce countable income. Here are some of the work incentives we're going to talk about.

We're going to talk about income averaging. Unsuccessful work attempt or UWA. We're going to talk about impairment related work expenses. Somebody was asking about that.

We're going to talk about subsidy and special conditions. But there's some additional work incentives for people who are self-employed. And they're called unincurred business expenses and unpaid help, okay.

So let's talk about substantial gainful activity and then I'll take a look at the questions, okay.

All right. So what is this SGA you're talking about, Aleyda? You mentioned it. I want to know what that is. All right.

So during the re-entitlement period, remember that RP, the issue is if the worker's engaging in SGA, right?

So the SGA level for 2026 is 1,690 for non-blind individuals, and 2,830 for blind individuals. Right.

And if you ask, why is it higher for people who are blind, I actually don't know. All I can tell you is they probably had really good lobbyists at the time.

Now remember, just because a worker's gross earnings or even their net earnings from self-employment are above the SGA level, it doesn't mean that they are actually performing SGA. And you know why?

Because if any work incentives apply, they can decrease the countable earnings and that may reduce the worker's countable income to below the SGA level.

And that is the same with self-employed workers. Just because a worker's net earnings are above that SGA level, work incentives can reduce that countable net income to below the SGA level. Okay.

So we're going to start talking about all these other wonderful work incentives that apply after that Trial Work Period is done with and you're in the re-entitlement period and the extended period of eligibility.

But let me take a look at what questions you have. Some of you just know a lot of information already. That's great.

So during the extended period of eligibility, in that first 36 months, they are looking at earnings. And whether earnings are above or below SGA. For both folks that are working and both -- and folks that are self-employed.

Social Security -- for folks that are -- and we can talk a little bit more about this at the end. Someone is asking, well, I get paid but I don't do the work right away or I'll do the work and get paid later.

So Social Security's going to want to know when do you actually do the work that you get paid for.

There are no other special rules. You're either -- for SGA level you're either considered a non-blind individual or a blind individual, that's it. That's the only difference in terms of a disability for SGA level. There's no provisions for other disabilities.

At the end of the PowerPoint presentation, I should have mentioned this, you will have our contact information. And so if you got the slides in advance you should have that. If not, you'll have that by the end of these slides.

I'm going to put a big note here because I want to make sure I don't miss talking about reporting.

Okay. So if a person -- somebody's asking what happens after that 36 re-entitlement period month, if the person is working, remember, if the person is working under SGA, they're keeping benefits. And the first month of work above the SGA level passed that 36 months, so month 37 and forward, the first month of SGA level work is when benefits terminate. Okay.

During the re-entitlement period they cease. After that re-entitlement period if the person is working under SGA, benefits continue. The first month of work after SGA benefits terminate.

I know terminate is a really harsh word, but you'll see why it's actually not such a bad word, okay. When we get to talking about EXR. But good question, yeah. I hope I clarified that for you.

SGA applies to everybody. The number that we're looking at for folks that are not blind, so people with all disabilities that are not including blindness have the SGA 1,690. And then for folks that are considered blind by Social Security standards have a higher SGA amount.

I know it seems a little unfair, but that's the way it works. But it applies to everybody. Okay.

So we're trying to make sure that we're answering questions as we go along for the topic that we're talking about. So just bear with us. People learn in different ways, and I want to make sure that we are getting the information clear, okay.

All right. So let's talk about -- let's start talking about these work incentives that reduce countable income, all right.

So the first one we're going to talk about is income averaging. So averaging is a math concept, right. You add a set of numbers and then you divide it by the number in that set. So Social Security can do averaging.

Income may be averaged to reduce countable income to below SGA. And if they do apply income averaging, if Social Security applies income averaging, they'll only apply it if all of the following are true.

There's a pattern of work that is or was continuous. Right. So the person has consistently been working. And there's no significant change in that work pattern, right.

They're earning the same amount of earnings, the hourly rate is the same. They're working 20 hours a week. That hasn't changed. So there's a consistent, continuous work pattern where they're working the same hours, earning the same pay.

And there is no change in SGA earnings level during that period involved. Right.

So if it's a six-month period, there's no SGA earnings levels that change during that period of time.

And it's primarily used to adjust the cessation month. Remember, Social Security's trying to determine when benefits stop. And they use the word cessation month, right.

And once Social Security determines that cessation month, income averaging can't be used after the cessation month is determined.

So it's -- it's only to change that cessation month and then once it's established, you can't use income averaging

anymore. Now if you want more information, we do provide the Social Security policies.

The Social Security policies are online and they're referred to as POMS. It's short for Program Operation Manual System. That's what the folks at the Social Security office that work at the Social Security office look at when they're making decisions in the office. They look at the POMS.

And so income averaging can be found in the POMS DI 10505.015.

Now remember I mentioned for people who are self-employed, have their own business, Social Security average net earnings, and for people who are entitled to the average net earnings over the period of time the worker has worked in his business.

So if the worker is working July through December running a business doing the work that they're getting paid for, then they will divide that net earnings from self-employment by six. The six months that they worked. Right.

All right. So let's talk about the next work incentive, which is the unsuccessful work attempt or UWA. More acronyms, right?

All right. So an unsuccessful work attempt is an effort by someone to do substantial work in employment or self-employment. They're working over SGA. Which is great. That was their goal, they're working over SGA.

But maybe that work gets discontinued or they reduce the work activity to below that SGA level after a short time. So no more than six months, right?

They're working, they have -- they have these great supports, but due to the -- and this has to be due to the individual's impairment, right. They're having exacerbation of their disability or there's been a removal of special conditions.

Maybe that extra supervision was removed. Maybe that job coach was removed. Right.

So it's the removal of special conditions related to the impairment that are essential for continuing the work. And I used to see this all the time when I worked with clients, for a limited period of time they were provided with extra supervision or a job coach.

And then once those get removed, they're not able to focus and do the job, right?

And so they get frustrated in maybe their work. And so if their work activity was above that SGA level and these facts exist, Social Security will say, well we're going to count it as an unsuccessful work attempt. Right.

So folks who work in their own businesses, sometimes work with a job coach or maybe they have some kind of extra supervision or help. It applies in the same way. All right.

Now if you're interested in knowing more about the unsuccessful work attempt, we've also provided the POMS here. It's POMS DI 11010.145.

We're going to switch gears to talk about impairment-related work expenses and I'm going to take a look at your questions to see if we have any questions about the unsuccessful work attempt.

Again, we'll talk about reporting and contacting Social Security. And some of you may have some good advice about that, right? If you've been contacting Social Security, it's a little bit challenging sometimes.

All right. Now remember this session is being recorded, so I believe it will be made available to you. So if I'm going a little too fast for you, make sure you get the recording and go over it. Because, you know, it's -- I sometimes do talk a little fast. So let me know if I am.

All right. Okay. Let's go ahead and get started with the next work incentive, which is impairment-related work expenses.

Some of you are familiar with this because you already started mentioning IRWEs, right? That's the acronym, IRWEs. Impairment related work expenses.

So an impairment-related work expense, this is probably the most popular of the work incentives that you'll see.

It is a cost of an item or service that enables a person to work, right. Think of medications. It's necessary due to a physical or mental impairment. And it's paid for by the worker, right?

So the worker pays for it. It's not paid for -- it's not paid for my Medicaid, it's not paid for by Medicare, it's not paid for my mom and dad or grandpa or whatever, right. It's paid by the worker.

Now the worker must pay for the IRWE during the month of work activity. Or it could be in anticipation of starting work. And we'll see some examples in the next slide on what IRWEs are.

And the cost must be reasonable. Okay. Now, IRWEs do have to be approved by Social Security, so if you have an IRWE that you're paying for, you will each report that to Social Security.

Now, let me explain something and we can also talk about this at the end. Is that when someone is reporting earnings to Social Security, and they're on Title 2 benefits, they'll eventually receive what's called a work activity report.

And there's two different work activity reports that folks get. One is for people who are employed who have an employer and one for people who are self-employed.

And it's actually a really great form that's been improved over time. But I think this is the best way to report impairment-related work expenses. If you're interested in looking at those forms, they are on the Social Security website. And I'll make sure to put in the chat at the end the number for these forms.

But they are SSA 821, that's the work activity report for employees. And then SSA 820, which is a work activity report for folks that are self-employed.

And a work review is actually a good thing. It's not a bad thing. Okay. So keep that in mind.

And then this is different from a medical review. Medical reviews are different and we're not talking about medical reviews today.

All right. So if you want more information about impairment-related work expenses, again, we provided the policy here, POMS 10520.030.

All right. I'm going to show you some examples of an IRWE. Please know that the list that's in the POMS, there is an IRWEs list in the POMS, and the next slide that I'm going to show you have -- it's not an exclusive list. Meaning you can be as creative as you can be with impairment-related expenses.

So let's look at examples of IRWE deductions. All right. Supported employment services. Now you're probably thinking, wait a minute, usually when someone gets supported employment services it's being provided by somebody else. Well, this is true.

But if the worker pays for it, it can be an impairment-related work expense, right?

So let's say that the person's working with a vocational rehabilitation agency, the VR is providing two months of job coaching. But the person wants more and they want to pay for it. That's okay. It will be an impairment-related work expense, okay.

All right. Attendant care. So somebody needs help to get ready for work in the morning, it's related to their disability, and they need to be able to get to work with help. They can pay for attendant care. Or in the evening when they have to go through their bedtime routine in order to be able to get up and go to work the next day.

Transportation can be an impairment-related work expense. I had clients who had door-to-door service through the local Metro transit. But for some of my clients this wasn't a very reliable method to get to and from work because they'd get a range of time for pickup. Especially for my clients that were blind, they didn't really have a choice.

But boy, when some of those transportation service like Uber and Lyft came around, that was a game changer for them, because that could get them to work on time. And they could travel, right? If they needed to go to a meeting outside of their office.

So we often got those approved as impairment-related work expenses.

Medical equipment and devices. If someone needs maybe to pay for a hospital bed in order to be able to get a good night's sleep, a wheelchair. I had a coworker who would keep a manual wheelchair, even though she had an electric one, she would keep a manual wheelchair in the office for emergencies.

So she paid for that out of pocket. That could be an impairment-related work expense.

Work-related equipment and assistants. So you're probably, you know, thinking why would an employer provide it? If an employer provides it, an employer pays for it, it's not an impairment-related work expense. The worker can decide to pay for it, right?

Think of maybe a large monitor that someone might need. Software to help them to do their job. Or even an assistant, right, to help them with some of their job duties.

Impairment-related work expense, right?

All right. Now service animals, when I was working out in the community, this became very popular. Emotional support animals. It can be an impairment-related work expense.

You have to just make sure that the expense that you can show how the need for that service animal is related to the disability and needed in order to be able to work. To get up and go to work each day, okay.

So you might need to get some medical information to show that to Social Security.

Residential modifications, a popular one is a ramp. A ramp to be able to get in and out of the house to take the transportation that you need to get to work, right?

We talked about this briefly. We talked about medications. So it could be routine drugs. It could even be over-the-counter medications or medical services. I had clients who paid for their own therapy.

And sometimes what happens is when you go to work, you have more money to pay for things like seeing a therapist. One that you like, that you want to see and that you're willing to pay for, right?

Non-medical appliances and devices. In order for me to be able to call Uber and Lyft to get me to and from are work, I need my phone. That's a non-medical device.

And then services received through community-based residential programs.

So a lot of people live in the community with assistance, right? They might pay for this assistance themselves, and if they do, they can look at what amount of that payment that they're making is related to their ability to get up and go to work each day or get ready for work each night.

And that amount can be an impairment-related work expense.

And self-employed folks, you may have many of these. If they are not an IRS deduction, you can claim it as an impairment-related work expense for purposes of Social Security looking at your net earnings, right.

All right.

All right. Let's look at an impairment-related work expense example. And we're going to take a look at Benny here. And this is to show you how an IRWE would be applied for a worker.

So Benny works 25 hours a week and earns \$20 an hour. So his gross monthly wage is \$2,150. So how did we get that number?

We multiplied 25 hours, which is what he works weekly, times \$20, which is his hourly wage, times 4.3. And that's because in the month there's usually four weeks and a couple of days. So we use 4.3. That's how we got 2,150.

Now let's take a look at Benny's impairment-related work expenses. If Benny pays \$200 per month for Uber rights to get to and from work, \$100 for prescription copayments and \$400 a month to see his therapist, he has \$700 in impairment-related work expenses.

So what -- how would Social Security look at this?

They'll look at his countable income as 1450. And so they do -- they look at this by looking at what he's making each month, 2150, I minus the IRWEs, and that's how you get 1,450. So if we look at what he's earning, 2150, that's way over the SGA amount. But now with IRWEs at 1450, he is below the current SGA of \$1,690.

It's less than SGA. It's a win/win for Benny.

Right. For self-employed folks, you would use the IRWE to reduce from that net earnings that you calculated, right. The net earnings that -- where you subtracted the business expenses plus the .9235, what's left, you reduce that from the IRWE from that amount.

So again, if you didn't use these IRWE expenses, if you're self-employed and you didn't use these work -- IRWEs expenses in your -- as part of your IRS deductible -- your IRS deductibles, you would use it as an impairment-related work expense.

All right. So let me see what IRWE questions you have before we go and talk about the next work incentive.

One thing that I explained is that you could be as creative as possible and someone is asking about specialized food.

I've actually had that and I have been able to get it approved as an IRWE. You do have to maybe provide some medical information to explain to Social Security why the IRWE is needed.

So folks who are diabetic or -- I forgot the disability my client had, but diabetes is one where they might need some specialized food.

Okay. Somebody had a question I already answered. Yeah, so glasses could be an impairment-related work expense as well as contacts, yes. You can't -- I can't -- I can't see without my glasses. Right?

Yeah, so an IRWE could be a modification to a vehicle. I believe we had that as an example. Maybe we didn't. But that was a really popular one I've worked on is when a person pays for modifications to their vehicle to be able to get to and from work, absolutely.

Now if you're working for a corporation, you may not be self-employed so you've got to make sure that you do a little research, get some help to understand if you're considered an employee or if you're considered a contractor. Okay.

Those are really difficult questions that need a lot more detail. Yeah, for someone who's self-employed and they have to drive for their work, that mileage can be an impairment-related work expense.

A lot of questions about that. (Chuckles).

IRWEs is also a work incentive you'll hear about and you'll already know about when you attend the SSI and work incentives training. So IRWEs are used differently in the SSI program. But it is something you'll already be familiar with when you go to that training.

Yeah, so if you want to know if something is an IRS business deduction, you definitely want to work with someone who knows that. A tax expert, which I am not. So those are good questions, though. And those are good questions for a tax person. Someone who specializes in tax preparation.

All right, folks, let's talk about the next work incentive. All right. Let's talk about subsidies and special conditions.

All right. So this might sound a little odd at first, bear with me. If the worker is paid more than the value of their work, a subsidy or special condition may be in place.

Okay. So sometimes workers have an employer who is providing an accommodation. Or they have a job coach to help them, right?

If the worker has fewer duties than others doing the same work, there can be a subsidy or special condition in place. Right?

So I've had folks that I worked with where they've been a long-time -- I had a client who was a long-time employee and she had a debilitating condition, it got worse over years. And little by little her employer accommodated her, to the point where there was a large percentage of her job that she didn't have to do anymore.

And so about 50% of her job duties were removed. So she actually had a 50% subsidy. And so what we had to do was develop information to get this information to Social Security. Actually had to send it to a judge, because it got that far. But Social Security will accept a letter from the employer documenting a subsidy, right?

They can explain what the duties that everybody has and what duties this person has. It could be that their productivity is different, right?

Everybody has to create -- something happened with the presentation? Is everything okay? I saw a flash for some reason. Maybe it was just on my end.

When developing that letter, the employer can explain what the job duties are for everybody and then what the job duties are for this person and establish the percentage of the subsidy. All right.

So if you want more information about subsidies, it's here in the POMS. We provided it to you, DI 10505.010.

So if you're able to establish a subsidy or special condition there are can reduce countable income to below the SGA. Okay.

Let's look at a subsidy example and then I'm going to talk specifically about folks that are self-employed or have their own business, okay.

All right. So let's take a look at this example. Ryen works 40 hours per week and earns \$15 per hour. The gross monthly wage is 2580. How do we come one this number? We know that he earns \$15 an hour. We multiply this by 40 and multiply it by 4.3 and that's how we got 2,580.

That's way above that SGA amount, right? We know he's working over SGA.

But then we talk to Ryen's employer and we learn that Ryen is working for a family member and they only perform half the tasks of other employees in the same position.

So the employer provides evidence that Ryen has a 50% subsidy, right?

Which is a wonderful thing. Now when approaching an employer to ask about this, you want to make sure to say this is

a great thing. Because employers may not be aware that they're actually providing a subsidy, and they may be asking why are you asking this. Am I doing something wrong?

Absolutely not. This is a wonderful thing. Because they are providing an accommodation and so we just need to get the information to Social Security.

Now when you apply the subsidy, Ryen's no longer working over that SGA, because we basically can eliminate half of his earnings to determine his countable income. 2580×0.5 to get 1,290. Which is less than the SGA amount.

Wonderful work incentive. It's underutilized, but it exists, it's there. Social Security misses it. The client I worked with, Social Security totally missed it when my client had filled out their work activity report.

Okay. So a little bit more about special conditions. Typically, a special condition is an item or support from someone other than the employer or their employee, right. So could be VR, vocational rehabilitation providing a service. Or it could be Goodwill. One example is job assistance or job coaching that could be played by the employer or by a third party who performs part or all of the person's job duties.

The value of the job coach special condition is going to be deducted from the gross wages. And the way that Social Security calculates that is they don't use the job coach's salary or hourly wage. Instead, Social Security multiplies the number of hours of the job coaching by the worker's hourly wage. Right.

Now, if someone is self-employed and the VR is paying the job coach, there's actually a really great rule. The worker can use the costs to reduce countable income 100% of that cost that the VR is paying.

This is referred to as an unincurred business expense. Right? Or UI is the name of the -- the acronym for the work incentive. The UI is any business expense paid by another experience or agency.

So the cost can be deducted from are the net earnings from self-employment to reduce countable income to below SGA. So that's when a person who's self-employed can get a little bit more out of that assistance. They can deduct the actual amount.

Now, what if the person receives help for free? Right. A lot of people in order to run their business, they get a lot of help from family, friends. And guess what? You can actually deduct the value of that assistance. Right.

You could put a value on that assistance and that amount will be reduced from the net earnings. It's called unpaid help. Or free help.

So the reasonable value of any significant amount of unpaid help can be used to deduct from net earnings to reduce that countable income, okay.

Now there's some information that will need to be provided to Social Security. The person that's providing the help, the relationship to that person, the type and amount the services that are provided, and an estimate of the reasonable value of the service provided.

I had a client who worked in a business where he worked with animals. Let's just say that. Without giving away too much. And his mom did a lot of the back work, accounting, taking calls, administrative support.

But he did the actual service. And so we figured out how many hours mom worked for him for free, and then we put a value on that service. And we submitted it to Social Security with that information, and that was -- that amount was used as a work incentive to bring down that countable income.

So this is only available for folks who are self-employed. UI and unpaid help are only available to folks that are self-employed. Right.

It's a great, great work incentive. All right. So let's take a look at job coaching for people who are employed and then I'll talk again about folks that are self-employed.

So here's an example of job coaching and how it would be evaluated and then I'll talk about how it would be evaluated for folks that are self-employed.

If DeJuan works 30 hours a week and earns \$15 per hour but he has a job coach with him for 10 hours each week, the value of that job coach special condition is going to be \$645.

Remember, Social Security is going to use the number of hours that the job coach works with him times DeJuan's hourly wage. Which is \$15. We don't use the job coach's hourly wage.

And so that amount is \$150.

So \$150 times 4.3 weeks in the month, that comes out to \$645. If DeJuan is earning more than SGA, 1935 per month, with the job coach special condition, his countable income is now 1,290. How did we get there?

We subtracted that 645 from his gross monthly wage of 1935. It's now 1,290. His countable income is less than SGA. Okay.

So remember for folks who are self-employed, the job -- the cost of that job coach, if it's being provided by a third party, 100% of it can be used to reduce countable income.

If it's being provided for free, we put a value on it based on what it would cost. For the mom, we actually researched what it would cost to pay an administrative assistant at that time. And then we put our research together and then we determined the hours, we multiplied and came up with the number. And we told

Social Security what amount should be used to reduce that countable income. Okay.

All right. I'm going to pause now for questions, folks. I know you have a lot of questions, and we're getting towards the end. We're going to start talking about expedited reinstatement in just a minute.

You know, there are questions specifically about is this unpaid help? Maybe. I would say develop it, keep track of the hours, put a reasonable value on that and see if you can make it into unpaid help.

So Social Security for -- could send -- for folks who want to develop a subsidy with the employer, Social Security actually can send out a form. It's a form SSA 3033. But they don't have to fill out a form, they can just submit the information and develop the subsidy and provide that information to Social Security.

So yeah, people are asking about reporting and we'll definitely talk about reporting at the end. Because that is an important question that folks have. Especially when you are running a business, right.

So remember when we're talking about these work incentives, these are Social Security work incentives. And you really have to separate that out with IRS deductions, right. I can't give you any advice on what IRS deductions are. Again, you want to talk to an IRS specialist.

But once you know what those IRS deductions are and you have those net earnings, then you start applying what those work incentives -- Social Security, once you report income, Social Security can develop those.

But honestly, the best way to go about it is to make sure that you get some help in developing those work incentives that you want to apply. Because they do get missed by Social Security. You know, there's a lot of folks in the office that really don't get trained on these, and so you've got to make sure that you know the information when you report.

Now, I get this question a lot. And it's an interesting question. Why would some employers provide a subsidy?

And so I -- I've been working in this area for over 20 years. I work directly with clients helping them develop the subsidies with the employers. And what I have seen is that employers value diversity in their workforce.

They want to hire people of all, you know, paths of life. And if a person has been working there for a long time, even more so they want to make sure that this person stays.

And so if they can accommodate that person, they will accommodate that person. The client that I work with that had the 50% subsidy who worked at an office worked for many, many

years in that office and the employer just, you know, kept accommodating her until about 50% of her job duties were removed.

And that person just valued my client as a worker. And I think that's what I see out there.

Honestly, there is a value to having a diverse workforce.

All right, folks. Some of your questions, unfortunately I'm not understanding them. So if they don't get answered, please make sure that -- to know that NDI will gather these questions.

So remember to determine unpaid help, in the situation that I worked with with a client, is the mom was providing this assistance. And so I -- I sat with her and I said, tell me everything that you do. And we did a list of everything that she did for the business for him for free.

And then the number of hours and then we did some research about what would this cost somebody. What would it cost my client to hire an administrative assistant that also had accounting experience.

And so after that research, we were able to come up with a dollar hourly amount, and then we established how many hours she worked each month in the business.

So that's how you would establish the value of unpaid help.

Okay. I'm trying to understand some of your questions, so forgive me for the silence.

The only information that you need to provide or to establish is who is the person providing the help, the relationship to that person, the type and amount of services provided, and the estimate of a reasonable value of the services provided.

So it's another way of looking at it. No, you don't need to collect Social Security, their Social Security number. You could take a look at the unpaid help. If you do a Google search of SSA unpaid help, you should be able to find the POMS. Sorry I didn't actually write it out and provide that to you. But I could do that.

Okay. No, unfortunately we're not going to have time to talk about Medicaid and/or Medicare. That would require another hour. (Chuckles).

Another hour of training. Please know, folks, that when you do get back into the workforce or people are getting back into the workforce, there are work incentives that allow you to keep Medicare, which is the health insurance that's attached to Title 2.

If you're not aware of that, I used to have clients that floored when I explained this to them in the office. There are - there is -- people can keep Medicare just by earnings. And

even despite losing earnings because they've decided to work over that SGA.

So that may be another training that we might need to do in the future. And as far as Medicaid is concerned, folks that are on Medicaid, there are different ways to maintain Medicaid even when you have earnings.

A lot of states have Medicaid Buy-In programs, especially these are programs specifically for people with disabilities who want to work. They have a higher income threshold so that they can stay eligible for -- for Medicaid.

All right. Let's go ahead and get started with our last section, and then see what questions you have. And then again, we'll take time to talk about reporting.

All right, folks, remember when I explained to you that big T termination that happens during the extended period of eligibility after that 36 re-entitlement period month is not such a bad thing.

That's because if benefits do get terminated, there is another work incentive for people called expedited reinstatement of benefits or EXR. It's actually a safety net when work isn't working out.

And let me tell you, this work incentive was a game changer. So when people terminated from benefits in the past, they would have to go in to the Social Security and apply as a new applicant, right.

When you come into the Social Security house, you have to come in and prove that you have a disability. Once you're approved, you get benefits.

But EXR is different. If you terminated because you lost those benefits due to earnings from work, you terminated due to earnings from work, you can actually come back on benefits through EXR.

You can receive benefits almost right away the month after you apply for EXR. And it is such a game changer because you actually get to come back in.

You need to be able to just show a couple of things here that I'm going to show in the next slide. And just remember, folks, that so far we've talked about -- I just want to give a quick review to understand where EXR falls. We've already talked about the Trial Work Period, right.

We've talked about the extended period of eligibility, those first 36 months are the re-entitlement period.

We've talked about work incentives that can bring down countable income. Or net earnings from self-employment. Right?

And so if people are working towards getting off benefits and they terminate, EXR is an option for you to get back on benefits. So again, that T is not such a bad thing.

So let's talk about EXR eligibility.

So to qualify for EXR, all the following have to be true:

So the person lost his SSDI benefits. They were previously terminated due to earnings. Right.

They were working, they worked over SGA, past that re-entitlement period. We got the big T after that re-entitlement period. And that's okay.

In the month that they applied for EXR, countable income is not more than the SGA, right. So in application month, they're not working over that SGA or they're not working at all. Right.

And they're unable to work at the SGA level due to their impairment. Right.

Now, the -- excuse me. EXR is available for 60 months from that termination date. So they have five years to use EXR. So you have to figure out when that T happened and then they have five years or 60 months to come back for -- to benefits through EXR.

They have to have a current medical impairment that is the same as they previously had when they first entered the Social Security benefit system, right, or related to the original disability.

So perhaps a person with mental health is on medications or able to work, but now their medications aren't working, they're not able to work.

A person who maybe had cancer treatment and came back to work successfully but now due to the medications, the chemo and everything that they had to go through to get better, that's creating side effects such as heart palpitations, anxiety. That would be related to the original disability. Okay.

Now, as I explained, a person when they first come into the Social Security door to get benefits, they have to be approved. And they have the burden to show that they have a disability.

But when they come back through EXR, the person doesn't have that burden. They have to be able to show they continue to be disabled based on a medical improvement standard. And this is a different standard.

With this standard, Social Security has the burden to prove that there's been medical improvement. The burden is not on the worker who's coming back to show a disability, that's already been proven, that's assumed.

Social Security does a medical CDR to determine whether there have been medical improvements such that the person can work. Okay.

Let me tell you, this was a game changer. This EXR came about through the Ticket to Work legislation. The Ticket to Work legislation did a lot of things, and one of them is create this EXR. Because Congress heard from folks who wanted to get back to

work but they're like, you know, I went through so much to get on these benefits, why would I chance it. Why would I get back to work and start all over again.

You're not starting all over again with EXR. You've already been on those benefits, you lost them because you used all those wonderful work incentives to get you up to that SGA level work. But now you're just not able to do it, right?

You meet the criteria. And then there's some other great benefits to EXR. So let's keep going.

All right. Termination, remember we talked about this. Termination happens the first month earnings are above SGA after that 36 re-entitlement period month, right. The first month of SGA after that period of time termination happens.

EXR period begins with the termination month. What that means is that the person terminates and they have five years to come back. The EXR period runs for 60 consecutive months or five years from that termination month, right.

So you have a five-year period to come back. So how does a person request EXR?

So if the individual's not performing SGA and they meet the criteria, they can request EXR, right. They're going to be asked by Social Security, do you wish to receive provisional benefits pending the EXR decision?

Yes, the person begins to receive benefits the month after -- after the month they apply for EXR. They don't have to wait for cash benefits.

They can get benefits almost immediately!

Isn't that amazing? Yeah.

So the person will get up to six months of provisional benefits. And those are -- those will get paid six months of provisional benefits pending the EXR decision.

Remember, Social Security is doing a medical review based on the medical improvement standard. Now, if the person is denied EXR, if Social Security says we don't think you meet the criteria, they don't have to repay those provisional benefits back.

It's in the law, they don't have to pay those provisional benefits back.

So if they are asked, do you want to receive provisional benefits while we do this medical review, yes, they should always accept provisional benefits because Social Security will not assess an overpayment unless, of course, there is fraud, right.

So if a person is found eligible for EXR, their benefits will be reinstated. If there are any dependents that can be eligible, dependent's -- auxiliary is the word that Social Security uses for the dependent. If there are any dependents or

auxiliaries, their benefits can be reinstated. But they'll have to file a new application to determine eligibility.

Now, I haven't even told you the most amazing thing about EXR. Because all of this is pretty great, right?

So if a person is on EXR benefits, they get approved. Now, this -- this period of time is kind of like that re-entitlement period where benefits can be on and off. A person goes back to work, working over SGA, benefits can be turned off.

But if they actually receive 24 months of nonconsecutive months of benefits, the worker is then eligible for a new Trial Work Period.

And they can start all over again with those wonderful work incentives. It's a really amazing work incentive.

Now, some of you may be asking what if they -- can they come in and reapply like a new applicant? Yeah, they can do a new application and Social Security should explain to the person the difference between the two, application and EXR. With EXR, you'll get benefits the next month after this date that you applied.

With a new application, you have to wait until you're approved, right.

There might be other facts that the person will receive to help them make that decision.

All right. So we've gone through all of the work incentives. Let's see what questions you have about EXR.

Yes, I answered that question, once you receive 24 months, they don't have to be consecutive, you would get a new Trial Work Period.

So there are some questions about retirement, and I don't want to confuse folks. I'll answer those questions after the training. Because there's a lot of answers to those questions.

And again, because we're focusing on disability, I want to make sure we're addressing those disability benefits. And there are some legit questions about, well, I'm going to hit that retirement age, right. So I'll answer those questions off -- after the training.

So Social Security, you know, for everything that it sometimes misses, there is a lot of useful information on their website. Publications about the medical improvement standard. You know, information about all of these rules in their publications.

People might be familiar with the Redbook. And that's actually a good place to start understanding information. So you know, if you are looking for more information, definitely go to the Social Security website. Look at their publications.

I think they actually are helpful. They're not -- they're supposed to be in plain language, and they are supposed to use

plain language. That's not always the case. Information is not always very clear.

But I think they do have some good stuff on their website.

All right. So someone is asking about the 24 months. So if the person is in the EXR period and they receive the provisional benefits and then they are able to go back to work and work over SGA, they're not accumulating those 24 months, right.

But if they have accumulated those 24 months, then they will have a new Trial Work Period. I hope that's clearer.

So sorry. So Social Security has publications, and they usually have really long names. And so sometimes what they do, they shorten the names and so there is one called the Redbook. So if you were to Google Social Security Administration Redbook, you would probably find a publication called the Redbook. It has a longer name, which I can't remember right now, and it has a lot of the information we've talked about here today.

Someone was asking specifically about learning more and so that's a good resource.

So folks always have appeal rights. So if -- if someone -- if -- any time Social Security makes a decision that you disagree with, you have the right to an appeal of that decision. So if EXR -- if Social Security says we don't think you're eligible for EXR, someone could file an appeal to challenge the correctness of that decision.

I believe I don't know if this is still the case, that there is a publication or a brochure on the medical improvement standard.

So someone's asking about 1619(b). That's an SSI work incentive. And Debora will likely talk about 1619(b) in her presentation. So make sure that you note that, that 1619(b) is SSI work incentives and you can -- you'll hear about that at that next training that my colleague Debora will be having.

So again, if a person is working under SGA, right, whether it's during the re-entitlement period or immediately following that re-entitlement period, they're not terminating, right? So benefits are continuing. They're working under SGA.

They terminate the first month of SGA level work off that re-entitlement period. And that's when EXR can apply.

Someone can be working under SGA throughout the re-entitlement, after the re-entitlement period and never be eligible for EXR. That is true.

All right. Bear with me, folks, there's just a couple of more questions.

EXR stands for expedited restatement.

So somebody is asking about applying some of these work incentives retroactively. Before I came to Cornell, I worked directly with clients and a lot of times we were having to apply

these work incentives retroactively because Social Security misses them, unfortunately.

I had a client who submitted a work exist report on her own, and she explained in that work activity report the accommodations she got at her place of employment.

And you know, she was eventually terminated because they thought that she was working over SGA. When I looked at it I said you have a subsidy. It's so clear to me you have a subsidy.

So we will to file an appeal. So -- on that situation. But sometimes you don't have to file an appeal because you could work with the Social Security office to get that information in, right?

So if you have IRWEs that weren't considered, you can absolutely submit that information. You want to do a cover letter and say, you know, this is my period of work that I worked and here are the impairment-related work expenses that you didn't apply.

And this is of course assuming that the IRWEs will bring down countable income to below SGA and will make a difference in an SGA decision that Social Security made.

So yes, absolutely, if you see that Social Security has not applied a work incentive and that can make a difference on keeping benefits or not, you definitely want to work with Social Security to either get that appeal in or get that information in.

The information can be attached to the appeal that you submit.

So for people, remember, for people who are self-employed, they have unpaid help. So they can develop the assistance that someone gets. Or unincurred business expenses. So it's an expense that a third party is paying for. They can get that as a deduction from their countable income.

So you'd have to know, you know, what the expenses cost for an unincurred business expense. And then for unpaid help, we talked in detail how to develop that.

If you're getting reimbursed for an impairment-related work expense, you're not going to be able to show it's an impairment-related work expense. Because you have to pay for it.

If somebody's reimbursing you, it's not going to count as an impairment-related work expense.

Okay. So let's summarize what we've talked about today and then we'll talk about reporting and then we'll see what other questions folks have.

Because we are at the end. We talked about that Trial Work Period. We talked about the extended period of eligibility and what happens during that first 36 months, which is the re-entitlement period where benefits can be on and offer.

After that re-entitlement period, benefits can terminate but that's not a bad thing because folks can be on EXR to get back on benefits if they meet the criteria, right.

Let's summarize. An individual can be eligible for Title 2 benefits as a worker or remember we talked about this as a worker's disabled adult child or disabled widower or widow. Some of you may be receiving Title 2 benefits because you have a disability or because you have a parent who's deceased, disabled, or retired and you're an adult child with a childhood disability.

Those are DAC or CDB benefits.

Or you're a disabled widower with a spouse who is deceased, right. Now, everyone on Title 2 benefits, everyone gets a Trial Work Period when they first start working. They can earn any amount and still get their Title 2 benefits during the Trial Work Period.

Remember that Trial Work Period is to test your ability to work. What do you need to adjust? Can you work 20 hours? Can you work 40 hours? Can you sustain that work that you want to do, right?

During the 36-month period that re-entitlement period, benefits are paid for any month that countable income is not more than SGA. Or those net earnings are not more than SGA. Right.

You want to look at countable income for both people that are employed or self-employed to determine if it's more than SGA or under that SGA.

You want to use work incentives to reduce countable income for that SGA decision. So that's why it's important to report earnings to Social Security. And they're the ones making that decision, but they don't necessarily, you know, catch those.

So you being here is a good thing, because you'll know that maybe something wasn't caught, something needs to be reported. More additional evidence needs to be provided to Social Security to make sure that they're applying those work incentives.

But even if benefits terminate, EXR provides a 60-month safety net for a person to get back on benefits after a work termination, right.

But for EXR, benefits have to terminate because someone has returned to the workforce and they used all those amazing work incentives to get them back into the workforce. Okay.

All right. I'm going to take a sip of water because my throat is actually getting dry. Let's talk about reporting because I know there was a lot of questions about reporting. I think we're still within time to do that.

So somebody's not found eligible for EXR, then they won't be eligible for their Medicare as well. That's a good question.

So folks, you know, hopefully you'll have the slides and/or you'll have a copy of the video go over. And remember, these are -- there's different phases of the work rules that we've talked about. The Trial Work Period, the extended period of eligibility, and then that final phase of EXR. These are the three phases of the work rules.

So if it's easier for you to think of it that way, that's a good way to think about it so you don't get confused.

Okay. So reporting. So you know, one of the most important things you do have to do is report earnings whether it's earnings from employer or earnings for your business. So how do you do that?

Let's talk about this business reporting, because I think that could get complicated, and it is. I've worked with clients who were working in the gig economy or they ran their own business as freelancers or as a small business.

All right. So when you first start to work, you may not know what you're going to be making, right. How good is business going to be? You may not know that, right?

What are your expenses going to be? You may have an idea what your expenses are going to be.

So what you'll need to report at first might be an estimate to Social Security of what you think you'll be earning.

So if you start let's say your -- I always like to use the July through December example. If you start working in your self-employment business in July, what do you report to Social Security if you don't know how much money you're going to make. You may not know how much money you're going to make until the following year when you do your taxes and meet your tax person who tells you what business expenses you can claim, right?

Hopefully you'll have an idea what those business expenses are, you've done some research, maybe you've talked to someone in advance.

What I always suggested to my clients is to -- if they didn't know how to use like sophisticated -- the sophisticated spreadsheets, I forgot what they're called, but they can use an Excel spreadsheet or even a Word document, I would have them create something where they can track the money coming in and the expenses that they have.

So you'll have to find a way to track information. You know, what are you making? What are you spending?

And so if you have an estimate, you can report an estimate to Social Security. We're in Title 2 house. And then when January, February comes around, you might have a better idea of what your net earnings are and then you would want to report your tax returns to Social Security to say, oops, I made a mistake. I made less money. Oops, made more money, right?

And then when you submit that, you could do it using a work activity report. That SSA -- I'm going to put the -- let's see in the chat box. I'll put the number of the form for SSA 820 or SSA 821. Okay.

And so that -- those documents or these forms are actually sent to the worker when they report earnings. Eventually they're sent to the worker when they report earnings.

And so what happens sometimes is that Social Security doesn't send it. But these are available online and people can submit their information, their earnings with those forms.

I always liked using those forms because it helped me organize my client and ask all those important questions about IRWEs, subsidies, special conditions, unpaid help, and so forth.

So yeah, you're going to have to have a good tax expert give you some help on what are those business expenses. But the great thing is that if they're not business -- IRS approved business expenses that you can claim, you have a second option to use those as an impairment-related work expense. But you can't double dip.

If you're going to use it as an IRS business expense, you can't use it as an IRWE. Keep that in the back of your minds. If it's not a business expense, I can use it as an impairment-related work expense.

All right. So the SSA-820, 821 is when Social Security will do a work review. Normally before COVID I could tell you that these forms were normally sent towards the ninth Trial Work Period that the person -- they were reporting earnings Social Security would estimate when they would use their ninth Trial Work Period, because sure enough, it would be sent to the person right before the ninth Trial Work Period.

We kind of put that in disarray. Five years later we're still talking about COVID. Six years later we're still talking about COVID. But it was really impactful to my clients.

So what I would tell my clients is that if you don't get this form by the eighth -- by your eighth Trial Work Period, we estimated when they would be using their Trial Work Period, let's connect again and fill out this form.

Sometimes they would get it and call me, Aleyda, I got the form, can you help me fill it out. So we'd take time and fill it out.

And so any time Social Security is making decisions about work incentives, they're always looking back in time. I always like to say I wish that Social Security would be more like, hey, thanks for reporting your income. You've used one Trial Work Period. You've got eight to go. Right? But they don't do that.

They're usually looking back in time a year later. Nine months later to tell you what work incentives apply.

That's why working with a work incentives planner is really important, because they can make some predictions for you based on the information that you have. If you have an estimate of what you're earning, what your earnings will be, they can make some estimates of when your trial work periods will be triggered, eligibility, and the re-entitlement period.

But this form doesn't get turned over every month. It gets turned in when Social Security is making decisions about someone's work activity. It's a work review, very different from a medical review.

So for people who are working, you report monthly gross wages. Right. And in that form you'll provide information about your monthly gross wages.

And then the questions ask you about work incentives. You may not understand what the questions are asking, but they're actually asking about work incentives. All of these wonderful work incentives.

Same with self-employment, you report your net earnings from self-employment. And then they ask about all these wonderful work incentives. So now you could, if you're a worker, working for an employer, you could report monthly.

But again, what's going to happen is that eventually Social Security will send you the work activity report to fill out.

And you're reporting gross wages for people who are working. Net earnings for people who are self-employed.

So any time you have earnings or any change in your income from earnings, you should be reporting that to Social Security. Now, that's the advice we provide, right? Because we don't know what you're earning.

I can't tell you whether you should or shouldn't report. But you should always report any changes or earnings to Social Security.

It's possible that you're working under that Trial Work Period and it doesn't impact you in any way. That might be true.

But I don't know that. So we always give the advice to report earnings to Social Security. I wouldn't be able to tell you whether you should or shouldn't report. You are required to report changes in earnings or any time you have income -- new income.

Yeah, so this is a really good question that someone has about impairment-related work expense. What if instead of purchasing a piece of equipment I paid over time and I have a monthly payment? Absolutely. That can be spread out over a period of time so that it can be used as an impairment-related work expense.

I think you'll want to plan for that, make sure you know how long you could use it for. And see what difference it makes

in -- in whether you're working over SGA. Because you could spread it out over a shorter period of time rather than a longer period of time.

Yeah, so during the EXR, it's an on-and-off provision. The first -- when you first get on EXR, it's an on-and-off provision.

Very similar to the re-entitlement period. You can be receiving benefits if you're below SGA. If you're -- if you're working over SGA, then your benefits will pause or stop.

And then once you accumulate 24 months of benefits, remember they don't have to be consecutive, you'll get a new Trial Work Period.

This is a really good question. Do people have to sign up to use a Trial Work Period? No, you have to report earnings to Social Security. And then again, Social Security makes these decisions looking back in time. They have you fill out a work activity report, that's what comes in the mail.

And then -- and they make those decisions about whether you've used a Trial Work Period.

So it's good to know, you know, if you're working with the work incentives planner, it's good to have some indication of what the future looks like, what to expect.

But if you're not and you're working on your own on this, just know that when you report your earnings to Social Security, they will send you a work activity report to determine whether you're working -- used a Trial Work Period and whether you're working over SGA.

Yeah, so people may not know essentially when they're going to make money because maybe it's a product that they've created. And so Social Security would want to know the effort that you made in creating that product before -- when you sell it. Eventually you'll sell it, right?

So I think you can kind of explain to Social Security when you actually put the effort into that product. I created that product in July, right?

That's when I worked on this product. And so you can say the money that I received in August is actually report for the product that I created and worked in July for, right.

They want to know what you get paid for the work that you do and the work was done in July.

So someone is asking about the Ticket to Work program. We didn't talk about the Ticket to Work program. The Ticket to Work program, what I talked about the Ticket to Work legislation briefly. The Ticket to Work program allows people to get services to help them get employment. That's what the Ticket to Work is.

It's receiving services either from are vocational rehabilitation or an employment network to get back into the workforce.

So they might provide assistance with helping you start your own business. Maybe they specialize in helping people create business plans, they might help you with resume preparation. So they can provide different services to the Ticket to Work program.

So we didn't talk about that, but that's what the Ticket to Work program is. No matter how you get to work and if you're on Title 2, these apply. Whether you're getting help from family and friends, you're doing this on to run a business, whether you get help from an employment network, VR, no matter how you get to work, these work incentive rules will apply to you.

All right. Somebody has a really large fact pattern, so let me see if there's some shorter ones before I get to that one.

Yeah, so someone is asking about being -- someone is asking about being on both Title 2 and SSI. And whether they communicate when you report earnings. Not always, yeah.

And I've seen it happen. I don't know how -- if it got any better at this. It's been a while since I've helped someone report earnings when they're on both benefits. But the left hand doesn't talk to the right hand. And it's unfortunate.

So you know, it has to be reported to each program. One of the best ways of reporting, I don't really know if this is as accurate as I want it to be, but one of the best ways is to use your my SSA account. Once you report to Social Security that you're working, you're an employee or you have a self-employed business, you could report your earnings through your my SSI portal.

The problem with that is Social Security is not always looking at that information. They may not look at it until somebody gets to it, you know what I mean? You have to be really proactive if you're concerned.

If you're seeing that you're getting contacted by Title 2 but not SSI, you may need to make a phone call or an appointment to your local office to see what's going on, why is SSI not receiving this information.

Especially if you know that there should be changes to your SSI benefit amount.

So some employment networks do have benefits planners on staff, so they could help with work incentives planning.

There's also -- there's a lot of resources out there for work incentives planning. If people aren't familiar with this, work incentives planning is -- which is the course we teach, is helping people who are on these benefits understand the work rules and how they apply to them specifically.

So there's the WIPA program, and the WIPAs are funded by Social Security. And then employment networks also have work incentive planners on staff.

Oh, great question. How do you find a work incentive planner?

Well, you can go to the Ticket to Work website. It's called choose work -- I can't remember it off the top of my head. But choose work is the Social Security Ticket to Work website.

And there's a search engine in there, and in there you can search for whatever you're looking for. If you're looking for work incentives benefit counselor -- thank you, Laura -- if you're looking for work incentives planning, employment network, you can use the search engine and it should pop up someone in your community that does work incentive planning that's available to you either through the WIPA program or through an employment network.

Great question.

Does Social Security make mistakes? Yes. Someone's asking a very specific question, but it's about a mistake.

Yeah, Social Security does make mistakes, unfortunately. And so you always want to try to understand what the mistake is so that you can see how you address it.

How much -- how many more minutes do we have? Do we want to stop at the top of the hour so I'll take a couple more questions? Okay.

>> NIKKI POWIS: Yeah, Aleyda, we want to do a couple minutes of closing, but you can take a couple more questions.

>> ALEYDA TORUNO: Okay, I'm going to see if I can understand this fact pattern here.

Okay. So yeah, so this is a really good point. So Social Security now, and people may not know this. This is relatively new. Is that you actually might be giving Social Security permission to access employer information directly through your employer. It's possible that you will be told by Social Security that you don't have to report each month because they're going to get the information directly from your employer.

Right. So the problem with that is, is that you still have work incentives that you might need to report. So even if you don't have to report earnings because they've told you that they're going to contact your employer directly, they're not going to apply those work incentives unless you report them to Social Security.

So anyways, just keep that in mind. The name of the process, I forget, the employer exchange -- employer exchange -- I forgot what the P stands for. Exchange information, something like that.

But you should have a copy of a document that you sign saying that you're good with them contacting your employer. Okay. So that is a reality is that they can contact your employer directly if you've given that permission. And you may not know that you've given them that permission.

Now, again, I always -- the advice we always provide is report, report, report. Because even if you're not going over SGA, I don't know if you worked over SGA in the past -- I'm sorry, if you worked over the Trial Work Period in the past and used your Trial Work Period in the past.

So always report, report, report.

All right. This is a -- this is a question I know I'll have to answer afterwards. Okay.

I think we're going to stop here with questions, if you want to move on to closing. Oh, my goodness, there's so many questions still.

>> NIKKI POWIS: I know. I know. This always happens every time we have a Social Security workshop. We're very familiar. And please, please, please if your question did not get answered, we will take a look at all of those, we will get back with Aleyda, we will make sure we get expert advice and then send out the information to you.

So it will get answered, just not today.

And a reminder that there is a recording of this. I know that the team have put that in the chat. So if you want to go back and revisit, I know it's a lot of information, it's really fast, a lot to absorb. So by all means, watch the recording, look at the PowerPoint, look at the transcript, whatever you need to do to make sure that you get that.

And we will send out the answers.

Okay. Well, those of you that have been with us before know that we do a webinar every single month. And remember if you want more information on SSI, today we did the Title 2, but SSI, then that will be April 15th. And Cornell will be back with Debora to give us that information.

We always want to know how you feel about what information we're providing, what our workshops are doing, and if there's things that you really would love us to get an expert on that we haven't done yet.

So please do complete that satisfaction survey. There's a QR Code that just popped up on your screen or when you get your follow-up email you will have an opportunity then to do it as well.

So tell us what you think, even if it's not great. We're happy to take anything you want to tell us. So please take a moment and do that.

And remember, April 15th, join us again for the SSI. And again, Aleyda, thank you so much. You know this is always such a complex topic and it's, you know, really hard to -- I've been through training and I still don't understand it. (Laughing).

Okay. Well, we got some great comments. Thank you. Great job. All of those things in the chat. So everybody have a wonderful evening. Thanks for joining us. And hopefully we'll see you next time.

(Session ended at 3:58 p.m. ET)

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