

SOCIAL SECURITY DISABILITY INSURANCE WORK PROGRAMS

*A Better Understanding of the SSDI Rules
As They Relate to Working While Receiving Benefits
May Be Beneficial If You Are Currently Receiving SSDI
Or Are Considering Applying for Benefits*



Slusky & Walt, PC
Injury & Disability Attorneys



For individuals who are unable to work because of a disability in the United States assistance may be available through the Supplemental Security Income (SSI) and/or the Social Security Disability Insurance (SSDI) program. Because eligibility is based, in part, on your prior work history, the SSDI program typically provides a higher monthly benefit to eligible participants. People are often under the impression that Social Security Disability Insurance benefits, or SSDI, are only available if you absolutely cannot work *at all*. In fact, you may be able to work *some* and still qualify for SSDI benefits. A better understanding of the SSDI rules as they relate to working while receiving benefits may be beneficial if you are currently receiving SSDI or are considering applying for benefits.

What Is SSDI?

The Social Security Disability Insurance program is a federally funded and administered program that provide monthly monetary benefits to individuals who are unable to work because of a disability. To qualify for SSDI you must meet the Social Security Administration, or SSA, definition of “disabled” **and** you must have sufficient “work credits”. To be considered disabled by the SSA, all of the following must apply:

- You cannot do work that you did before
- The SSA decides that you cannot adjust to other work because of your medical condition(s); and
- Your disability has lasted or is expected to last for at least one year or to result in death.

In addition, you must have worked long enough and earned enough wages prior to applying for SSDI to have earned sufficient “work credits”. You earn one credit for each \$1,220 of wages or self-employment income as of 2014, up to a maximum of four credits each year. For most applicants, you will need 40 credits, 20 of which were earned in the last 10 years ending with the year you become disabled.

Doesn't the Definition of "Disabled" Preclude Working?



Given the definition of "disabled" it is not surprising that people assume an SSDI recipient *cannot* work at all while receiving benefits. Even a long-term disability may improve over time, opening up the possibility of working once again. Accommodations may also

be made, or new skills learned, that make working an option for a once disabled SSDI recipient. With this in mind, the SSA has developed programs that encourage an SSDI recipient to explore the possibility of working without losing his or her SSDI benefits.

The Ticket to Work Program

The "Ticket to Work" program is aimed at SSDI recipients who are unable to perform their previous jobs but could perform a new job type if they had the skills to do so. This program offers free vocational rehabilitation, referrals, schooling, and/or technical training funded by the SSA in an effort to "retrain" individuals with a disability. To participate in the program you must first be evaluated by a program specialist to determine if you are a good candidate. If your evaluation shows you to be a good candidate you will then develop a plan to return to the workforce. As a bonus, the SSA cannot require a Continuing Disability Review (CDR), which is randomly performed to ensure that those

claiming disability are actually still disabled, while you are part of the Ticket to Work program. In essence, this means your SSDI benefits will be safe while participating in the program as long as you abide by the program rules and meet all other continuing eligibility criteria. While participating in the Ticket to Work program you will continue to collect your full SSDI benefits as well as retain your Medicaid eligibility for a certain period of time while you work.

The Trial Work Period

Another popular SSDI work program is the Trial Work Period. This program allows an SSDI recipient to test his or her ability to work during a nine month period. The nine months do not have to be consecutive but must take place within a 60-month trial period. During the trial period you will receive your full



SSDI benefit amount, regardless of how much you make, as long as you report your earnings and still qualify with a disabling impairment. Your disability will not be considered removed until you have accumulated nine months of service within a 60 month period.

According to the SSA a month of service is any month in which your total earnings are over \$770 as of 2014. This means you can earn an income, but everything has to be reported in order for you to abide by the rules and continue to receive your benefits.

Once your Trial Work Period has ended, you enter the *extended period of eligibility*. During this time, you have 36 months where you can work and still receive benefits as long as the earnings are not “substantial.” As a frame of reference, in 2014, the SSA considered earnings over \$1,070 (\$1,800 if you are blind) to be substantial. This is where the program gets really complicated. Your benefits will continue as long as you are medically disabled and not earning over the threshold. If you earn more than the substantial threshold, you will lose your benefits for that month *as well as potentially causing the SSA to remove your disability classification*. If this happens, you are paid in full for that month and an additional two-month grace period, before benefits terminate.

What Happens If I Find I Am Unable to Work Again?

Sometimes a disability returns or worsens after a period in which work was possible. When that occurs, you may be eligible for “Expedited Reinstatement.” As the name implies, “Expedited Reinstatement allows you to apply to have your benefits reinstated without going through the entire application process all over again. In addition, if you request expedited reinstatement you may be eligible for provisional, or temporary, benefits for up to six months while your request is being reviewed. To qualify for expedited reinstatement you must meet all of the following requirements:

- You stopped receiving benefits because of earnings from work
- You are now unable to work or perform substantial gainful activity

- You are disabled because of an impairment(s) that is the same as or related to the impairment(s) that allowed you to get benefits earlier AND
- You must make the request within 5 years from the month your benefits ended

Applying for Social Security Disability Insurance benefits can be a complicated and frustrating process the first time around. Applying for one of the work programs is often just as confusing. Moreover, a misstep when navigating the work programs could result in losing your SSDI benefits entirely. Consulting with an experienced Michigan SSDI benefits attorney is the best way to decrease the confusion and frustration and increase the odds of your application being approved without any loss of benefits.

Social Security Administration, [What We Mean by Disabled](#)

Social Security Administration, [How Much Work Do You Need?](#)

Social Security Administration, [Trial Work Period](#)

Social Security Administration, [Your Ticket to Work](#)

Social Security Administration, [Expedited Reinstatement](#)

About Slusky & Walt, P.C.



We are experienced personal injury accident lawyers and have been successful with many settlements and jury verdicts in cases ranging from automobile accidents to dog bite injuries.

We treat every case with the aggressiveness and seriousness you would expect be given to your claim. In the event your case requires outside expertise, we have a network of trusted associates that we can refer your case to help you get the benefits you deserve.

No matter how you have been injured, please call us at 1-800-ABE HELPS. Every consultation is free and there is no fee unless we win your case.

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A black and white image of the Lincoln Memorial statue, showing Abraham Lincoln seated in a large chair, with his right hand resting on his lap and his left hand on the armrest.

Denied Social Security Benefits?

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