

**SUBJECT:** Ticket to Work and Self-Sufficiency Program

**REFERENCE:** The Ticket to Work and Work Incentives Improvement Act of 1999; Federal Register, Vol. 66, No. 249, December 28, 2001, pp. 67370 - 67442; TEGL 15-04; TEN 6-02; TEN 20-07; SSA Publication No. 63-034; and Federal Register, Vol. 73, No. 98, May 20, 2008, pp. 29324-29351.

**BACKGROUND:** The Ticket to Work and Work Incentives Improvement Act of 1999 established the Ticket to Work and Self-Sufficiency Program (Ticket to Work program) to expand employment opportunities for beneficiaries of Social Security Administration (SSA) disability programs. This program provides disabled beneficiaries of Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) expanded options for access to employment services, vocational rehabilitation (VR) services, and other support services.

When the New Freedom Initiative was announced in February 2001, a primary goal was to ensure swift implementation of the Ticket to Work program. The direct engagement of the workforce investment system was seen as an important element in successfully achieving the Ticket provisions and significantly expanding available services to beneficiaries with disabilities. By involving the Workforce Investment Act (WIA) Title I and Wagner-Peyser programs, either singly or in partnership with vocational rehabilitation agencies, it was anticipated that overall employment opportunities and outcomes for Social Security Administration beneficiaries would be increased. In May, 2008, the regulations for the Ticket to Work program were revised to improve the overall effectiveness of the program. They become effective July 21, 2008. The revisions were based on projections of the future direction of the Ticket to Work program, experience using prior rules, and recommendations made by commenters on the program.

**POLICY:** Some beneficiaries of Social Security Disability Insurance and Supplemental Security Income may have come to One-Stop Career Centers looking for services. This policy is written not only to inform One-Stop Career Center operators and partners of options and considerations related to the Ticket to Work Program, but to provide information on the revisions to the regulations.

The Ticket to Work program establishes a system of qualified Employment Networks (ENs) as providers of vocational rehabilitation, employment and other support services. Individualized "Tickets" are provided to beneficiaries for the "purchase" of services from approved ENs. Public and private entities may apply to become an Employment Network and, if determined qualified, enter into a cooperative agreement with the Social Security Administration establishing their Employment Network status. Participation in the program is voluntary.

The workforce investment system must assure that information on employment, training, and rehabilitation services, including EN providers, are made available to beneficiaries who seek services. SSI and SSDI beneficiaries are eligible for core services, intensive and training services in accordance with WIA section 188 regardless of the One-Stop system's participation in the Ticket program. Many individuals with disabilities are already receiving services at local One Stop Career Centers, and a percentage of these individuals are receiving Social Security benefits. However, if the state or local One-Stop system does not elect to participate in the Ticket to Work program as an EN, it cannot accept a Ticket from a beneficiary or receive the benefits of SSA payment options when services are provided and successful.

### **Tickets**

The Ticket is a document issued by the Social Security Administration. It includes unique identifying information such as name and Social Security number. The Ticket provides a description of the program and explains how to offer the ticket to an EN or State VR agency.

Beneficiaries may discuss their rehabilitation and employment plans with as many Employment Networks as they wish in the process of selecting their EN provider. They may select any EN which is serving under the program and willing to provide services, or the State Vocational Rehabilitation agency, but they may not assign their Ticket to more than one EN at a time. If the State VR agency provides services, it will decide whether to accept the Ticket and receive payment as an EN. If the State VR agency decides to be paid under the cost reimbursement payment system, the Ticket has not been assigned and the beneficiary may assign their Ticket after the State VR agency closes their case. Beneficiaries may also terminate their relationship with an EN by taking their Ticket out of assignment for any reason. However, they must notify the Program Manager in writing. They may reassign their ticket to a different EN, or the State Vocational Rehabilitation agency in accordance with the regulations.

Once a Ticket is assigned, the Ticket Holder/job seeker will not undergo a medical review from the Social Security Administration. This provides the individual a chance to become established in a job prior to losing disability benefits based upon medical improvement.

Since beneficiaries do not have to participate in the program, they may choose to set aside the Ticket with plans to participate later. SSI and/or SSDI benefits are not affected if beneficiaries decide to not participate in Ticket to Work.

Please note that not all SSI/SSDI beneficiaries shall be eligible to receive a Ticket. For example, beneficiaries under the age of 18 or age 65 and older are not eligible to participate in the Ticket to Work.

### **Employment Network**

Any qualified agency, instrumentality of a state, or private entity that assumes responsibility for the coordination and delivery of employment, rehabilitation or other support services under the Ticket program may apply to be an Employment Network. These include qualified state and local public entities, private non-profit and for-profit entities, private and public schools that provide vocational rehabilitation or employment services, and employers. The minimum qualifications necessary for an EN are described in 20 CFR 411.315. One-Stop delivery systems established under Title IB of the Workforce Investment Act of 1998 are qualified to be Employment Networks and do not have to respond to the RFP. However, in order to participate in the Ticket to Work program, the One-Stop delivery system must enter into an agreement with SSA to be an EN and must maintain compliance with both general and specific selection criteria found in §411.305 and §411.315. These sections require the EN to be physically and programmatically accessible to beneficiaries seeking services.

State vocational rehabilitation agencies may elect, but are not required, to participate as ENs. The State Vocational Rehabilitation agency may elect on a case-by-case basis to participate in the Ticket to Work program as an EN, or it may elect to provide services to beneficiaries under the VR cost reimbursement option.

An organization may apply as a stand-alone EN or in partnership with other entities as a consortium. Organizations may apply to cover a local community specified by zip code, city or county, or may do so based upon regional or state-wide service coverage. Qualified national organizations may also apply to become ENs.

### **Services Provided by Employment Network**

An approved Employment Network is not obligated to accept a Ticket from a beneficiary who requests services. The EN may determine they are unable to provide the type of services requested by the beneficiary or that a successful employment outcome may not be possible. Organizations applying to become ENs may elect to provide limited services that address their organizational capacity or that enable them to focus on what they consider to be their strengths. Therefore, a single EN is not required to provide a full complement of

vocational rehabilitation, employment and other support services. An EN may also enter into an agreement with another EN to jointly provide services.

Upon accepting a Ticket from a beneficiary, the network and the Ticket holder together design an Individual Work Plan (IWP) outlining the services to be provided to assist the beneficiary in reaching his or her employment goal. The IWP is a required written document signed by the EN and beneficiary (or his/her representative). The IWP is similar in scope to the Individual Employment Plan (IEP) provided under WIA.

An EN may terminate its relationship with a beneficiary if it is apparent that it can no longer effectively assist the beneficiary in achieving his/her employment goals agreed upon in the IWP. ENs that are unable to provide the services requested from an interested beneficiary may provide them information on additional employment, training, and rehabilitation services, such as the state or local contacts listed in the EN Directory. The EN Directory can be found on the MAXIMUS website at <http://www.yourtickettowork.com/endir>.

### **Employment Network Payment Options**

There are two payment options for Employment Networks, the "outcome payment" and the "outcome-milestone payment." Approved ENs are required to elect one of these two payment options that will then be in effect for all beneficiaries to whom they are the designated Ticket holder. Selection of a payment option will be generally based upon a balancing of the EN's anticipated costs and expected successful outcomes the EN expects to achieve.

The Ticket to Work program sets forth special payment provisions for state vocational rehabilitation agencies that include a cost reimbursement payment option, as well as the ability to serve beneficiaries as an EN or under the cost reimbursement option on a case-by-case basis.

The *outcome payment system* provides a schedule of payments to an EN (or a State VR agency acting as an EN) for each month, during an individual's outcome payment period, for which Social Security disability benefits and Federal SSI cash benefits are not payable to the individual because of work or earnings. Outcome payment months do not have to be consecutive. Any month in which Social Security disability benefits and Federal SSI cash benefits are not paid due to work or earnings may qualify as an outcome payment month. An EN may receive up to 36 outcome payments for a Title II disability beneficiary (including a concurrent Title II/Title XVI disability beneficiary). An EN may receive up to 60 outcome payments for a Title XVI disability beneficiary who is not concurrently a Title II disability beneficiary. Payment for an outcome payment month under the outcome payment system is equal to 67% of the payment calculation base for the calendar year in which such month occurs.

The *outcome-milestone payment system* provides a schedule of payments to an EN (or State VR agency acting as an EN) that includes, in addition to any outcome payments which may be made during the individual's outcome payment period, payments for completion by a Title II or Title XVI disability beneficiary of up to four Phase 1 milestones; and up to eleven Phase 2 milestones for a Title II disability beneficiary or a concurrent beneficiary or up to eighteen Phase 2 milestones for a Title XVI disability beneficiary who is not a concurrent Title II disability beneficiary. Phase 1 milestones are based on the beneficiary achieving a level of earnings that reflects initial efforts at self-supporting employment. Phase 2 milestones are based on the beneficiary achieving a level of earnings that reflects substantial efforts at self-supporting employment. Under the outcome-milestone payment system, the total payment to the EN is about 90% of the total that would have been potentially payable under the outcome payment system for the same beneficiary.

The average monthly disability benefit in Calendar Year 2008 for SSDI (Title II) recipients is \$981.17 and for SSI (Title XVI) beneficiaries is \$563.35. Using these averages, total payment under the outcome payment method would be \$23,652 for SSDI (36 months) and \$22,620 for SSI beneficiaries (60 months). Under outcome-milestone payments, the regulations provide an illustrative example showing ENs receiving a total of \$21,299 for serving SSDI beneficiaries and \$20,542 for serving SSI beneficiaries.

After an EN elects its payment system, the EN may choose to make one change in its elected payment system in each calendar year thereafter. There are no limitations on the use of Ticket to Work payments and such payments are considered revenue to the recipient organization. With regard to the One-Stop Center system, these payments are not considered program income. For more information on the Ticket payment system see SSA's website at: <http://www.ssa.gov/work/>.

### **Work Opportunity Tax Credit**

SSA beneficiaries in the Ticket to Work Program are a targeted tax group under the Work Opportunity Tax Credit, which can offer employers an additional financial incentive in hiring Ticket holders.

### **Reporting Requirements**

An EN must report to the Project Manager each time it accepts a Ticket for assignment or no longer wants a Ticket assigned to it. The EN must provide other information that relates to the progress of the beneficiary/EN relationship and achieving IWP employment goals. These would include such items as a copy of each signed IWP, copies of amendments to the IWP, information on all cases where the beneficiary/EN relationship has ended, outcomes achieved with respect to services provided to beneficiaries, and other pertinent information.

### **Participation of the One-Stop System in the Ticket to Work Program**

The comprehensive nature of the One-Stop system makes it a natural service provider as an EN. The Ticket to Work legislation specifically cites One-Stop delivery systems as potential ENs. The involvement of the One-Stop system can significantly expand the availability of services to beneficiaries, and SSA is strongly encouraging the system to participate in Ticket to Work. Participation as an EN also provides an additional revenue source to the One-Stop delivery system since outcome or outcome-milestone payments will not replace existing funding sources.

There are a variety of different options under which the One-Stop system can participate including, but are not limited to, the following possibilities:

- A state Workforce Investment Board or State Workforce Agency may apply to be an EN on behalf of all workforce investment areas in the state;
- A local Workforce Investment Board, or single One-Stop Center operator in consultation with the local Board, may apply to be an EN;
- Several Workforce Investment Boards may apply to form a regional partnership to cover their workforce investment areas;
- A state or local Workforce Investment Board may partner with the state vocational rehabilitation agency; or
- A One-Stop Center may apply jointly with other partners and/or local public or private providers such as: 1) other state mental health or TANF agencies; 2) state or local nonprofit organizations; 3) federally funded grantees; 4) community colleges and vocational schools; 5) Centers for Independent Living or 6) employers.

The One-Stop Center may elect to be the lead agency in a consortium with administrative responsibilities of holding the Ticket on behalf of the EN partnership. EN partnerships may benefit considerably by sharing service costs while maximizing expertise and resources available to provide optimal services to achieve beneficiary goals, while accepting at the same time reduced payments based upon the terms of the consortium agreement and the proportionate level of service provided by respective partners.

### **Partnership Plus**

The revised regulations provide an opportunity for new Employment Network-Vocational Rehabilitation partnerships under which SSA will pay a State VR agency and an EN for assisting the same beneficiary, although the services must be provided sequentially not concurrently. Under this new "Partnership Plus" option, a Ticket holder may receive VR services to meet his/her intensive up front service needs and, after the VR case is closed, assign his/her Ticket to an EN to receive ongoing support services. As in the past, the VR agency may submit for Cost Reimbursement when the beneficiary reaches 9 months of net substantial gainful activity (SGA) within a twelve month period. The EN would provide job retention and/or ongoing support services and subsequently be eligible for any

earned Phase II Milestones and Outcome payments. This change may be very beneficial to Ticket holders.

In some states, ENs and VR agencies are designing interagency agreements to facilitate equitable revenue sharing and a coordinated system of services for beneficiaries. Such agreements are an important component of a service delivery system that expands the scope of services available to beneficiaries and facilitates the coordination of services across agencies. Agreements should include procedures for referrals and sharing information, financial responsibilities of each party, terms and procedures under which the EN will pay the state vocational rehabilitation agency for services, and procedures for resolving disputes.

### **Program Manager**

The Program Manager provides administration of the Ticket program under the direction of the Social Security Administration. In September, 2000, SSA contracted with MAXIMUS, Inc. to serve as Program Manager for national coverage of the Ticket to Work program. MAXIMUS is responsible for:

- Establishing and maintaining a toll-free telephone call center and electronic mail response capability to answer beneficiary questions and make referrals, as appropriate;
- Administering and supporting the Ticket assignment process;
- Administering and supporting the Employment Network payment process; and
- Insuring the continuity and seamless operations of the Ticket program for the key Ticket program participants; ie., Social Security Administration beneficiaries, Employment Networks, and state Vocational Rehabilitation agencies.

Training and information is available to ENs and beneficiaries in a variety of formats including technology-based, non-traditional media (i.e., videophone conferencing, web cast presentations, and satellite), traditional media (i.e., print and CD-ROM), and custom classroom-based training on-line or on-site. The web-based training can be accessed at the MAXIMUS website:

<http://www.yourtickettowork.com>.

### **Dispute Resolution Requirements**

ENs must establish internal grievance procedures for resolving disputes between the EN and beneficiaries. ENs must also notify beneficiaries of assistance available to them from the Protection and Advocacy system described below. Requests for dispute resolution may be raised to the Program Manager and then to SSA for final arbitration. In addition, each recipient of WIA Title I financial assistance must establish its own discrimination complaint-processing-procedures. The non-discrimination regulations at 29 CFR 37 set forth specific criteria to which a recipient's complaint-processing-procedures must adhere. In order to be a qualified EN, service providers must not discriminate "in the

provision of services based on a beneficiary's age, gender, race, color, creed or national origin" [20 CFR 411.315(a)(3)]. In addition, non-discrimination provisions of WIA Section 188 and its implementing regulations at 29 CFR Part 37 apply to all recipients of financial assistance under WIA Title I, and to programs and activities that are part of the One-Stop delivery system. One-Stop Centers that serve as ENs must comply with the nondiscrimination and equal opportunity obligations set forth in those provisions, including the obligations to provide physical and programmatic access and reasonable accommodations. As is the case with WIA Title I participants, beneficiaries must be given the option of filing a complaint regarding a violation of the nondiscrimination provisions of WIA Section 188 with the recipient or the Department of Labor's Civil Rights Center.

For disputes between EN partners, use resolution procedures identified in the partner agreement or, if not defined, apply procedures based upon state and administrative law. Payment or other issues such as status of Ticket holder can be elevated to the Program Manager and then SSA for final resolution.

### **Other services available for beneficiaries and ENs**

The Act establishes, or makes resources available to assist beneficiaries in achieving self-sufficiency and support efforts of EN providers.

1. *Work Incentive Planning and Assistance Project (WIPA)* - The Social Security Administration awards grants to community-based organizations as established by Section 121 of the Ticket to Work and Work Incentives Improvement Act of 1999. The purpose of the WIPA project is to disseminate accurate information to SSA beneficiaries with disabilities about work incentives and employment support programs to better enable them to make informed choices about work. Each WIPA project employs Community Work Incentive Coordinators.
2. *Community Work Incentives Coordinator (CWIC)* – A CWIC employed by the Work Incentives Planning and Assistance project works directly with Social Security beneficiaries with disabilities to assist them in their employment efforts. CWICs provide outreach to beneficiaries with disabilities and work incentives planning and assistance. Their role includes:
  - Working in cooperation with Federal, State, private agencies, and nonprofit organizations that serve beneficiaries with disabilities;
  - Conducting outreach to beneficiaries with disabilities (and their families), employment-related organizations, disability service providers, special education transition coordinators, and other groups and individuals who need information about SSA's Work Incentives and the Ticket to Work Program;
  - Screening and referring beneficiaries with disabilities to appropriate Employment Networks based on the beneficiary's expressed needs and types of impairments;

- Providing general information on the adequacy of health benefits coverage that may be offered by an employer of a beneficiary with a disability and the extent to which other health benefits coverage may be available to that beneficiary in coordination with Medicare and/or Medicaid; and
  - Providing information on the availability of protection and advocacy services for beneficiaries with disabilities and how to access such services.
3. *Protection and Advocacy System (P & A)* - Under section 122 of the Ticket to Work and Work Incentives Improvement Act, SSA provides additional funding to the existing P & A System established in each state, District of Columbia, U.S. Trust Territories, and Tribal Governments. P & A grant recipients provide information, advice, advocacy, legal counsel, and other services to SSI/SSDI beneficiaries.

### **Navigator Demonstration Program**

To further support Ticket to Work objectives, ETA and SSA worked together to fund a Disability Program Navigator initiative in several states including Nebraska. The Navigator demonstration program has funded staff in One-Stop Career Centers across the nation to facilitate successful service delivery and employment outcomes for persons with disabilities as well as beneficiaries of SSA disability programs.