

Independent Living Resources of Solano & Contra Costa Counties

Independent Living Resources (ILR) is a non-profit organization dedicated to helping people with any type of disability live normal, independent lives.

Through education empowerment and advocacy, ILR strives to fully incorporate those with disabilities into the community and eliminate institutional, social and attitudinal barriers that hinder progress.

Our Mission

- Empower persons with disabilities to control their own lives
- Provide advocacy and support
- Create an accessible community free of physical and attitudinal barriers
- Advocate for complete social, economic and political integration

Our Services

- Information & Referral
- Independent Living Skills
- Housing Referral
- Peer Counseling/Support
- Systems Advocacy
- Community Education
- Benefits
- Assistive Technology
- Personal Assistance Service

Benefits

Supplemental Security Income (SSI) program pays benefits to disabled adults and children who have limited income and resources.

Social Security Disability Insurance (SSD) is federal insurance program that provides benefits to qualified workers who can no longer work. To be eligible, you must be insured under the program and meet the Social Security Administration's definition of disabled.

Substantial Gainful Activity (SGA)

- Countable gross earned income over a set amount per month.
- Currently, in 2011, the set amount is \$1000/month for all SSDI recipients who are not statutorily blind.
- Currently, in 2011, the set amount is \$1,640/month for those that are statutorily blind.

Application of the SGA Rule: Applicants for SSDI & SSI

- If an applicant's countable earnings are over the SGA amount, the application will be denied.
- This is true for both SSI (except those who are statutorily blind) and SSDI applications.
- However, the SGA rules will never apply to SSI recipients after eligible for SSI.
- The SGA rules will apply to SSDI recipients after the 9-month Trial Work Period.

When to Assess for IRWEs (Impairment-Related Work Expenses)

SSDI:

- Explore IRWE when Substantial Gainful Activity (SGA) has, or will, become an issue in the recipient's claim.
- IRWE reduces the countable income for SGA decisions.

SSI:

- Explore IRWE for SSI when the recipient is working.
- Reduces countable income, allowing recipient to retain more of the SSI check.

IRWE—3 Part Test

- IRWE is:
 - 1) an expense for an item or service that
 - 2) enables the person to work, and
 - 3) is necessary because of a physical or mental impairment.
- The cost of an IRWE is deducted from gross earnings, reducing countable income.

Five Criteria for IRWE

- Must be approved by the SSA Claims Representative and costs are:
 - directly related to **an** impairment for which they receive treatment,
 - paid by the individual; not reimbursable,
 - Paid in a month in which the individual is working (some exceptions), and
 - Reasonable (typical for the community).

Examples of Deductible IRWE

- Supported Employment services
- Attendant Care
- Transportation
- Medical Equipment/devices
- Work-related Equipment & Assistants
- Service animals

- Residential Modifications
- Routine drugs/medical services
- Non-medical appliances & devices
- Services received through community-based residential program

This list is not all-inclusive

IRWE

- Recurring monthly or non-monthly expenses – installment/rental payments.
- May be deducted entirely in the month the payment is made or prorated over months in the payment period.
- Non-recurring – one-time expense may be prorated over a 12-month period.

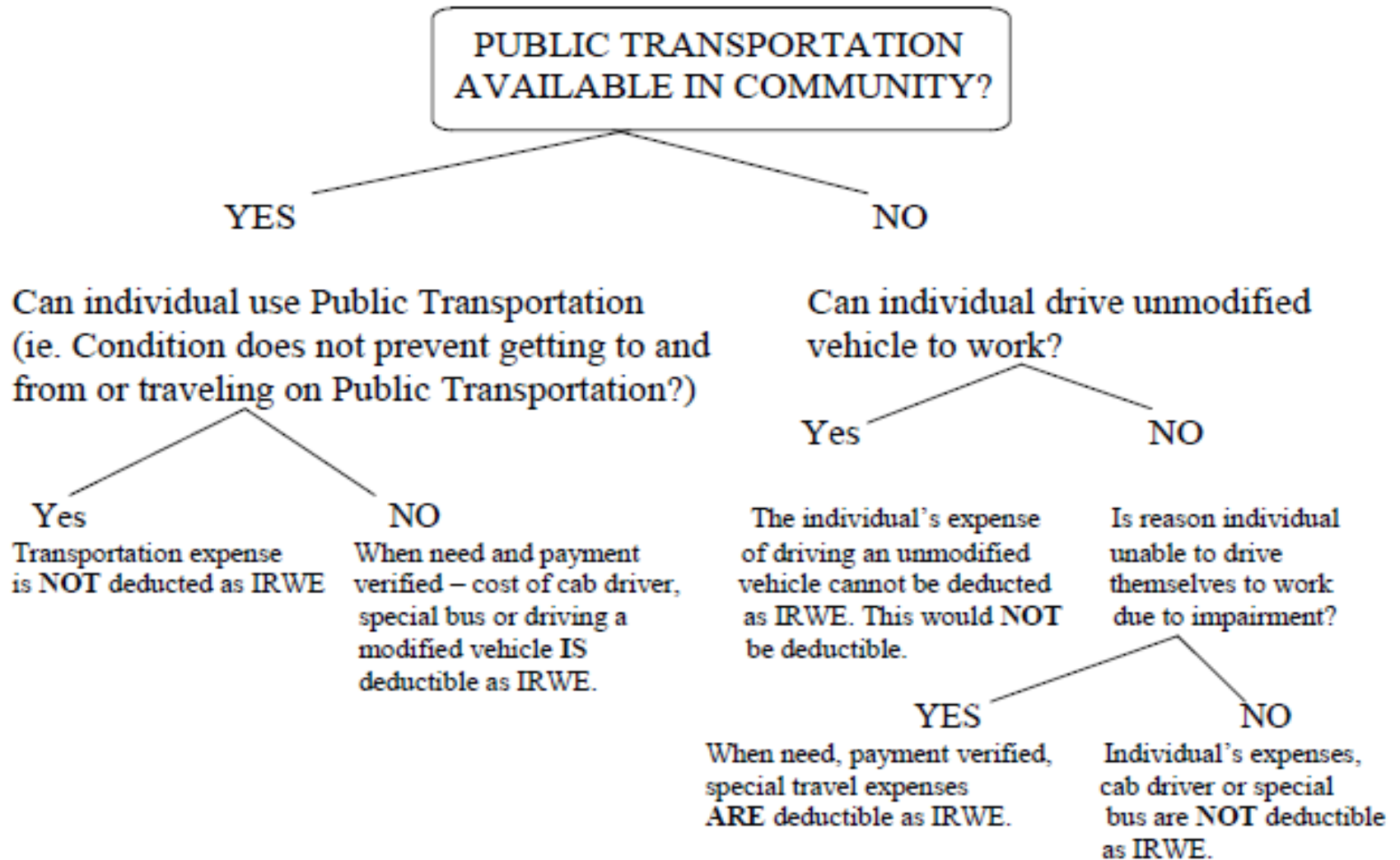
Developing IRWEs

- Developing IRWEs is generally a fairly simple matter.
- Recipients will document the costs for expenses, i.e., co-pays, OTC items.
- **SOME** IRWEs may require more documentation than simple receipts.

Developing IRWEs

- Transportation is one such item that may require further development.
- Why are special transportation arrangement necessary? These arrangements **MUST** be required by an impairment and be necessary to the work effort.

Transportation as IRWE



Developing IRWEs

- Companion animals may require similar documentation from the recipient's physician and/or psychiatrist.
- While the notion of IRWEs remains wide open...certain expenses simply require more documentation than others!

Developing IRWEs

- Large expenses, e.g., residential modifications, may be prorated over a period of 12 months in order to receive a bigger bang for the IRWE buck.

e.g., a \$6,000 ramp can be claimed as an IRWE for 12 months at \$500 per month.



SSDI--IRWE Calculation

$$\begin{array}{r} \text{STEP ONE } \$1100 \\ - \quad \underline{150} \\ \$ 950 \end{array}$$

Gross Monthly Earnings
Minus IRWE
Equals Adjusted Gross
Earnings (Non-SGA)

$$\begin{array}{r} \text{STEP TWO } \$1100 \\ + \quad \underline{650} \\ \$1750 \\ - \quad \underline{150} \\ \$1600 \end{array}$$

Gross Earnings
Plus SSDI
Equals Monthly Income
Minus IRWE
Equals Total Usable Income



Impact of Income on SSI

- After the application of all approved IRWE deductions, remaining earned income is divided by two:

Gross Earned Income	\$
Student-Earned Income Exclusion	- _____
Remainder	\$
GIE if not used above	- _____
Remainder	\$
Earned Income Exclusion	- 65.00
Remainder	\$
Impairment-Related Work Expense	- _____
Remainder	\$
Divide by 2	_____ /2
Remainder	\$
Blind Work Expenses	- _____
Countable Earned Income	\$

SSI Calculation- IRWE and No Unearned Income



\$ 1085	Gross wages
<u>- 20</u>	General Income Disregard
\$ 1065	
<u>- 65</u>	Earned Income Disregard
\$ 1000	
<u>- 30</u>	Minus IRWE
\$ 970	
/2	
<u>\$ 485</u>	
\$ 485	Countable wages
\$ 830	SSI base rate (in California beginning July 1)
<u>- 485</u>	Countable income
\$ 345	Monthly SSI check

Without the IRWE her SSI payment would be \$330. The extra \$15 helps her pay for items needed to work.

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Questions and Comments