

*Policy and Practice Brief:*

**Supporting the Employment  
Outcomes of SSI and SSDI  
Beneficiaries in Section 8 or  
Subsidized Housing**

**A Model of Policy Supporting Effective Employment Practice**

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This is one of a series of articles written for benefits specialists employed by Benefits Planning, Assistance and Outreach projects and attorneys and advocates employed by Protection and Advocacy for Beneficiaries of Social Security programs. Materials contained within this policy brief have been reviewed for accuracy by the Social Security Administration (SSA), Office of Employment Support Programs and Housing and Urban Development (HUD). However, the thoughts and opinions expressed in these materials are those of the author and do not necessarily reflect the viewpoints or official policy positions of the SSA and/or HUD. The information, materials and technical assistance are intended solely as information guidance and are neither a determination of legal rights or responsibilities, nor binding on any agency with implementation and/or administrative responsibilities.

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The last decade has seen a tremendous growth in the expansion of policies and practice supporting the employment of people with disabilities. This brief explores three federal employment support initiatives that when interfaced with one another have the potential to provide a beneficiary of Social Security Administration disability benefits the incentives and supports needed to result in an effective employment outcome. These essential provisions include the Family Self-Sufficiency Program administered by the United States Department of Housing and Urban Development (HUD); the Ticket to Work and Self-Sufficiency Program administered by the Social Security Administration; and, the Benefits Planning, Assistance and Outreach infrastructure/network sponsored by the Social Security Administration. This brief will detail how the programs can support one another and can lead to mutual gains not only for the beneficiary being served but also for other stakeholders like Public Housing Authorities and the federal and state agencies charged with the administration of these programs.

## Family Self-Sufficiency Program

The Family Self-Sufficiency (FSS) Program was enacted in 1990 by Section 554 of the National Affordable Housing Act.<sup>1</sup> The Program was intended to provide incentives for participation in employment training programs to encourage consumer savings and to reduce the public costs associated with the provision of supportive housing. The Family Self-Sufficiency Program is targeted for low income families that have Section 8 Certificates and/or Vouchers or live in subsidized public housing. Tenants in Section 8 project-based programs are ineligible. The FSS program promotes the development of local strategies to coordinate the use of rental subsidies with public and private resources to help participants become self-sufficient through education, training, case management and other supportive services.<sup>2</sup> The Program is plan-driven with two main features, case management services to support employment preparation and attainment<sup>3</sup> and an escrow account<sup>4</sup> in which the public housing authority deposits the increased rental charges a family experiences as their earnings from employment increase and impact the amount of their monthly rental costs.<sup>5</sup> While enrolled in the program, families will pay an increased amount for rent (i.e., their tenant's share will increase) as their earnings increase. However, if the family increases their earnings from work, an amount equal to 30% of their net countable increase in income will be deposited in an escrow account that a participant can access to support their Training and Service Plan or be withdrawn upon program completion.<sup>6</sup>

Section 8 FSS program funds (escrow deposits) come from the Housing and Urban Development's Section 8 Rental Assistance Program, and remain the property of Housing and Urban Development until such time as the family reaches their program goals. While some purport that implementation of the Family Self-Sufficiency Program comes at little or no cost to the Private Housing Authorities as it is subsidized by Housing and Urban Development, fewer than half of housing authorities offer this program to their residents<sup>7</sup> and when the Program is offered it is done so on a limited basis. As a result, fewer than five percent of children and families in the Public Housing and Section 8 Voucher programs currently participate in the FSS program.<sup>8</sup> Further, many Public Housing Authorities report having limited experience in providing tenants with benefits planning and assistance beyond Housing and Urban Development and public Welfare benefits to aid them in making informed choices about preparing for, attaching to and/or advancing in employment.

<sup>1</sup> 42 U.S.C. § 1437u.

<sup>2</sup> Building Family Assets. Washington, DC: Housing and Urban Development. See also 24 C.F.R. §§ 984.101(a)(1) and 984.102.

<sup>3</sup> *Id.* § 984.103(b).

<sup>4</sup> *Id.* § 984.305.

<sup>5</sup> Golden, T.P., O'Mara, S., Ferrell, C., & Sheldon, J. (2002). Supporting Career Development and Employment for Individuals with Disabilities: The role of benefits planning, assistance and outreach and protection and advocacy for beneficiaries of social security. Cornell University's Program on Employment and Disability: Ithaca, NY.

<sup>6</sup> 24 C.F.R. § 984.305(c)(i).

<sup>7</sup> Sard, B. (2001). The Family Self-Sufficiency Program: HUD's best kept secret for promoting employment and asset growth. The Center on Budget and Policy Priorities: Washington, DC.

<sup>8</sup> *Id.*

It is important to note that while these programs serve low-income families that some portion of participants in Public Housing and Section 8 Voucher Programs are individuals with disabilities who receive either Supplemental Security Income (SSI) and/or Social Security Disability Insurance (SSDI). According to HUD's Office of Policy Development and Research roughly 9% of individuals in public housing were beneficiaries of Social Security Administration benefits (approximately 100,000) in 1999. Approximately 8% of individuals in tenant-based Section 8 housing in 1999 (roughly 113,000) were also beneficiaries of Social Security Administration benefits.<sup>9</sup> This significant number of Program participants who receive these benefits are also likely to be eligible to participate in the Social Security Administration's Ticket to Work and Self-Sufficiency Program—providing another link in the chain of needed employment supports. However, it is important to note that some may be receiving either SSI or Social Security based on their age instead of disability status, inadvertently making them ineligible for the Ticket to Work Program. It is the sub-cohort of individuals in the Section 8 public housing programs who are likely to benefit from the package of services and supports we will highlight below that when combined with the Family Self-Sufficiency Program can provide a viable and incentivized door to employment.

## Ticket to Work and Self-Sufficiency Program

The Ticket to Work Program is a provision of the Ticket to Work and Work Incentives Improvement Act that was signed into law on December 17, 1999.<sup>10</sup> This voluntary program was enacted to provide beneficiaries with disabilities who receive SSI and SSDI access to vocational rehabilitation, employment service, and/or other supports needed to achieve an employment outcome. The program operates through a network of service providers called "Employment Networks" and State Vocational Rehabilitation Agencies who are recruited and approved for providing services by the Social Security Administration and the program manager, MAXIMUS, Inc.<sup>11</sup> The program is being rolled out nationally over the next two years and as the program is implemented in a roll out state, eligible SSI and SSDI beneficiaries receive a "Ticket" in the mail which in turn can be deposited with the Employment Network or State Vocational Rehabilitation Agency of their choosing.

Currently the program is active in the following states: Arizona, Colorado, Delaware, Florida, Illinois, Iowa, Massachusetts, New York, Oklahoma, Oregon, South Carolina, Vermont, and Wisconsin, Connecticut, New Hampshire, New Jersey, Washington DC, Virginia, Georgia, Kentucky, Mississippi, Tennessee, Indiana, Michigan, Louisiana, New Mexico, Kansas, Missouri, Montana, North Dakota, South Dakota, Nevada, and Arkansas. The remaining states will roll out in 2003 and include: Maine, Rhode Island, Maryland, Pennsylvania, West Virginia, Alabama, North Carolina, Minnesota, Ohio, Texas, Nebraska, Utah, Wyoming, Idaho, Washington, Puerto Rico, Virgin Islands, American Samoa, California, Guam, Hawaii, and the Northern Mariana Islands. As a state rolls out the program, Tickets will be mailed to eligible beneficiaries within specific states over a period of four months with 10% the first month, 20% the second month, 30% the third month and the remaining Tickets in the fourth month.

Once a beneficiary has selected an Employment Network or State Vocational Rehabilitation Agency to work with and that provider has agreed to accept their Ticket, together the beneficiary and provider work to develop an Individual Work Plan.<sup>12</sup> This plan outlines the services and supports to be provided that will enable the beneficiary to reach their preferred

<sup>9</sup> RRR October 2000. New Facts About Households Assisted by HUD's housing Programs. Referenced from [http://www.huduser.org/periodicals/rrr/rrr\\_10\\_2000/1000\\_6.html](http://www.huduser.org/periodicals/rrr/rrr_10_2000/1000_6.html) on July 10, 2002.

<sup>10</sup> Public Law 160-170, 42 U.S.C. § 1320b-19.

<sup>11</sup> 20 C.F.R. §§ 411.230-411.245.

<sup>12</sup> *Id.* § 411.450-411.470.

employment objective—similar to the one developed under the Family Self-Sufficiency Program. Once the plan is agreed to and submitted to MAXIMUS, Inc. (the program manager), the Employment Network and beneficiary implement the plan and work toward the employment objectives established. The beneficiary's Individual Work Plan clearly outlines the terms and conditions of the Ticket relationship. Once a beneficiary is working and meets certain employment criteria, the Employment Network is paid a portion of the savings to the Social Security Administration for having supported the beneficiary's employment outcome. In the case of Family Self-Sufficiency Programs serving SSI and SSDI beneficiaries, this is potential program income that can offset the cost of offering case management services and supports and can underwrite the other costs and expenses associated with serving SSI and SSDI beneficiaries under the Family Self-Sufficiency Program. Further, these financial resources could be used to offer further financial incentives to FSS participants to achieve their full employment potential.

Any agency or an instrument of a state (or political subdivision), or a private entity that takes responsibility for the coordination or the actual delivery of services is eligible to apply to be an Employment Network. An employment Network can be a single entity, a consortium, or an association of organizations collaborating to combine resources to serve Ticket-holders. Examples of organizations that may wish to become Employment Networks include, but are not limited to:

- Employers that offer (or arrange for) job training, vocational rehabilitation, support, retention, or other types of job-related services and/or assistance for individuals with disabilities.
- Public or private entities that can directly provide or arrange for appropriate employment services including job readiness, placement, VR, training, support and/or retention services for individuals with disabilities.
- One Stop delivery systems established under the Workforce Investment Act.
- State Vocational Rehabilitation Agencies under Title I of the Rehabilitation Act of 1973.
- Organizations administering Vocational Rehabilitation Service Projects for American Indians with disabilities authorized under special sections in Title I of the Rehabilitation Act of 1973, as amended.
- Alternate Participants currently operating under contract with SSA.
- Public or private schools providing appropriate employment-related skills training, vocational rehabilitation services, transitional education or career development services or programs.

Public Housing Authorities could qualify as an Employment Network as long as they are not staffed by Federal government employees, especially those Housing Authorities already engaged in the Family Self-Sufficiency Program and coordinating services for beneficiaries of SSI and SSDI. For more information and an application for becoming an Employment Network, visit MAXIMUS online at [www.yourtickettowork.com](http://www.yourtickettowork.com). This website offers helpful information on what the Ticket to Work and Self-Sufficiency Program is, how to participate, on-line directories and information, data regarding number of individuals (both beneficiaries and Employment Networks) participating in the program, as well as on-line training.

It is important to note that a Public Housing Authority can participate in the Ticket to Work Program in several ways: as an Employment Network themselves; as a service provider under someone else's Employment Network; or, both. For example, all State Vocational

Rehabilitation Agencies have signed on as Employment Networks with the Social Security Administration. A Public Housing Authority could approach its State Vocational Rehabilitation Agency and/or any other Employment Network serving its geographic vicinity and establish a collaborative agreement establishing the Public Housing Authority as a provider of services and supports under their network. This collaborative agreement should cover sharing of risks, resources and responsibilities and clearly delineate partner roles. In the case of a Public Housing Authority staffed by Federal employees this option may be particularly of interest.

## Benefits Planning, Assistance and Outreach

The Ticket to Work and Work Incentives Improvement Act also included a provision that required the Social Security Administration to establish a national infrastructure for providing beneficiaries of SSI and SSDI with benefits planning and assistance.<sup>13</sup> Toward that end SSA has established cooperative agreements with 116 community organizations called Benefits Planning, Assistance, and Outreach (BPA&O) projects. These BPA&O projects provide all SSA beneficiaries with disabilities (including transition-to-work aged youth) access to benefits planning and assistance services. Cooperative agreements were awarded throughout every State, The District of Columbia, and the U.S. Territories of American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands.

The goal for providing this level of community support is to assist beneficiaries in making informed choices about work. Personnel within these projects have received extensive training to enable them to provide work incentives planning and assistance, conduct outreach to those who are potentially eligible to participate in Federal or State work incentives programs, and work in cooperation with Federal, State, and private agencies and nonprofit organizations that serve beneficiaries with disabilities—this includes Public Housing Authorities. Each individual BPA&O project is charged with serving a specific geographic area, providing national coverage across the 116 projects. While these projects can only serve beneficiaries of SSI and SSDI, their planning and assistance expertise goes beyond just SSI and SSDI and includes other federal and state benefit programs such as Temporary Assistance for Needy Families, HUD subsidy programs, Medicaid, Unemployment Insurance, Worker's Compensation, Earned-Income Tax Credit, and others.

As mentioned earlier, many Public Housing Authorities report not having the expertise and human resources necessary to enable the cohort of their population that receive SSI and SSDI to consider work and participation in the Family Self-Sufficiency Program. Working in tandem with the BPA&O project serving their local catchment area, Public Housing Authorities can gain access to much needed benefits planning and assistance expertise at no charge while helping tenants who receive SSI and SSDI make better informed decisions regarding work. A listing of BPA&O Projects across the country is available online at: [www.ssa.gov/work/ServiceProviders/BPAODirectory.html](http://www.ssa.gov/work/ServiceProviders/BPAODirectory.html)

<sup>13</sup> 42 U.S.C. § 1320b-20.

## Comparing the Ticket to Work and the Family Self-Sufficiency Program

The following side-by-side comparison identifies common criteria, goals and objectives of both programs illustrating the complimentary nature of the policies and procedures governing them both. Contrasted and compared are: outreach, eligibility, service planning, plan implementation and service delivery, outcome requirements and program goals, and payment options. In addition the right column details specific BPA&O services and interventions that can support both programs in achieving their preferred employment outcomes.

Family Self-Sufficiency Program	Ticket to Work and Self-Sufficiency Program	Benefits Planning, Assistance and Outreach Services
<b>Outreach</b>		
<p>Individuals considered eligible for the Family Self-Sufficiency Program are selected from current tenants with Section 8 Vouchers or Certificates and tenants in public housing.<sup>14</sup></p> <p>Public Housing Authorities do direct outreach although some individuals may be referred from outside agencies for participation as in the case of a tenant who may be working with an outside vocational rehabilitation program or BPA&amp;O project who think the incentive will assist the person in meeting their employment objective.</p>	<p>All individuals eligible for a Ticket under the Ticket to Work and Self-Sufficiency Program will receive their Ticket in the mail. As referenced above, states will be selected for roll out of this program in three phases.</p> <p>Along with their Ticket beneficiaries will receive a letter describing the program with directions for contacting the program manager MAXIMUS to identify an Employment Network near them.</p> <p>Many individual states also developing user-friendly resource brochures to assist beneficiaries in navigating the employment world as well.</p>	<p>BPA&amp;O projects can provide several services and supports to assist with outreach. BPA&amp;O Projects have an active understanding of beneficiaries in their catchment area currently interested in considering work. These are individuals who potentially may already have a Ticket available for deposit and will work with their customers to understand the options available to them in considering who to deposit their Ticket with. Further these individuals may already be engaged in the Ticket to Work Program which inadvertently would support their participation in the Family Self-Sufficiency Program, achieving outcomes for both programs.</p> <p>BPA&amp;Os can also assist their customers in understanding how their benefits will be impacted by work and can assist them in developing a benefits analysis to weigh their options as well as develop a support plan to get there.</p> <p>Finally, BPA&amp;O Projects conduct outreach efforts. These efforts may include, but not be limited to community education programs on specific work incentives as well as intentional outreach to targeted populations.</p>

<sup>14</sup> 24 C.F.R. § 984.101(a)(1).

Family Self-Sufficiency Program	Ticket to Work and Self-Sufficiency Program	Benefits Planning, Assistance and Outreach Services
<b>Eligibility</b>		
<p>Eligibility for the program may vary by housing agency. However, most programs serve individuals with Section 8 vouchers or certificates. Some Housing Authorities may also run the program for families in public housing.</p> <p>Under this program families must comply with the terms of their lease. In addition, the family head of household must sign and complete a five-year contract outlining steps to self-sufficiency.<sup>15</sup> Family members must follow and/or update goals in order to continue on the program.<sup>16</sup></p> <p>Families living or participating in other types of subsidized housing are not eligible for program participation. There is no requirement for families to be on any form of welfare or other type of financial assistance to qualify.</p> <p>Generally, the program is voluntary<sup>17</sup> although under some special circumstances a program's participation may be required.<sup>18</sup> An individual eligible for this program may inadvertently because of their benefits status also be eligible for a Ticket.</p>	<p>To be eligible for the Ticket to Work Program an individual must meet several criteria:<sup>19</sup></p> <ul style="list-style-type: none"> <li>• Be 18-64 years of age</li> <li>• If an SSI recipient, be eligible for a disability payment under the adult disability standard</li> <li>• Be receiving a SSI or SSDI cash benefit based on disability</li> <li>• If having a disability where medical improvement is expected, have completed at least one Continuing Disability Review</li> <li>• Not be receiving: "301 payments;" benefits while appealing a medical cessation; provisional cash benefits while SSA is considering an expedited reinstatement; and/or, presumptive disability payments</li> <li>• Individuals also must reside in a Ticket State</li> </ul> <p>The Ticket to Work Program is voluntary and beneficiaries are not required to participate.</p>	<p>Again, BPA&amp;O Projects can provide invaluable services to assist either a Housing Authority operating a Family Self-Sufficiency Program or Employment Networks operating under the Ticket to Work Program in understanding an individual's eligibility for either program.</p> <p>BPA&amp;O Projects typically compile a benefits analysis on the beneficiaries they serve. This analysis is based upon an in-depth profile compiled by a benefits specialist in which they explore the beneficiary's financial status, future outlook and direction, insurance status, public benefits status and other critical areas. From this they conduct an analysis and generate a report to assist the individual in understanding the impact of their life and work choices on their current benefit status as well as develop an income needs profile detailing the level of income a person would need to have to offset the loss of public benefits.</p> <p>As part of the benefits analysis process the benefits specialist is well equipped with information pertaining to programs, services, and supports the beneficiary may be eligible for and can assist that individual in packaging services, supports and work incentives together to support their preferred employment outcomes.</p>

<sup>15</sup> *Id.* § 984.303(a) and (c).

<sup>16</sup> *Id.* § 984.303(b)(5)(ii).


<sup>17</sup> *Id.* § 984.201(c)(1)(ii).

<sup>18</sup> *Id.* § 984.101(b). See also *id.* § 984.301.

<sup>19</sup> 20 C.F.R. § 411.125(a).



Family Self-Sufficiency Program	Ticket to Work and Self-Sufficiency Program	Benefits Planning, Assistance and Outreach Services
<b>Service Planning</b>		
<p>Each participating family must sign a contract that is typically five years in duration.<sup>20</sup> The family decides short and long term goals and objectives with their program coordinator that will guide the family toward self-sufficiency.<sup>21</sup> These goals and objectives are incorporated into a Training and Service Plan.</p> <p>The Training and Service Plan must build interim goals for the participant to deal with the supports and services the individual will need to attain their employment objective as well as salary and benefits benchmarks. Two goals that should be built into the Training and Service Plan are related to specific desire outcomes. One goal is to become free from welfare assistance<sup>22</sup> (defined in regulations as income assistance under the Temporary Assistance for Needy Families Program or a state program of general assistance)<sup>23</sup> for at least 12 months prior to the end of the contract period (or completion of the goals if sooner).<sup>24</sup> A final goal should be that of “suitable employment.”<sup>25</sup></p> <p>The Training and Service Plan can be amended as needed and agreed to by all parties.<sup>26</sup></p>	<p>Once a SSI and/or SSDI beneficiary has assigned their Ticket to an Employment Network and that Employment Network has agreed to accept the individual’s Ticket an Individual Work Plan must be developed and submitted to MAXIMUS, the program manager.<sup>27</sup></p> <p>The Individual Work Plan must be developed in partnership with the beneficiary a right to exercise informed choice in selecting their preferred employment objective. The purpose of the Plan is to outline the specific employment services, vocational rehabilitation and/or other support services that the Employment Network beneficiary agree are necessary to achieve the desired employment outcome.</p> <p>At a minimum the Plan must include: a vocational goal; services and supports needed; terms and conditions; and, statements of conditions pertaining to compensation limitations, dispute resolution, and beneficiary rights.</p> <p>The Individualized Work Plan can be amended as needed and agreed to by all parties.</p>	<p>As part of the benefits analysis conducted by the BPA&amp;O Project, many benefits specialists develop an employment profile. The employment profile clearly outlines specific details that could be extremely useful in designing an individualized service plan to assist the person in achieving their employment aspirations.</p> <p>An Employment Profile may include, but not be limited to: earnings requirements; preferred jobs or fields of interest; preferred employment settings; health insurance requirements; benefit package preferences; as well as, other employment indicators such as preferred cultural aspects of the employment setting, pace of work, supervision preferences, specific accommodations, etc.</p> <p>In addition, BPA&amp;O Projects may prove an important support as the individual moves from plan development into plan implementation and actually begins working. BPA&amp;O Projects provide benefits assistance that goes beyond initial benefits analysis to assisting with, or referring for, long-term management supports like proactive benefits monitoring to ensure a smooth transition to self-sufficiency.</p>

 <sup>20</sup> 24 C.F.R. § 984.303(c).

<sup>21</sup> *Id.* § 984.303(b)(2).

<sup>22</sup> *Id.*

<sup>23</sup> *Id.* § 984.103.

<sup>24</sup> *Id.* § 984.303(b)(2).

<sup>25</sup> *Id.* § 984.303(b)(4)(i).

<sup>26</sup> *Id.* § 984.303(f).

<sup>27</sup> See generally, 20 C.F.R. §§ 411.450-411.470.

Family Self-Sufficiency Program	Ticket to Work and Self-Sufficiency Program	Benefits Planning, Assistance and Outreach Services
<b>Plan Implementation / Service Delivery</b>		
<p>As a family engages in implementation of a Training and Service Plan they must pay particularly close attention to specific roles and responsibilities detailed in the Plan as well as timelines outlined. They are responsible for complying with their Plan and reporting Plan activity and increased earnings to the Housing Authority.</p> <p>As the Plan is being implemented the Housing Authority must provide case management services to link participants to services and supports articulated in the Plan. These services and supports may be provided by the Housing Authority or some other community agency. Further they must maintain the family's escrow account and invest it in approved investments.<sup>28</sup> They are responsible for evaluating requests for escrow withdrawals which can be used to support plan implementation<sup>29</sup> and finally has responsibility for determining whether a family has successfully completed the contract and if so distribute the remaining escrow funds accordingly with interest.<sup>30</sup></p> <p>Participants in the Program will receive annual escrow statements notifying them of the status of their account—serving as an incentive to continued participation and serving as an incentive to continued participation and compliance with their contract/plan.<sup>31</sup></p> <p>Just as a Section 8 housing choice voucher is portable, so is this program in case the of family needs to move to another jurisdiction during Plan implementation.<sup>32</sup></p>	<p>The Individual Work Plan (IWP) clearly details roles and responsibilities of both the beneficiary, the Employment Network and other community service providers the Employment Network may have collaborative agreements with. Both parties are responsible for complying with the terms and conditions of the IWP. The beneficiary and Employment Network are also responsible for tracking earnings and reporting them to the local Social Security Office and MAXIMUS respectively. In addition the Employment Network will have some additional administrative and financial reporting to do to MAXIMUS.</p> <p>While the Plan is being implemented, as long as the beneficiary is “using their Ticket,” they are also provided additional protections from Continuing Disability Reviews, which the Social Security Administration conducts to ensure that the beneficiary continues their entitlement to benefits. To access this protection, a beneficiary must be engaged in specific activity based on the point in time they are in their Plan Implementation. During the initial 24 months the beneficiary must be actively engaging in their Plan.<sup>33</sup> During the next 12 months they must work above a specified earnings amount for three months which can have occurred during the 24 months.<sup>34</sup> During the next 12 months they must work for six months above a specified earnings level and for subsequent 12 month periods must be working for six out of 12 months and not getting a cash benefit.<sup>35</sup></p>	<p>As referenced above, many BPA&amp;O Projects provide proactive benefits supports. These supports range from assistance with reporting earnings and work activity to information and referral when needed to assist with crises that may arise. As part of these efforts BPA&amp;O Projects maintain close communication with local Social Security Offices and can often serve as an intermediary on benefits issues too complex for the beneficiary to sort through on their own.</p> <p>Benefits specialists are skilled at counseling and providing ongoing benefits assistance to beneficiaries—supporting the beneficiary as they negotiate the world of work. Often crises may arise in a beneficiary's life or earnings may have an unexpected impact on a person's financial wellbeing through no fault of their own. At these times it is critical that the beneficiary have access to ongoing supports as crisis situations can often have negative ramifications on a person's willingness to continue program participation.</p> <p>The BPA&amp;O Project can also serve as a catalyst to connect the beneficiary to protection and advocacy services provided through State Protection and Advocacy Agencies. This essential support can provide the beneficiary with dispute resolution supports and legal representation in the case that the individual experiences discrimination as a result of their disability while attempting to work. A listing of Protection and Advocacy programs for Beneficiaries of Social Security is available at: <a href="http://www.ssa.gov/work/ServiceProviders/PADirectory.html">http://www.ssa.gov/work/ServiceProviders/PADirectory.html</a></p>

<sup>28</sup> 24 C.F.R. § 984.305(a)(1).

<sup>29</sup> *Id.* § 984.305(c)(2)(ii).

<sup>30</sup> *Id.* § 984.305(c)(1) and 984.305(c)(2)(ii).

<sup>31</sup> *Id.* § 984.305(a)(3).

<sup>32</sup> 24 C.F.R. § 984.306.

<sup>33</sup> 20 C.F.R. § 411.180(c)(1).

<sup>34</sup> *Id.* §§ 411.180(b)(2) and 411.185(a)(1).

<sup>35</sup> 20 C.F.R. §§ 411.185(a) and (b).

Family Self-Sufficiency Program	Ticket to Work and Self-Sufficiency Program	Benefits Planning, Assistance and Outreach Services
<b>Outcome Requirements/Program Goals</b>		
<p>A participant in the Family Self-Sufficiency Program must meet the following criteria to be considered successful and be able to access and withdraw their escrow account:</p> <ul style="list-style-type: none"> <li>• Complete the goals and objectives outlined in their Contract and Training and Service Plan</li> <li>• Seek and maintain employment after they have completed any education or vocational training outlined in their Training and Service Plan<sup>36</sup></li> <li>• Become independent from welfare support and remain independent for at least the final 12 months of their Contract.<sup>37</sup> Welfare support for the purpose of the FSS program is defined income assistance from Temporary Assistance for Needy Families (TANF) and/or a state assistance program. This does not include food stamps, medical or child care assistance, short-term TANF benefits, or Social Security Administration disability benefits (SSI and/or SSDI).<sup>38</sup></li> </ul> <p>In certain cases a family may complete participation in the program if their income exceeds a certain amount.</p> <p>If a participant does not successfully complete the program or is unable to fulfill their contract goals they can: request up to a two-year extension but only in the case of good cause;<sup>39</sup> forfeit their escrow account;<sup>40</sup> lose their Section 8 subsidy;<sup>41</sup> or possibly reenroll.</p>	<p>As articulated in the section above, the purpose of the Ticket to Work and Self-Sufficiency Program is to support beneficiaries in obtaining employment that is adequate to cease their receipt and reliance on SSI and/or SSDI cash benefits.</p> <p>In addition to criteria explained above in regard to Continuing Disability Review protections, an Employment Network will not receive a payment for outcomes achieved until the beneficiary's employment meets prescribed income levels.</p> <p>These levels are dependent on the payment system selected by the Employment Network or State Vocational Rehabilitation Agency and includes three options: an outcome payment; a milestone outcome payment; and cost-reimbursement. The latter is an option only available to State Vocational Rehabilitation Agencies though.<sup>42</sup></p> <p>The payment systems and required earnings levels are outlined below.</p>	<p>The primary objective of the BPA&amp;O Projects is to support informed decision making on the part of the beneficiary. Services and supports provided by the Project should culminate in a beneficiary being able to make an informed choice about whether or not to prepare for, attach to, advance in, or possibly even reduce or terminate employment.</p> <p>Supporting the beneficiary in this employment decision making process is an essential support and should serve as a foundation to both the Family Self-Sufficiency and Ticket to Work Program.</p>



<sup>36</sup> 24 C.F.R. § 984.303(b)(4)(ii).

<sup>37</sup> *Id.* § 984.303(b)(2).

<sup>38</sup> *Id.* § 984.103.

<sup>39</sup> *Id.* § 984.303(d).

<sup>40</sup> *Id.* § 984.305(f).

<sup>41</sup> *Id.* § 984.303(b)(5)(iii).

<sup>42</sup> 20 C.F.R. §§ 411.505 and 411.510.

Family Self-Sufficiency Program	Ticket to Work and Self-Sufficiency Program	Benefits Planning, Assistance and Outreach Services
<b>Payment Options</b>		
<p>While Housing and Urban Development pays for the deposits to participants escrow accounts many housing authorities do not realize that Housing and Urban Development also provides funding for Family Self-Sufficiency Coordinators charged with administering the program.</p> <p>Housing and Urban Development supports these positions in two ways. In 2001 Housing and Urban Development nearly doubled the amount of funds available for Section 8 Family Self-Sufficiency Coordinators compared to recent years. With \$45,000,000 currently available, Housing and Urban Development expects to fund at least one coordinator for each Section 8 Family Self-Sufficiency Program with 25 or more approved slots.<sup>43</sup> In addition, Family Self-Sufficiency Programs administered by Public Housing can seek reimbursement for the cost of Coordinators through the Performance Funding System that is available for both mandatory and voluntary Family Self-Sufficiency Programs.</p> <p>Clearly Housing agencies can also use additional funds from other sources to pay for the costs of operating and administering a Family Self-Sufficiency Program. Beyond more traditional sources like TANF, the Ticket to Work Program clearly provides a source of revenue for a cohort of Section 8 families who receive SSI and/or SSDI.</p>	<p>The Ticket provides evidence of SSA's agreement to pay an Employment Network or State Vocational Rehabilitation Agency to which a beneficiary's Ticket is assigned for providing services and supports to the beneficiary under the Ticket to Work Program if certain conditions are met. Given the Cost-Reimbursement Payment Option is only available to State Vocational Rehabilitation Agencies it will not be discussed below. For the other two payment systems though the payments are based on a monthly calculation base.</p> <p>Under the Outcome Payment System, SSA will pay an Employment Network a monthly amount for up to 60 outcome payment months. To qualify for an outcome payment month a beneficiary must no longer be receiving a cash SSA and/or SSDI benefit due to earnings. The amount of the monthly outcome payment will be 40 percent of the payment calculation base<sup>44</sup> for the calendar year in which the outcome payment month occurs rounded to the nearest dollar.<sup>45</sup> In 2002 this monthly amount equals \$317 for a person receiving SSDI or both SSDI and SSI and \$191 for a person who receives SSI alone.</p> <p>For the Milestone Outcome Payment System an Employment Network can receive up to four milestone payments before converting to an Outcome Payment. When selecting the Milestone Outcome Payment System though an Employment Network will only recognize a payment based on 34% of the Payment Calculation Base (PCB). Months worked in a previous milestone period can be counted for subsequent milestones if within the specific period.</p>	<p>While the BPA&amp;O Project may not provide any direct support to either the Family Self-Sufficiency Program or Employment Network, their support for beneficiaries during the payment period is essential. Typically once an Employment Network is in payment status it means the majority of Individualized Work Plan services and supports have been provided leading to successful employment. This could translate into the beneficiary having greatly reduced or not no contact with the Employment Network beyond just reporting the earnings.</p> <p>The Ticket to Work and Work Incentives Improvement Act has a provision called Expedited Reinstatement of Benefits.<sup>46</sup> This provision ensures that a beneficiary who has been removed from the rolls and has to reduce their hours or terminate employment because of their original disabling condition can apply for provisional benefits while the Social Security Administration makes a determination as to the relationship between reduced or terminated work and the individual's original disability of record. BPA&amp;O Projects can assist beneficiaries in applying for this provisional reinstatement and also support them in reconnecting to their Employment Network if services and supports have stopped or been decreased.</p> <p>A beneficiary is entitled to provisional reinstatement benefits for a five-year window beginning with the month their cash benefits were terminated.</p>



<sup>43</sup> Sard, B. (2001). The Family Self-Sufficiency Program: HUD's best kept secret for promoting employment and asset growth. The Center on Budget and Policy Priorities: Washington, DC.

<sup>44</sup> The monthly Payment Calculation is based on the national average benefit paid under the SSDI and SSI Programs respectively. For 2002, this amount is \$719.68 for a person who receives either SSDI or SSDI and SSI both. For an individual who receives SSI only it is \$476.80. The Payment Calculation Base will be figured for each calendar year and given that federal benefit payment averages typically increase each year, it is expected that the Payment Calculation Base will be larger each year. To calculated payments under the Ticket to Work Program, SSA will take specific percentages of this Payment Calculation Base depending on the type of payment system chosen by the Employment Network.

<sup>45</sup> 20 C.F.R. § 411.525(a).

<sup>46</sup> 20 C.F.R. §§ 411.535 and 411.540.

Family Self-Sufficiency Program	Ticket to Work and Self-Sufficiency Program	Benefits Planning, Assistance and Outreach Services																								
<b>Payment Options (continued)</b>																										
	<p>The first milestone is payable once a beneficiary has worked for one calendar month with gross monthly earnings from employment or net earnings from self-employment being more than a substantial gainful level (in 2002 that amount is \$780). The second milestone is payable once a beneficiary has worked for three calendar months out of a 12 month period with gross monthly earnings from employment or net earnings from self-employment being more than substantial gainful level. The third milestone is payable once a beneficiary has worked for seven calendar months out of a 12 month period with gross monthly earnings from employment or net earnings from self-employment being more than a substantial gainful level. The final milestone is payable once a beneficiary has worked for 12 calendar months within a 15 month period with gross monthly earnings from employment or net earnings from self-employment being more than a substantial gainful level. If at any point the beneficiary stops receiving a cash benefit due to earnings the Employment Network will be converted to an Outcome Payment with unpaid milestones calculated into the monthly payments.<sup>47</sup></p> <p>For calendar year 2002, Milestone Outcome Payments are paid as follows:</p> <table border="1" data-bbox="540 1629 889 1822"> <thead> <tr> <th>MS</th> <th>PCB</th> <th>SSDI/SSI</th> <th>SSI ALONE</th> </tr> </thead> <tbody> <tr> <td>#1</td> <td>34%</td> <td>\$ 269</td> <td>\$ 169</td> </tr> <tr> <td>#2</td> <td>68%</td> <td>\$ 538</td> <td>\$ 324</td> </tr> <tr> <td>#3</td> <td>136%</td> <td>\$1,077</td> <td>\$ 648</td> </tr> <tr> <td>#4</td> <td>170%</td> <td>\$1,346</td> <td>\$ 811</td> </tr> <tr> <td>Total</td> <td></td> <td>\$3,230</td> <td>\$1,945</td> </tr> </tbody> </table> <p>Milestones</p>	MS	PCB	SSDI/SSI	SSI ALONE	#1	34%	\$ 269	\$ 169	#2	68%	\$ 538	\$ 324	#3	136%	\$1,077	\$ 648	#4	170%	\$1,346	\$ 811	Total		\$3,230	\$1,945	<p>The provisional benefits can be paid for up to six months while the Social Security Administration determines the beneficiary's continued eligibility for benefits.</p> <p>BPA&amp;O Projects may also be able to connect the beneficiary to other interim supports needed to support the individual's ongoing career development and increased self-sufficiency.</p> <p>If at any time an Employment Network feels a beneficiary could benefit from services and supports offered by a BPA&amp;O Project referrals can be initiated. To be proactive an Employment Network is probably well advised to establish a collaborative working relationship with their local BPA&amp;O Project to ease the referral process.</p>
MS	PCB	SSDI/SSI	SSI ALONE																							
#1	34%	\$ 269	\$ 169																							
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<sup>47</sup>Id. § 411.530.

Family Self-Sufficiency Program	Ticket to Work and Self-Sufficiency Program	Benefits Planning, Assistance and Outreach Services
<b>Payment Options (continued)</b>		
	<p>Once all milestones have been exhausted an Employment Network will not receive payment until such time as the beneficiary stops receiving SSI and/or SSDI cash benefits. Outcome payments under the Milestone Outcome Payment System cannot exceed 34% of the PCB and each outcome payment will be reduced by an amount equal to 1/60th of the milestone payments received by an EN with respect to an individual.<sup>48</sup></p>	



<sup>48</sup> 42 U.S.C. § 423(I).

## Are There Any Unintended Program Interactions Between FSS and Ticket?

### Impact of FSS Escrow on SSDI and SSI

It is important to note that there are currently no income and/or resource exclusions that apply under either SSDI or SSI for monies deposited into an escrow account by the Housing Authority on behalf of the FSS participant. These deposits could be considered government funds for a social-service purpose and not considered income until such time as the individual withdraws the money or it is disbursed to them.<sup>49</sup> At that point, they would only have the month of disbursement and the following month in which to spend the money for its intended purpose before it begins counting as a resource. Further, the individual escrow account itself would not count as a resource during the life of the FSS contract because the individual would not have access to said funds except as approved for specific expenses in their plan.<sup>50</sup>

For the purposes of the Ticket, again, when married with the FSS, it proves a win-win. For beneficiaries concerned about the impact of their escrow on their benefit check, those engaged as participants in the Ticket program and actively engaged in work that eliminates their cash benefit would experience no impact on their cash benefit as their earnings from work already precluded payment. More than likely cash benefits will have already been terminated given most participants in the FSS program would not be accessing their escrow account until the completion of their five-year plan. The completion of their FSS Contract and IWP under the Ticket would more than likely have them in an outcome payment status meaning they are no longer in cash benefit status.

### Other HUD and SSA Work Incentive Overlapping Rules

Of most significance to both FSS and Ticket Program participants is the impact of the increased earnings income exclusion administered by HUD. Under this income exclusion, 100% of increased earnings for 12 months and 50% of increased earnings for the subsequent 12 months (months 13 -24) of work potentially delay a Housing Authority being able to put any funds into escrow under the FSS program as no rent increases will have potentially been experienced. To qualify the individual would have been previously unemployed for one or more years; or had increased income due to participation in a self-sufficiency program or other job training program; or had increased earnings during or within six months of receiving TANF. There is a 48-month life time limit on the period of exclusion from the first month of increased earnings and this provision only applies to families in public housing, and to individuals with disabilities, whose earnings increased and who were receiving assistance from: the Housing Choice Voucher Program (Section 8 Tenant Based Assistance); Housing Opportunities for People with AIDS; Supportive Housing; and/or, HOME Investment Partnerships.<sup>51</sup>

Another unintended program consequence is that of Trial Work under the SSDI Program. Once an individual who receives SSDI goes back to work, they can have up to nine trial work period months during a 60-month rolling window. During 2002, a trial work period

<sup>49</sup> *Id.* § 416.1103(b).

<sup>50</sup> See *Id.* § 416.1201 (defining a resource as something that an individual can use to meet his or her needs for support and maintenance).

<sup>51</sup> 24 C.F.R. §§ 5.601(e), 5.617 and 960.255.

month is any month during which an individual earns more than \$560.00. During a trial work period there is no cap on how much a beneficiary can earn—regardless, they will still receive their full SSDI cash benefit as long as SSA does not determine that the individual has medically recovered from their impairment of record.<sup>52</sup> Following the completion of their nine-month trial work period, a beneficiary enters their 36-month extended period of eligibility.<sup>53</sup> During the extended period of eligibility, any month in which a person earns over \$780.00 (or \$1,300 if blind) they are considered to be working at a substantial gainful level. The first month of a person’s extended period of eligibility in which they work at the substantial gainful level is considered their cessation month and they will receive their full cash benefit for that month and the next two months regardless of the level of their earnings. Following this three-month period, known as the grace period, any month in which the individual earns over the substantial gainful amount they will not receive a cash benefit. For the remainder of the 36-month extended period of eligibility any month in which earnings are below the substantial gainful level they will receive their full cash benefit unless at some point the SSA determines that the individual has medically recovered.

Even though both of these sets of rules are intended to encourage work, and may well do so during the first twelve months of a person working, eventually they will no longer provide the individual with a safety net—either in the form of negating rent increases or allowing the individual to keep receiving their full SSDI cash benefit. It is this point in time for which the individual must be prepared and educated and have a plan for employment that will offset the loss of these benefits. That could include a job with earnings sufficient enough to offset loss of the cash benefit and participation in the FSS program to provide a rent safety net and escrow incentive.

Finally, depending on the payment option selected by the Employment Network, outcome payments under the Ticket program, for SSDI beneficiaries who have not yet used their trial work period and grace period, may be delayed until such time as the individual is in their extended period of eligibility and working above a substantial gainful level. However, this impact is somewhat minimized should the Employment Network opt for milestone/ outcome payments that are computed on gross monthly wages at or above substantial gainful levels prior to any income and/or resource exclusions.

## What Are Some Reasons for Participating in These Programs?

It is important to recognize that participating in both programs is a “win-win” for not only the beneficiary but also the individual programs as well as the funding agencies. For families, the Self-Sufficiency Program provides an opportunity to realize the full benefit of increased earnings and reap the rewards associated with work without fear of losing their housing supports. Starting work is stressful enough without the stress associated with wondering if your increased earnings are going to jeopardize your family budget and increase your rent payments. Secondly, similar to the Ticket to Work Program, it provides the family with access to services and supports needed to recognize their employment and self-sufficiency aspirations. Finally, it provides the family an opportunity to accrue resources to support their further self-sufficiency including home ownership, a car for independent transportation or employment and training support. Under the Ticket to

<sup>52</sup> 20 C.F.R. § 404.1592.

<sup>53</sup> *Id.* 404.1592(a).



Work Program beneficiaries are provided the opportunity to select the service provider of their own choosing to provide them with the services and supports they need to become self-sufficient.

For Housing Authorities and Public Housing administering a Family Self-Sufficiency Program, becoming an Employment Network allows them to re-coup costs and expenses not covered under the existing program for that cohort of families they serve who receive SSI and/or SSDI disability benefits—expanding program income and revenue. This income over the 60-month payment period could total close to or over \$20,000 per successful case.

For both the Social Security Administration and Housing and Urban Development it demonstrates how successful complimentary return to work programs can be in promoting the self-sufficiency and independence of individuals with disabilities who want to return to work but lack incentives and the necessary supports to do so.

**MY NOTES ON TRANSLATING THIS TO PRACTICE:**

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