Appendix G

Data Collection: A Series of Sample Reporting Formats/Templates
SAMPLE LETTER REPORT FORMAT

September 30, 2008

Ms. Anne Perreault
123 Any Street
Anywhere, USA 00000

Dear Ms. Perreault:

On September 12, 2008, I met with you, your daughter Jill Perreault and your rehabilitation case manager, Donna Romero of ABC Rehab, Inc. We discussed my Benefits Advisement Report and the questions you had. This letter is to provide you with a written statement confirming that discussion.

What You Told Me About Your Current Benefits, Work Activity, and Household Situation:
You told me that you currently receive $486 in Social Security Disability Insurance (SSDI) benefits. In the past, you received Supplemental Security Income (SSI) benefits, but lost those in 2007 when you started working. Currently, you are earning $900 (gross) each month in wages from your employment. You said your wages would increase to $1,400 per month for the months of October, November and December 2008. You also stated that you currently live alone in an apartment. You said that you have regularly reported your wages to the Social Security Administration (SSA) and they have continued to send you SSDI checks through the present.

Questions You Asked: Your stated you are concerned about SSDI eligibility. You wondered whether you were eligible for the SSDI benefits during 2007 and the first nine months of 2008. You also wondered whether you continue to be eligible, and whether you will be eligible in the future.

Other Issues: You also had concerns about your continued eligibility for Medicaid.

Analysis of Your Current Situation: Based on what you told me, it appears that you were eligible for SSDI throughout 2007 and for at least the first six months of 2008. After that, things are a little less certain. The following is an explanation, broken down by time periods:

- January through September 2007: This was your nine-month trial work period. You are always entitled to keep your SSDI check for the full trial work period no matter how much you make.
October 2007 through March 2008: These are the first six months of what is known as your Extended Period of Eligibility (EPE), a 36-month period immediately following the trial work period. You always get SSDI benefits during the EPE if your wages are less than what SSA considers to be substantial gainful activity (currently defined as $860 per month). Even though your gross wages were $900 per month during January, February and March 2008, SSA will deduct at least $9.00 for each hour of job coaching you received during each of these months. This reduced your “countable wages” to less than $860 for each of these months.

April 2008 through June 2008: SSA will probably say that April 2008 is the first month you performed substantial gainful activity after your trial work period. If so, they will still give you a grace period of three months to keep your benefits. So, you were entitled to receive SSDI during these months.

July 2008 through September 2008: Assuming SSA continues to find that your countable wages were more than $860 during this period; you would not be eligible for SSDI during these months. Also, as I mentioned, SSA may later send you a notice saying that you were overpaid for these months.

October 2008 through December 2008: With $1,400 gross in wages expected, your countable wages will clearly be above $860 and you will not be eligible for SSDI benefits for these months.

January 2009 and later: Since you expect your wages to go down again, you will be eligible for SSDI benefits again for each month that your countable wages are below the substantial gainful activity amount. The substantial gainful activity amount could go up above the current limit based on annual indexed increases to this amount as of January 2009. You’ll need to call me in early December so we can discuss this. The general rule is that you can keep your SSDI checks for any month within the 36-month EPE (your EPE runs from October 2007 to September 2010) that your countable wages are below the substantial gainful activity amount.

Your Medicaid should continue because you get Medicaid through the section 1619(b) program. So long as you are still disabled and keep your resources within SSI’s limits, you would not stand to lose Medicaid unless your annual wages went well above $40,000. Your Medicare eligibility should also continue for several years, even if you lose your right to collect SSDI checks.

1 NOTE: This sample Letter Report assumes the SGA amount stays at a constant $860 (i.e., the 2006 level). In reality the SGA level will probably increase each year after 2006.
2 This is based on New York’s 2006 1619(b) eligibility threshold of $40,462 per year.
The last thing we discussed was the possibility of using SSI’s Plan for Achieving Self Support (PASS) to help you get a car to get to a better paying job, or to help you set aside money to start your own bulk mailing business. You agreed that you are not ready to use a PASS yet, but may want to talk about it again in the very near future.

Your Current Plans: I understand that you plan to continue working at Quality Mailers and working with Donna Romero and your mental health counselor to get you through the difficult times. You will let me know if you change your job or hours of work per month; or if you get any notices from Social Security regarding the possible overpayment of benefits for some of the months during 2008.

I will keep your file open and plan to contact you periodically if I do not hear from you. You should feel free to call me if you have any questions regarding this letter or if you have any questions in the future.

Very truly yours,

John B. Counselor
Benefits Specialist
SAMPLE ABBREVIATED REPORT
FROM BENEFITS SPECIALIST TO
THIRD PARTY PAYMENT SOURCE

[This report is based on the hypothetical case of Anne Perreault (see completed “Benefits Screening Profile,” in Appendix F]. The assumption is that your state’s vocational rehabilitation (VR) agency, or some other agency, is paying for the benefits advisement services and requires that you provide this short-form report based on the completed profile and your analysis of the issues presented by Anne’s case. This example assumes that the VR agency has the usual demographic information about Anne and wants only a general discussion of your analysis. Anne will be provided a copy of this report, but the targeted reader is the VR counselor.

Since this was prepared for use in 2006, it continues to use the 2006 SGA amount of $860 as the SGA amount for 2007 and 2008. In reality, the 2007 and 2008 SGA amounts are likely to be adjusted upwards of $860 based on increases in the National Wage Index.]

Name of Consumer: Anne Perreault

Report Requested By: Teddy Thomas, Rehabilitation Counselor, Anywhere VR

Report Prepared By: Connie Michaels, Benefits Specialist, BPA&O Project

Date(s) of Interview: 9/12/08

Date of Report: 9/30/08

Attachments to Report: Completed “Benefits Screening Profile”

Initial Questions Presented: Individual has been working for nearly two years. Is she still entitled to SSDI? Was she entitled to SSDI checks she received during the past two years?

I. Personal Information

Ms. Perreault wants to maintain her current employment. In the future, she would like to either work in this field in a supervisory capacity or by running her own business. She finds it difficult to work full-time, as it is difficult to interact with others on the job. She needs an understanding and tolerant employer, who will let her take off if she is having a bad day.
II. Monthly Income and Resources

Ms. Perreault receives $486 in SSDI benefits and $900 in gross wages, with wages expected to increase to $1,400 gross during October, November and December 2008. Wages are expected to return to $900 in January 2009. Her only resources: $350 in savings; $229 in a checking account.

III. Employment

Ms. Perreault works part-time for Quality Mailers, Inc. in Buffalo as a “Bulk Mail Specialist.” She started this supported employment position in January 2008, and received job coaching services of 13 hours per month during the period January through March 2008. Job coaching was then terminated. She performed a similar job during 2007 in a more supported environment, earning gross wages of $660 per month (100 hours at $6.60 per hour).

IV. Trial Work Period (TWP) and Extended Period of Eligibility (EPE)

Ms. Perrault has exhausted her TWP in September 2007. Her 36-month EPE began October 2007 and will run through September 2010.

During her TWP, she was entitled to her SSDI check each month. She was entitled to SSDI checks for at least the first nine months of her EPE (i.e., through June 2008) for the following reasons:

- During the last three months of 2007 her gross income was less than the substantial gainful activity (SGA) amount;
- During the first three months of 2008 her gross income, minus job coaching subsidies, continued to be less than the SGA amount; and
- During the second three months of 2008, April through June, she was entitled to a “three-month grace period” because April was her first month of SGA during her EPE.

During the July through September 2008 period, Anne was not entitled to an SSDI check as her gross countable wages, $900 per month, were more than the SGA amount of $860.

During October through December 2008, Ms. Perreault is expected to gross $1,400 per month. Her countable wages for this period will be well above the SGA level each month and she should not expect to be eligible for SSDI payments. When wages go back down to $900 per month in January 2009, I can only speculate on whether she will be eligible for SSDI. If her countable wages (after deducting subsidies) are less than the 2009 SGA amount, she will once again be eligible for SSDI.
Appendix G  Benefits Planning, Assistance and Outreach

V. Health Insurance

Ms. Perreault receives Medicaid under the 1619(b) program, since she lost SSI benefits in 2007 due to her wages. She does not have private health insurance.

She is also eligible for Medicare and pays a $85.50 monthly Medicare Part B premium. I will check her eligibility for either the Qualified Medicare Beneficiaries (QMB) program or the Selected Low Income Medicare Beneficiaries (SLMB) program for payment of this premium by her local Medicaid agency. She can continue to receive Medicare for at least 93 months following the end of her TWP, even if she no longer receives an SSDI check.

VI. Impairment Related Work Expenses

Impairment related work expenses (IRWEs) are expenses paid by the individual, for disability-related items, that allow that individual to work. Like subsidies, IRWEs can be used as a deduction from gross income when measuring wages against the SGA rule.

Ms. Perreault has two expenses that may qualify as IRWEs. Both are items for which Medicaid may be able to pay. She pays $7.50 per month for bus fare to her psychiatrist and counseling appointments. The other out-of-pocket expense is the $85.50 Medicare Part B premium which allows her to obtain payment for doctor and psychiatry bills. (In past cases, some advocates have convinced SSA that this is an IRWE even though their policies are silent on this issue. Current SSA policy provides that insurance premiums cannot be IRWEs.) If these expenses are paid by Medicaid, rather than by Ms. Perreault, they cannot be counted as IRWEs.

NOTE: The $7.50 for bus fare and the $85.50 for Part B premiums were not part of the field assignment facts. Therefore, there were no IRWEs in the field assignment. In those cases in which a beneficiary convinced SSA that a health insurance premium was an IRWE, the payment of the premium ensured coverage by the insurance program or Medicare of an expense that would have qualified as an IRWE if paid by the beneficiary.

VII. SSI’s Plan for Achieving Self Support (PASS)

Ms. Perreault and I briefly discussed potential use of the PASS. One possibility would be to use the PASS to purchase a vehicle that would allow her to pursue upgraded employment in locations not reachable through public transportation. The other possibility involved use of the PASS to supplement any funding that may be available through [name of VR agency] to pursue her own bulk mailing business. Since Ms. Perreault agreed that both of these goals are two years or more away, she will not pursue the PASS at this time.

VIII. Concluding Remarks

I agreed that I would retain an open file for Ms. Perreault to monitor her case and advise her on an ongoing basis with respect to these issues.
SAMPLE COMPREHENSIVE REPORT

FROM BENEFITS SPECIALIST TO
THIRD PARTY PAYMENT SOURCE

[This report is based on the hypothetical case of Anne Perreault (see completed “Benefits Screening Profile,” Appendix F]. The assumption is that your state’s vocational rehabilitation (VR) agency, or some other agency, is paying for the benefits advisement services and requires that you provide this full-scale report based on the completed profile and your analysis of the issues presented by Anne’s case. This example assumes that the VR agency has the usual demographic information about Anne, but would like a very extensive write up in other respects. Anne will be provided a copy of this report, but the targeted reader is the VR counselor.

Since this was prepared for use in 2006, it continues to use the 2006 SGA amount of $860 as the SGA amount for 2007 and 2008. In reality, the 2007 and 2008 SGA amounts are likely to be adjusted upwards of $860 based on increases in the National Wage Index.]

Name of Consumer: Anne Perreault

Report Requested By: Teddy Thomas, Rehabilitation Counselor, Anywhere, VR

Report Prepared By: Connie Michaels, Benefits Specialist, BPA&O Project

Date(s) of Interview: 9/12/08

Date of Report: 9/30/08

Attachments to Report: Completed “Benefits Screening Profile”

Initial Questions Presented: Individual has been working for nearly two years. Is she still entitled to SSDI? Was she entitled to SSDI checks she received during the past two years?

I. Personal Demographics

As relevant to this report, Ms. Perreault is a single adult who lives alone in her own apartment. She has no minor children.
II. Personal Direction and Future Outlook

Ms. Perreault wants to maintain her current employment. In the future, she would like to either work in this field in a supervisory capacity or run her own business doing this work. To accomplish these goals, she will need both benefits advisement and ongoing rehabilitation support.

III. Disability Description

See completed Profile for full description.

Ms. Perreault finds it difficult, because of her disability, to work a full-time schedule. It is difficult to constantly interact with others on the job. She indicates that she needs a job where she can take off if she is having a bad day. She believes that an understanding and tolerant employer is very important to her continued success.

IV. Involvement with Other Agencies/Support Systems

Ms. Perreault is not involved with any educational institution or with any state agency other than [name of VR agency]. She does receive services from a private rehabilitation agency, ABC Rehab. Her case manager, Donna Romero, talks with Ms. Perreault on the phone about once every two months to discuss problems on the job.

V. Monthly Income

**Unearned income:** $486 SSDI benefits (against own earnings record)

**Earned income:** $900 gross wages, expected to increase to $1,400 gross during busy months of October, November and December 2008. Wages are expected to return to the $900 level in January 2009.

VI. Resources

*Savings Account:* $350

*Checking Account:* $229

She does not own any other property, real or personal. She does not own a vehicle.
VII. Property Essential for Self Support

None.

VIII. Employment Information

Current employment: Ms. Perreault currently works for Quality Mailers, Inc., 239 Swan Street, Buffalo, New York 14203, as a “Bulk Mail Specialist.” She works part-time, four days per week (100 hours per month at $9.00 per hour = $900 per month). She started this job January 2008.

Noteworthy from a benefits standpoint: The employer was selected based on Ms. Perreault’s disability, having hired other persons with disabilities. This is a supported employment position in which she received job coaching services of 13 hours per month during the period January through March 2008. The job coaching was then terminated.

Past employment: Ms. Perreault performed a similar job during 2007 at ABC Rehab (1/07 to 12/07). This was in a much more supported environment. She earned gross wages of $660 per month, working 100 hours per month and earning $6.60 per hour. (See completed Profile for 1989-96 work history.)

IX. Trial Work Period (TWP) Analysis

Date first received SSDI: January 1998

When was TWP exhausted: January through September 2007 were the nine TWP months for SSDI purposes. This means that Ms. Perreault has exhausted her TWP and will not be entitled to a new TWP during this period of SSDI entitlement.

During each of the nine TWP months, Ms. Perreault was entitled to keep her full SSDI check. She was entitled to all SSDI checks received during the January through September 2007 period.

X. Extended Period of Eligibility (EPE) Analysis

Ninth TWP month: September 2007

Beginning month of EPE: October 2007

Last month of 36-month EPE: September 2010

During the first three months of the EPE, October through December 2007, Ms. Perreault was clearly entitled to her SSDI checks because she was earning less than the substantial gainful activity or SGA amount.
During the next three months of the EPE (months 4-6), January through March 2008, she should also have been entitled to her SSDI checks because her wages would be reduced by a job coaching subsidy. Under the most conservative analysis of the subsidy, Social Security must multiply the job coach hours by the individual’s hourly wage to determine the monthly subsidy amount ($9.00 x 13 = $117). Subtracting the subsidy from the gross wage ($900 - $117), her countable wages were $783. Since this was less than the SGA amount of $860 per month, she continued be entitled to SSDI benefits during this period.

During the July through September 2008 period, Ms. Perreault was not entitled to SSDI checks because her countable wages, $900, more than the SGA amount of $860 (she was no longer getting job coach support).

During the months of October through December 2008 (months 13-16 of the EPE), Ms. Perreault is expected to earn $1,400 per month in gross wages. Since any subsidies for these months would be minimal, her countable wages will be well above the SGA level each month and she should not expect to be eligible for SSDI payments.

Ms. Perreault has related to me that her wages will go back down to $900 per month in January 2009. Since I do not yet know what the SGA rate will be in 2009, I can only speculate on whether she will be eligible for SSDI. I can tell you that January 2008 will be the 17th month of her EPE. Effective January 2009, if Ms. Perreault’s countable wages (after deducting any subsidies or impairment related work expenses) is less than the 2009 SGA amount, she will once again be eligible for SSDI.

**XI. Health Insurance Needs**

**Current Health Insurance:** Ms. Perreault receives Medicaid and Medicare. My interview revealed that she received a small SSI supplement to her SSDI through early 2007 when she started working at ABC Rehab. Having lost her SSI due to wages, Ms. Perreault became eligible for Medicaid under the 1619(b) program. Based on her current situation (i.e., she continues to have a disability; her unearned income and resources are within SSI limits), she continues to be eligible for Medicaid under 1619(b). She does not have private health insurance.

Ms. Perreault is also eligible for Medicare and pays a $85.50 monthly premium (2006 rate) to enroll in the Medicare Part B program for outpatient care. I will be checking to determine whether she meets the eligibility guidelines under either the Qualified Medicare Beneficiaries (QMB) program or the Selected Low Income Medicare Beneficiaries (SLMB) program for payment of this premium by her local Medicaid agency.

Since Ms. Perreault is still in her EPE, she will continue to qualify for extended Medicare benefits. The Part A Medicare will continue to be cost-free and the Part B Medicare will be subject to a premium payment. If she continues to have a disability, she can continue to receive Medicare benefits for 93 months following the end of her TWP. Even if she is no longer eligible for an SSDI check, she will remain eligible for Medicare under the same terms into the year 2015.
**Need to Retain Medicaid and Medicare:** Until Ms. Perreault finds a job with a good health insurance plan, Medicaid and Medicare will be very important to her. Together, Medicaid and Medicare pays for nearly $2,500 in counseling and medication expenses annually. Medicare will be of secondary importance. Of the $800 per year in doctor and psychiatrist expenses, Medicare generally pays for the first 80 percent with Medicaid picking up the rest.

**XII. Analysis of Impairment Related Work Expenses**

Impairment related work expenses (IRWEs) are expenses paid by the individual, for disability related items, that allow that individual to work. Like subsidies, IRWEs can be used as a deduction from gross income when measuring wages against the SGA rule.

Currently, Ms. Perreault has two expenses that may qualify as IRWEs. However, both are items for which Medicaid may be able to pay. She pays $7.50 per month for bus fare to her psychiatrist and counseling appointments. With prior approval from Medicaid, I believe Medicaid can reimburse this expense. (NOTE: Transportation in an optional Medicaid service and will not be available in all states.) The other out-of-pocket expense is the $78.20 Medicare Part B premium, which allows her to obtain payment for doctor and psychiatry bills. (In past cases, some advocates have convinced SSA that this is an IRWE even though SSA’s policies were silent on this issue. Current SSA policy provides that an insurance premium payment cannot be an IRWE.) As stated in section XI, above, this may also be an expense Medicaid can cover under the QMB or SLMB programs. If these are paid by Medicaid, rather than by Ms. Perreault, they cannot be counted as IRWEs.

**XIII. Blind Work Expenses**

These do not apply because Ms. Perreault is not legally blind.

**XIV. Analysis of Subsidies**

See discussion under section X, above, involving the Extended Period of Eligibility.

**XV. SSI’s Plan for Achieving Self Support (PASS)**

I have attached a short article describing how the PASS can be used to set aside income or resources to help an individual meet an employment goal. The money set aside in the approved PASS will not be counted under SSI’s income or resource rules.

Ms. Perreault and I briefly discussed the potential use of the PASS in the future. One possibility would be to use the PASS to purchase a vehicle that would allow her to pursue upgraded employment opportunities in locations not reachable through public transportation. The other possibility involved use of the PASS to supplement any funding that may be available through [name of VR agency] to pursue her own bulk mailing business. Since Ms. Perreault agreed that both of these goals are two years or more away, she will not pursue the PASS at this time.
XVI. Concluding Remarks

I agreed that I would retain an open file for Ms. Perreault to monitor her case and advise her on an ongoing basis with respect to the following:

1. Her eligibility for continued SSDI during the remainder of her EPE based on any changes to the SGA amounts; any changes to her monthly income; and any need to analyze the availability of IRWEs and subsidies;

2. Her eligibility for ongoing Medicaid under 1619(b), and her eligibility for ongoing Medicare under the extended eligibility provisions;

3. Her potential use of a PASS to set aside money for a vehicle, for expenses related to setting up a business, or for other expenses that will help her meet a future employment goal.