

SOUTH  
DAKOTA  
**BENEFIT  
SPECIALIST  
NETWORK**

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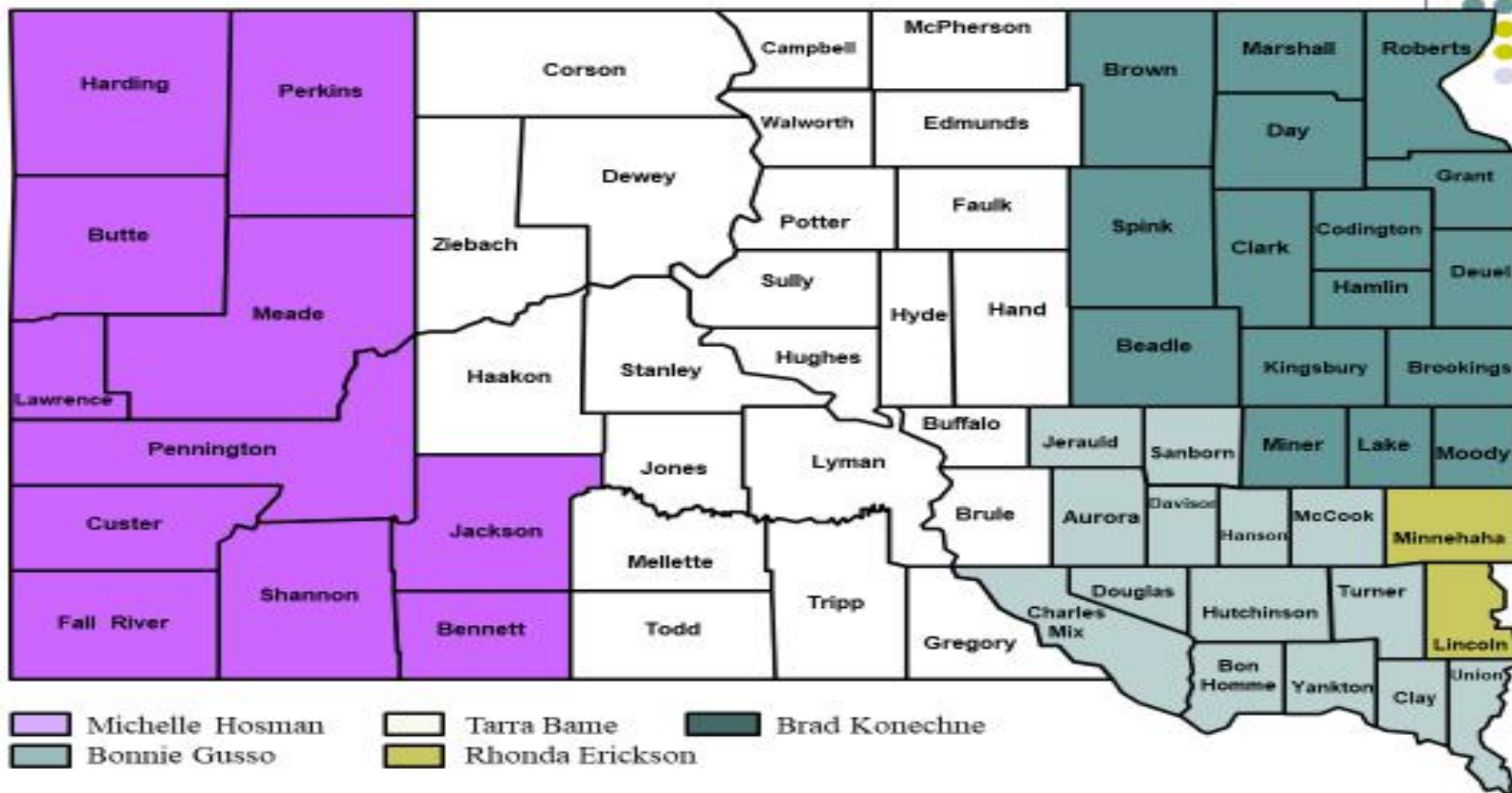
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SOUTH DAKOTA  
**BENEFITS SPECIALIST**  
— NETWORK —

# SD Benefits Specialist Network Coverage



- Michelle Hosman
- Tarra Bame
- Brad Konechne
- Bonnie Gusso
- Rhonda Erickson

# BENEFIT SPECIALIST

- ASSIST PEOPLE TO UNDERSTAND THEIR SSI AND SSDI BENEFITS
- ASSIST BENEFICIARIES TO UNDERSTAND HOW WORK AFFECTS BENEFITS
- ASSIST WITH BENEFIT ISSUES THAT ARISE OR WERE CAUSED BY EMPLOYMENT INCOME.
- ASSIST BENEFICIARIES TO UNDERSTAND MEDICAID AND MEDICARE
- ASSIST PEOPLE TO UNDERSTAND HOW EMPLOYMENT AFFECTS OTHER PUBLIC BENEFITS (HOUSING, SNAP, MEDICAID WAIVER PROGRAMS)
- GIVE PEOPLE BASIC INFORMATION ABOUT OTHER PROGRAMS THAT A BENEFICIARY MAY BE ELIGIBLE FOR IN SOUTH DAKOTA (MAWD, MEDICAID WAIVER PROGRAMS, MEDICARE SAVINGS PROGRAMS, WORK INCENTIVES WITH THE HOUSING VOUCHER PROGRAM AND ABLE ACCOUNTS.



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MEMBER  
BENEFITS SPECIALIST

# Types of Cash Benefits from SSA

## **SOCIAL SECURITY**

- SSDI, INSURANCE POLICY THAT SOMEONE PAID INTO
- CHILDHOOD DISABILITY BENEFIT, DISABILITY BEFORE AGE 22
- CHILD BENEFIT (ANY CHILD UNDER THE AGE OF 18, NOT BASED ON DISABILITY)
- DOES NOT CARE ABOUT UNEARNED INCOME, ASSETS, MONEY IN THE BANK

## **SSI**

### **(SUPPLEMENTAL SECURITY INCOME)**

- PEOPLE THAT CAN NOT DRAW THE INSURANCE BENEFIT AND “NEED” MONEY TO LIVE.
- BASED ON NEED
- ADULT AND CHILD BENEFIT
- LOOKS AT MANY DIFFERENT THINGS TO DECIDE IF YOU “NEED” IT AND HOW MUCH YOU “NEED”

MONEY IN THE BANK, ASSETS, WHERE YOU LIVE, EARNINGS FROM A JOB, GIFTS, SPOUSES INCOME AND ASSETS

# Different Types of SSI

## CHILD SSI

- IMPAIRMENTS MUST RESULT IN MARKED AND SEVERE FUNCTIONAL LIMITATIONS
- PARENTS INCOME AND ASSETS WILL AFFECT ELIGIBILITY AND WILL DECIDE HOW MUCH THEY “NEED”
- UNEARNED INCOME WILL AFFECT ELIGIBILITY AND AMOUNT (CHILD SUPPORT, SOCIAL SECURITY)

## ADULT SSI

- AN INDIVIDUAL MUST HAVE A SEVERE IMPAIRMENT
- ALL YOUTH GO THROUGH A REDETERMINATION AT AGE 18
- LOOKS AT MANY DIFFERENT THINGS TO DECIDE IF THEY “NEED” THE BENEFIT (ASSETS, UNEARNED INCOME, WHERE THEY LIVE ETC.)

# Types of Cash Benefits from SSA

## **SSDI (SOCIAL SECURITY DISABILITY INSURANCE, CHILDHOOD DISABILITY BENEFITS)**

- RECEIVES \$791 OR MORE EACH MONTH
- MEDICARE COVERAGE
- RECEIVES BENEFIT ON THE 3<sup>RD</sup> OF THE MONTH OR LATER

## **SSI (SUPPLEMENTAL SECURITY INCOME)**

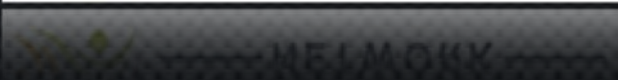
- THE MOST THAT SOMEONE GETS EACH MONTH IS \$771
- MEDICAID COVERAGE
- RECEIVE BENEFIT ON THE 1<sup>ST</sup> OF EACH MONTH.

If someone gets a lower amount of SSDI,  
they can get both!

“HOW WILL WORK  
AFFECT MY  
BENEFITS?”



It depends on what benefit  
you get





# SSI for Child under age 18

- PARENTS INCOME WILL DECREASE THE CHILD'S SSI CHECK.
- IF CHILD'S SSI CHECK DECREASES TO \$0 BECAUSE OF PARENTS INCOME, THE CHILD DOES NOT KEEP MEDICAID. CHILD MAY QUALIFY FOR CHIP INSTEAD.
- IF CHILD'S STARTS WORKING, IT WILL ALSO AFFECT THE SSI CHECK
- IF CHILD'S INCOME DECREASES SSI CHECK TO \$0, THE CHILD KEEPS MEDICAID!
- IF THE CHILD IS A FULL TIME STUDENT, THEY CAN USE THE STUDENT EARNED INCOME EXCLUSION. CHECK IS NOT REDUCED.
- PARENTS AND STUDENT MUST SUBMIT PAYSTUBS TO SSA EACH MONTH.

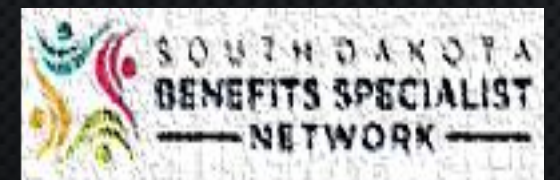
# Student Earned Income Exclusion

- WORK INCENTIVE FOR PEOPLE WHO ARE 22 YEARS OR YOUNGER AND REGULARLY ATTENDING SCHOOL.
- YOUTH CAN EXCLUDE UP TO \$1,870 PER MONTH OR UP TO \$7,550 PER YEAR!



# Youth income and it's affect on SNAP and income based housing

- IF A CHILD IS IN SCHOOL AND UNDER AGE 18, THEIR INCOME IS EXCLUDED WHEN DETERMINING SNAP AND INCOME BASED RENT!



# Supplemental Security Income, Adult

- WHEN A CHILD TURNS 18, SSA NO LONGER LOOKS AT PARENTS INCOME TO DECIDE ELIGIBILITY.
- CHECK WILL BE ADJUSTED DEPENDING ON GROSS WAGES EACH MONTH.
- THERE IS NO EARNING “LIMIT”.
- IF WAGES ARE SO HIGH THAT YOU DO NOT “NEED” A CHECK (\$1,627), YOU KEEP MEDICAID!
- IF THE YOUNG ADULT IS A FULL TIME STUDENT, THEY CAN USE THE STUDENT EARNED INCOME EXCLUSION. CHECK IS NOT REDUCED!
- MUST SUBMIT PAYSTUBS EACH MONTH TO SSA.

# WORK INCENTIVES!

- STUDENT EARNED INCOME EXCLUSION
- IMPAIRMENT RELATED WORK EXPENSES
- BLIND WORK EXPENSES
- PASS PLAN
- 1619(B)
- SECTION 301



# Student Earned Income Exclusion

- WORK INCENTIVE FOR PEOPLE WHO ARE 22 YEARS OR YOUNGER AND REGULARLY ATTENDING SCHOOL.
- ATTEND 12 HOURS PER WEEK FOR HIGH SCHOOL AGE, 8 HOURS PER WEEK FOR A COLLEGE STUDENT.
- YOUTH CAN EXCLUDE UP TO \$1,870 PER MONTH OR UP TO \$7,550 PER YEAR!
- SEIE CAN BE APPLIED DURING SUMMER MONTHS IF THE STUDENT IS PLANNING ON ATTENDING AGAIN IN FALL.
- TRANSITIONAL SCHOOLS ARE NOT ALWAYS CONSIDERED FULL TIME STUDENTS (ABOVE GRADE 12 BUT NOT COLLEGE LEVEL, LIFE SKILL CLASSES INSTEAD OF TRADITIONAL HIGH SCHOOL COURSES)



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# Impairment Related Work Expenses

- OUT OF POCKET EXPENSES THAT ARE NEEDED TO WORK.
- EXPENSES MUST BE RELATED TO DISABILITY.
- EXPENSE MUST BE APPROVED BY SSA.
- SSA MAY REQUIRE RECEIPTS EACH MONTH



# Blind Work Expenses

- ALL IRWE'S ARE BWE'S
- TAXES
- COST OF UNIFORM
- MEALS WHILE AT WORK
- CHILDCARE
- TRANSPORTATION
- MANDATORY PENSIONS
- DRIVER SERVICES
- SERVICE ANIMAL COSTS





# PASS plan

- ALLOWS AN INDIVIDUAL TO PUT MONEY ASIDE FOR A SPECIFIC AMOUNT OF TIME TO SAVE FOR A WORK GOAL (WAGES, SSDI, RESOURCES).
- MONEY IN A PASS PLAN IS EXCLUDED SO THE PERSON COULD QUALIFY FOR SSI OR GETS MORE SSI EACH MONTH.
- MUST COMPLETE THE SSA-545 FORM.
- MUST HAVE A FEASIBLE SPECIFIC OCCUPATIONAL GOAL.
- MUST HAVE A REASONABLE START AND END DATE.
- MUST SHOW THAT THEY CAN LIVE ON SSI AMOUNT OF \$750.



# 1619 (b)

- ALLOWS A BENEFICIARY TO KEEP MEDICAID WHEN EMPLOYMENT INCOME DECREASES SSI CHECK TO \$0
- CAN MAKE UP TO \$36,767 A YEAR IN SOUTH DAKOTA AND KEEP MEDICAID!
- MUST MAINTAIN MEDICAID ELIGIBILITY RULES (LESS THAN \$2000 IN RESOURCES, LIMITED ASSETS ETC.)
- CONTINUE TO HAVE A DISABILITY.
- CONTINUE TO NEED MEDICAID TO WORK.
- MUST CONTINUE TO REPORT EARNINGS TO SSA EACH MONTH.

# SECTION 301

- IF SSA FINDS THE INDIVIDUAL HAS MEDICALLY RECOVERED DURING A **CONTINUING DISABILITY REVIEW** (CDR) OR **AGE-18 REDETERMINATION**, ALLOWS AN INDIVIDUAL TO CONTINUE RECEIVING BENEFITS UNTIL THEY REACH THEIR EMPLOYMENT GOAL.
- PROMISE, VOCATIONAL REHABILITATION, TICKET TO WORK, PASS, OR IEP OR OTHER SUPPORT SERVICES
- PROVIDES TEMPORARY BENEFITS – AT THE END OF PROGRAM PARTICIPATION, SECTION 301 PROTECTION STOPS AND BENEFITS ARE TERMINATED
- GOAL OF SECTION 301: INVESTMENT IN BENEFICIARY'S FUTURE – ALLOWS AN INDIVIDUAL TIME TO RECEIVE THE TRAINING AND SERVICES NECESSARY FOR *PERMANENT REMOVAL* FROM SSI OR DI

# Childhood Disability Benefit and Disability Insurance

- An insurance program
- Assets and unearned income does not matter
- Social Security looks at earnings from a job to decide if they get the benefit or not



# DISABILITY INSURANCE/SSDI

- GET ALL OF THE CHECK, OR NONE OF IT
- EARN LESS THAN \$1220 IN GROSS WAGES IN ONE MONTH, YOU GET YOUR CHECK
- EARN \$1220 OR MORE IN ONE MONTH, YOU DON'T GET YOUR CHECK
- IMPORTANT TO KEEP A COPY OF THEIR SCHEDULE AND PAYSTUBS



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# CDB and SSDI Work Incentives



- 9 MONTHS OF TRIAL WORK
- EXTENDED PERIOD OF ELIGIBILITY
- IMPAIRMENT RELATED WORK EXPENSES
- SUBSIDY
- UNSUCCESSFUL WORK ATTEMPT
- AVERAGING
- EXTENDED MEDICARE
- UNINCURRED BUSINESS EXPENSES AND UNPAID HELP FOR PEOPLE WHO ARE SELF EMPLOYED.
- SECTION 301

# MAWD

## MEDICAL ASSISTANCE FOR WORKERS WITH DISABILITIES

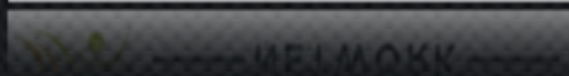
- **MUST HAVE A SIGNIFICANT DISABILITY**
- **MUST BE WORKING, CAN HAVE EARNINGS UP TO \$5,290 PER MONTH!**
- **MUST HAVE UNEARNED INCOME (SSDI, VETERANS BENEFITS, ALIMONY ETC.) LESS THAN \$791 PER MONTH**
- **MUST HAVE RESOURCES LESS THAN \$8000**



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MEMBER  
OF THE

“GREAT...I HAVE MORE MONEY NOW  
BUT I CAN ONLY HAVE \$2000 IN THE  
BANK!”





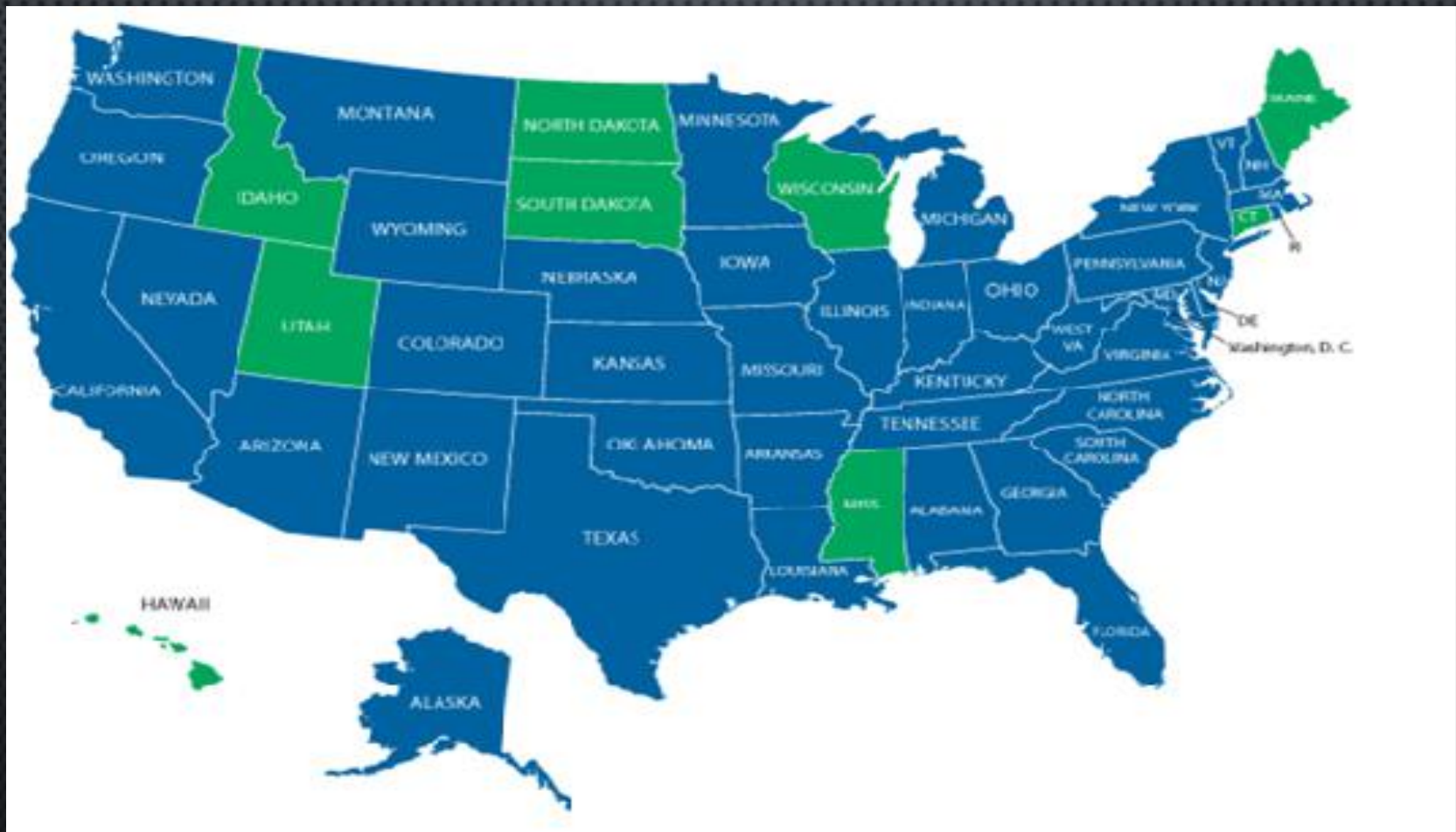
# WHAT IS AN ABLE ACCOUNT?

ACHIEVING A BETTER LIFE EXPERIENCE ACT OF 2013 OR THE ABLE ACT AMENDS SECTION 529 OF THE INTERNAL REVENUE SERVICE CODE OF 1986 TO CREATE TAX-FREE SAVINGS ACCOUNTS FOR INDIVIDUALS WITH DISABILITIES. THE BILL AIMS TO EASE FINANCIAL STRAINS FACED BY INDIVIDUALS WITH DISABILITIES BY MAKING TAX-FREE SAVINGS ACCOUNTS AVAILABLE TO COVER QUALIFIED EXPENSES SUCH AS EDUCATION, HOUSING, AND TRANSPORTATION. THE BILL SUPPLEMENTS, BUT DOES NOT SUPPLANT (REPLACE), BENEFITS PROVIDED THROUGH PRIVATE INSURANCES, THE MEDICAID PROGRAM, THE SUPPLEMENTAL SECURITY INCOME PROGRAM, THE BENEFICIARY'S EMPLOYMENT, AND OTHER SOURCES.

# What is an ABLE account (cont.)

A "QUALIFIED ABLE PROGRAM" IS A PROGRAM ESTABLISHED AND MAINTAINED BY A STATE AGENCY UNDER WHICH A PERSON MAY MAKE CONTRIBUTIONS TO AN ABLE ACCOUNT ESTABLISHED TO PAY FOR QUALIFIED DISABILITY EXPENSES.

THE ABLE ACT REQUIRES ASSETS IN ABLE ACCOUNTS TO BE DISREGARDED IN DETERMINING ELIGIBILITY FOR MEDICAID, SSI AND OTHER MEANS-TESTED FEDERAL PROGRAMS



# BASIC CHARACTERISTICS OF ALL ABLE ACCOUNTS

- THE INDIVIDUAL HAS TO HAVE ACQUIRED THEIR DISABILITY BEFORE THE AGE OF 26.
- INDIVIDUALS CAN ENROLL IN ANY STATE ABLE PROGRAM (IF THE PROGRAM IS ACCEPTING OUT OF STATE RESIDENTS).
- INDIVIDUALS CAN PUT UP TO \$15,000 INTO AN ABLE ACCOUNT (YEARLY LIMIT).
- ANYONE CAN CONTRIBUTE TO AN INDIVIDUAL'S ABLE ACCOUNT.
- ONE ACCOUNT AT A TIME.

# BASIC CHARACTERISTICS OF ALL ABLE ACCOUNTS

- THE INDIVIDUAL (DESIGNATED BENEFICIARY) IS THE ACCOUNT OWNER. A GUARDIAN OR POWER OF ATTORNEY CAN BE AN AUTHORIZED SIGNATURE AUTHORITY OVER THE ACCOUNT.
- ASSETS IN AND DISTRIBUTIONS FROM THE ACCOUNT ARE DISREGARDED WHEN DETERMINING ELIGIBILITY FOR MEANS TESTED BENEFITS (SSI, MEDICAID ETC.).
- AN INDIVIDUAL CAN HAVE UP TO \$500,000 IN AN ABLE ACCOUNT! (DEPENDING ON THE STATE)
- ABLE ACCOUNT FUNDS CAN BE USED FOR QUALIFIED DISABILITY RELATED EXPENSES.

# WHAT IS A "QUALIFIED DISABILITY RELATED EXPENSE"?

A "QUALIFIED DISABILITY EXPENSE" IS ANY EXPENSE RELATED TO THE DESIGNATED BENEFICIARY (ACCOUNT HOLDER) AS A RESULT OF LIVING A LIFE WITH A DISABILITY. THESE MAY INCLUDE EDUCATION, HOUSING, TRANSPORTATION, EMPLOYMENT TRAINING AND SUPPORT, ASSISTIVE TECHNOLOGY, PERSONAL SUPPORT SERVICES, HEALTH CARE EXPENSES, FINANCIAL MANAGEMENT AND ADMINISTRATIVE SERVICES AND OTHER EXPENSES WHICH HELP IMPROVE HEALTH, INDEPENDENCE, AND/OR QUALITY OF LIFE.

# THE LIST OF QUALIFIED DISABILITY RELATED EXPENSES IS BROAD!

**EDUCATION**-TUITION, BOOKS, TUTORING, MEAL PLANS

**HOUSING**-RENT, MORTGAGE, PROPERTY TAXES

**TRANSPORTATION**-CAR PAYMENT, BUS, TAXI OR UBER/LYFT FARE, TRAIN AND AIRPLANE FARES

**EMPLOYMENT TRAINING AND SUPPORT**-JOB COACH, CONTINUING EDUCATION CLASSES

**RESIDENTIAL**-MORE ATTENDANT CARE THAN MEDICAID PROVIDES

**ASSISTIVE TECHNOLOGY AND PERSONAL SUPPORT SERVICES**-DRAGON DICTATION, IPHONE, A COOK, HOUSEKEEPER

**HEALTH, PREVENTION, AND WELLNESS**-UNREIMBURSED MEDICAL EXPENSES, DIETARY SUPPLEMENTS, HEALTHCARE PRODUCTS

**FINANCIAL MANAGEMENT AND ADMINISTRATIVE SERVICES**-TAX PREPARATION, FINANCIAL ADVISOR, LEGAL GUARDIANSHIP

**LEGAL FEES**-ATTORNEYS FEES, COURT FILING FEES, TRUST AND ESTATE PLANNING

**EXPENSES FOR OVERSIGHT AND MONITORING**-GUARDIANSHIP, FINANCIAL MANAGEMENT SOFTWARE

**BASIC LIVING EXPENSES**-FOOD, HOUSING, CLOTHING, HOUSEHOLD SUPPLIES

**FUNERAL AND BURIAL EXPENSES**-EXPENSES FOR A FUNERAL, CASKET, BURIAL, RELIGIOUS OR CIVIC OFFICER

# QUALIFIED DISABILITY RELATED EXPENSE (CONT.)

- IRS WILL DECIDE IF THE EXPENDITURES ARE AN ALLOWABLE EXPENSE. (THERE IS A 10% PENALTY AND TAXATION FOR ANY NON QUALIFIED DISABILITY RELATED EXPENSE AND THE AMOUNT OF THE EXPENSE MAY AFFECT ELIGIBILITY FOR FEDERALLY MEANS-TESTED BENEFITS)
- SSA WILL ASK THE BENEFICIARY FOR RECEIPTS AND DETAIL OF WHAT MONEY WAS USED FOR DURING YEARLY REVIEWS.
- DSS WILL NOT ASK FOR EXPENDITURE DETAILS, BUT WILL ASK FOR VERIFICATION THAT THE ACCOUNT IS A QUALIFIED ABLE ACCOUNT.



# ABLE ACCOUNT LIMIT

THE TOTAL AMOUNT AN INDIVIDUAL CAN HAVE IN AN ABLE ACCOUNT CAN VARY BY STATE (UP TO \$500,000).

IF AN SSI BENEFICIARY HAS MORE THAN \$100,000 IN A ABLE, THE SSI CHECK WILL BE SUSPENDED (NOT TERMINATED) BUT, MEDICAID WILL CONTINUE!



SOME PEOPLE ASK, “ISN'T THIS A WAY FOR  
PEOPLE TO TAKE ADVANTAGE OF THE  
“SYSTEM”?

THE PURPOSE OF THE ABLE ACT IS TO HELP THE BENEFICIARY “ACHIEVE  
A BETTER LIFE EXPERIENCE” DURING THEIR LIFETIME.

**MEDICAID PAYBACK PROVISION:** ANY ASSETS REMAINING IN THE ABLE ACCOUNT  
WHEN A BENEFICIARY DIES, SUBJECT TO OUTSTANDING QUALIFIED DISABILITY EXPENSES,  
CAN BE USED TO REIMBURSE A STATE FOR MEDICAID PAYMENTS MADE ON BEHALF OF  
THE BENEFICIARY AFTER THE CREATION OF THE ABLE ACCOUNT (THE STATE WOULD  
HAVE TO FILE A CLAIM FOR THOSE FUNDS)

ACCOUNT DISCLOSURE DOCUMENT

# DIFFERENCE BETWEEN AN ABLE ACCOUNT AND A SPECIAL NEEDS TRUST?

## A SPECIAL NEEDS TRUST:

- DESIGNED FOR BENEFICIARIES WITH DISABILITIES SO THE BENEFICIARY CAN ENJOY THE USE OF PROPERTY THAT IS HELD IN THE TRUST FOR HIS OR HER BENEFIT.
- MUST BE MANAGED BY A FAMILY MEMBER OR TRUSTEE
- MUST BE DRAFTED BY A LAWYER, COST APPROXIMATELY \$2000
- RESTRICTIONS ON USES AND SPECIFICS ABOUT WHAT MONEY CAN BE PLACED IN TRUST
- LARGE DEPOSITS (INHERITANCES, ASSETS)

## ABLE ACCOUNTS

- INEXPENSIVE TO SET UP
- CAN BE MANAGED BY THE BENEFICIARY
- MORE FLEXIBILITY ON USE OF MONEY/ACCESS TO MONEY
- MORE FLEXIBILITY ON WHO CAN CONTRIBUTE/TYPE OF MONEY DEPOSITED INTO THE ACCOUNT
- SOME ABLE ACCOUNTS HAVE ADDITIONAL EXCITING FEATURES

# UNIQUE FEATURES

- DIFFERENT YEARLY FEES
- DIFFERENT INVESTMENT OPTIONS AND YEARLY FEES
- CHECKING AND SAVINGS ACCOUNT OPTION
- DEBIT CARD, MONTHLY FEES
- PRE PAID CASH CARD
- MEDICAID PAYBACK PROVISION
- ACCOUNT LIMIT
- EXPENSE TRACKING TOOL
- GO FUND ME SITE



# WHO IS THE EXPERT ON ABLE ACCOUNTS?

## **ABLE NATIONAL RESOURCE CENTER**

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