

Social Security Administration (SSA)

The Division of Vocational Rehabilitation Program

Chapter 16

- 16.00 **Ticket to Work Program** – The purpose of the Ticket to Work Program is to expand the employment opportunities for most individuals receiving Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) benefits and reduce their dependency on SSA benefits.
- 16.01 **Tickets** – A Ticket under the Ticket to Work program is a document, which provides evidence of the SSA's agreement to pay DVR or another employment network (EN) to which a disabled beneficiary's ticket is assigned/in use. This would include employment services, vocational rehabilitation services or other support services to the SSI/SSDI beneficiaries.
- 16.02 **Work Incentive, Planning and Assistance (WIPA) Program** – SSA originally initiated the Benefits Planning, Assistance and Outreach (BPAO) Program. This was renamed the WIPA Program to provide SSI/SSDI recipients with information on various benefits and work incentives to empower them to make informed choices about employment.
- 16.03 **Protection and Advocacy** – SSA has developed Protection and Advocacy Center (P&A), an advocacy and protection program dedicated to beneficiaries who are receiving Social Security benefits.
- 16.04 **Ticket Activation** – SSI/SSDI beneficiaries eligible for a Ticket have the choice of placing their Tickets in use with DVR or assigning their Tickets to DVR or another local Employment Network. If the Ticket is placed in use with or assigned to DVR, DVR must provide the beneficiary with information, including contact information for the local WIPA, to assist beneficiaries in making choices regarding participation in the program and the most appropriate provider. The beneficiaries may decide to come directly to DVR for services or may be referred to DVR by another EN. Once referred and accepted by DVR, the beneficiary must place their Ticket in use with or assign their Ticket to DVR to receive services. When a beneficiary signs the IPE, the beneficiary has placed their ticket in use as referenced in Section 411 of the SSA Regulations. A beneficiary cannot use both DVR and an EN at the same time.
- 16.05 **Ticket Reassignment** – Beneficiaries may choose to initially assign their Tickets to another EN and later choose to be referred to DVR for services. Or a beneficiary may choose to receive services from DVR and reassign their Ticket to another EN.
- 16.06 **Timely Progress** – SSA has set guidelines to determine whether an individual is making timely progress toward self supporting employment and demonstrating an increasing ability to work that will reduce or eliminate beneficiaries' dependence on SSA benefits. DVR is responsible for assisting beneficiaries in understanding these guidelines so that they do not unnecessarily risk losing their protection from Continuing Disability Reviews (CDR's).

- 16.07 **The Division of Vocational Rehabilitation participates in the Traditional Cost Reimbursement Program and the Employment Network (EN) Payment Program** and complies with the Federal regulations governing the funding for services to individuals covered by these programs.
- 16.08 **SSA Traditional Cost Reimbursement** – SSA will reimburse DVR, on a case- by-case basis, under three payment provisions within the SSA/DVR Reimbursement Program. This special program includes the same range of services as the general program.
1. Not all SSI/SSDI recipients are eligible to participate in the Ticket to Work Program. DVR will serve recipients who do not have Tickets and DVR may receive SSA reimbursement if recipients become employed and meet other reimbursement program requirements.
- 16.09 **Reimbursement: Nine-Month Substantial Gainful Activity (SGA). SSA will pay for successful rehabilitation claims.**
1. According to Title II (SSDI) or Title XVI (SSI), a successful rehabilitation occurs when an individual performs nine continuous months of SGA (as defined in Section 16.1104) in accordance with the criteria established by the SSA. For individuals under both Title II (SSDI) and Title XVI (SSI), DVR may be paid for vocational rehabilitation services that contributed to the individual's performance of the nine-month period of SGA. (The criteria followed by the SSA are outlined in the applicable regulations.)
 2. Reimbursement, subject to the criteria, will be made for both actual expenses and for administrative, counseling and placement (ACP) and tracking costs on a formula basis.
 3. DVR must have considered comparable services and benefits. Costs claimed must not have been paid by or be payable from some other source.
 4. DVR services are provided to those SSDI beneficiaries and SSI recipients who apply for services. Cases potentially eligible for reimbursement must meet the following criteria requirements:
 - a. Nine months Substantial Gainful Activity (SGA) required. (Exceptions: section "301" and "refusal" cases);
 - b. Medical services must be provided, initiated and/or coordinated through the IPE if there is a Medical Improvement Expected (MIE) by SSA;
 - c. The total payment for each case must not be so high as to preclude a "net saving" to the Federal government.
 5. SSDI/SSI SGA cases closed as rehabilitated must have been followed for nine months of SGA employment to be eligible for reimbursement, with the follow-up period well documented in the case file.
 6. Termination of SSDI benefits and/or nonpayment or substantial reduction of SSI payments is the expected result of such rehabilitation efforts.
 7. The SSA/DVR claim for reimbursement should be submitted at the time of the nine month SGA rehabilitated closure, or as soon as employment documentation reflecting nine months of SGA is secured.

8. Under the general rehabilitation program, the IPE employment outcome can be homemaker, unpaid family worker, or below SGA, none of which would be likely to result in termination of benefits. Such non-SGA cases are not eligible for SSA reimbursement and need only be followed in employment for the regular 90 day minimum requirement.
9. All claims must be filed by the 12th month following completion of the nine months Continuous Period (CP) of SGA.

16.10 "Section 301" Individuals - [Section 301 refers to the location of this provision in the original legislation and it allows certain beneficiaries to continue receiving benefits even after the disability ceased.]

1. Section 301 cases do not require nine months of SGA employment for reimbursement.
2. Payment can be made by SSA to State VR agencies for services provided to individuals who continue to receive disability payments after their disability has ended because of their participation in an approved VR program.
3. "301" reimbursement claims should be submitted after DVR services end and/or at the time of the rehabilitated closure, and all "301" claims should be submitted within 90 days after DVR services end.

16.11 SSA/DVR Reimbursement/Payment Provisions

1. The State is subject to Federal audit of the VR services and/or administrative costs for which SSA reimbursements are made. Compliance with the criteria will be audited.
2. SSA regulations require that records relating to the services and costs for which payment was made be retained for a minimum of two years.
3. SSA will pay for those services that occurred within the SSDI/SSI allowance period(s).
 - a. The payment period for a Title II (SSDI) claimant extends from the waiting period through the extended entitlement period to termination, or to the first period of nine continuous months of SGA if that comes sooner.
 - b. The payment period for a Title XVI (SSI) claimant generally extends from the date of eligibility to the date of termination, excluding periods of ineligibility (non-pay). As with the Title II claimant, if the first period of nine months of continuous SGA occurs prior to termination, the payment period ends on the date success is achieved.
4. SGA lasting for a continuous period of nine (9) months means:
 - a. SGA in 9 consecutive months; or
 - b. SGA in 9 out of 10 months, regardless of reason for one month break; or
 - c. SGA in 9 out of 12 months, if break exceeding one month is unrelated to impairment and due to circumstances beyond individual's control (e.g., employer closed down for three months).

5. DVR has 60 days to appeal an SSA decision as it applies to the adjudication of a specific claim based on:
 - a. whether success occurred
 - b. whether DVR significantly contributed to the successful rehabilitation
 - c. the amount SSA paid on the claim

16.12 Reporting Third Party Payments

1. If a State receives a third party payment for either a pending claim or for which they have already received reimbursement, they must report the following information to SSA via the State SSA/DVR Program Coordinator.
 - a. State Division Name
 - b. Division Code (08)
 - c. Subject: Recovery of Third Party Payments for vocational rehabilitation services
 - d. Name of DVR individual (first, MI, last)
 - e. Social security number (SSN) under which the individual receives social security benefits
 - f. SSN of individual if different
 - g. Date claim filed
 - h. Direct costs claimed
 - i. Direct costs reimbursed by SSA
 - j. Administrative, counseling, and placement (ACP) costs claimed
 - k. ACP costs reimbursed by SSA
 - l. Amount of direct costs paid by a third party
 - m. Amount of ACP or any other costs paid by a third party
 - n. Total amount to be recovered
 - o. Source of third party payment(s)

16.13 Coordination with SSA

1. Through an agreement between SSA and DVR, DVR has implemented an automated system, the State Verification and Exchange System Agreement (SVES), to verify SSA benefit status for all persons applying for and receiving services from DVR. The counselors shall use the SVES record to verify SSA benefit status and, if applicable, code the individual's RIMS record. If needed, the counselor may request additional information from the local SSA office for the purpose of eligibility determination and/or verification of SSA benefit status.
2. The Area SSA/DVR Coordinator or designated Supervisor or Counselor should coordinate any informal "REFUSAL" requests for assistance from an SSA Area/Branch office.
3. A signed release of information is not necessary when exchanging any information between DVR and SSA or the Office of Disability Determinations.
4. DVR individuals should continue to be referred to the local SSA offices for any assistance in connection with their disability claims, or to report such events as recovery from impairment, return to work, termination of work, etc., which may have a bearing on their claims.

5. There should be regular liaison and cross training established by DVR with the Area SSA offices in order to ensure continued good cooperation and working relationships. Each SSA office has designated staff, Work Incentive Liaisons and Technical Experts, who may provide training for DVR and/or assist with the various work incentives, including the SSI Plan for Achieving Self Support (PASS).
6. DVR will request EN Payments as provided under 20 CFR, Part 411, Section 411.550 and as shown in DVR's Ticket to Work Program Procedural Guide.
7. The DVR SSA/Ticket to Work Program Unit will be responsible for designating which cases will be selected for EN Payments and for coordinating the submission of payment requests to SSA.

Stevens Amendment

The Florida Department of Education, Division of Vocational Rehabilitation (VR) is an equal opportunity employer. It is against the law for VR as a recipient of Federal financial assistance to discriminate against any individual in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief. The application process used by VR to determine eligibility for services, any subsequent services and the entire VR process are subject to these non-discrimination requirements. Auxiliary aids and services are available upon request to individuals with disabilities. VR program receives 78.7 percent of its funding through a grant from the U.S. Department of Education. For the 2021 Federal fiscal year, the total amount of grant funds awarded were \$176,836,896. The remaining 21.3 percent of the costs (\$47,860,557) were funded by Florida State Appropriations. Revised October 2021.