

**Statement of
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**Ticket to Work and Work Incentives Advisory Panel,
Social Security Administration**

Submitted to the Senate Committee on Finance

**Hearing on
“Barriers to Work for Individuals Receiving Social Security
Disability Benefits”**

June 21, 2007

As Chair of the Ticket to Work and Work Incentives Advisory Panel (the Panel), I respectfully submit the following statement on behalf of the Panel. We appreciate this opportunity.

The topic of today’s hearing, “Barriers to Work for Individuals Receiving Social Security Disability Benefits,” represents one of the core issues to which the Panel has been devoting much of its work since Congress established the Panel in 2000 as part of the Ticket to Work and Work Incentives Improvement Act of 1999 (the Act). The Panel will continue to focus on this issue through our sunset date of December 2007.

At each of the Panel’s meetings, we have heard from diverse stakeholders, including beneficiaries who have shared their perspectives and advice on the need for immediate improvements to current programs under the Act, as well as approaches to more comprehensive, systemic changes to policy and system design. We have also conducted extensive policy research, consulted both nationally and internationally with experts in the field of return to work, and provided the President, Congress and the Commissioner of the Social Security Administration (SSA) with recommendations and counsel for enhancing the return to work efforts of disability beneficiaries.

Beneficiaries’ perspectives and recommendations have played a primary role in the development of Panel advice and will continue to play a critical role as we develop the recommendations in our Final Report, which will be released at the end of 2007. Beneficiaries have affirmed to the Panel that most people with disabilities want to work but are challenged by system fragmentation and complexity, fear of loss of health care benefits and overpayments, and well intended policies that have the effect of limiting economic security and advancement. It is estimated that, in 2005, 104,100 non-employed SSI beneficiaries were actively looking for work, and 103,200 non-employed SSDI beneficiaries were actively looking for work.¹

Over the years, the Panel has provided recommendations related to SSA's work incentives, health care programs, administrative and programmatic operations and budgetary issues, as well as the work of other federal programs charged with the responsibility of removing barriers to employment and economic self-sufficiency for individuals with disabilities. Below are key recommendations that the Panel has made and that we reiterate now as you consider strategies and approaches for removing barriers to work.

Our recommendations are organized into the following categories: 1) Ticket to Work and Self-Sufficiency Program-Related Issues; 2) Marketing and Outreach on Work Incentives; 3) Improving/Simplifying Specific Work Incentives; and 4) Training for Work Incentives Specialists.

Ticket to Work and Self-Sufficiency Program-Related Issues

On September 30, 2005, SSA published a Notice of Proposed Rule Making called "Amendments to the Ticket to Work and Self-Sufficiency Program." These proposed amendments incorporated many of the Panel's priority recommendations. We were particularly pleased that the proposed amendments accounted for and addressed the multi-step nature of returning to work by calling for a new payment system for Employment Networks (ENs), offering more frequent and earlier payments.

The Panel was hopeful that the proposed changes would improve the program. Unfortunately, SSA has not yet published the final regulations, and the program continues to face significant problems. In fact, the number of active ENs working with Social Security beneficiaries has been in a statistical decline for the past eight months.

The Panel continues to hold hope for a demand-driven approach to supporting beneficiaries in going to work; however, without significant enhancements and aggressive outreach, we fear the Ticket Program will not recover from initial design flaws and ongoing beneficiary and EN disenchantment.

Specifically, the Panel recommends:

- All SSI and SSDI adult beneficiaries, including those designated as medical improvement expected, should be eligible to participate in the Ticket Program.²
- Payments to ENs should be more frequent and earlier to reduce ENs' financial risk. One caution is that SSA should review the lump sum milestone payment provisions to ensure Tickets retain sufficient value so beneficiaries continue to be able to negotiate for needed services later in their return to work efforts.³
- SSA should rewrite the regulations and modify transmittal 17 to make it clear that:
 - Beneficiaries' eligibility for vocational rehabilitation (VR) service or the scope of those services should not be adversely affected by where they assign their Ticket.

Eligibility for VR services and VR client status should not dictate when or where beneficiaries can use their Ticket.

- ENs should receive payments from SSA for beneficiaries who, with EN assistance, continue in employment above substantial gainful activity (SGA) after VR has been paid under the traditional cost reimbursement system.⁴
- Transition-aged youth should be eligible for Tickets.⁵
- Request Commissioner of SSA's support of Panel's recommendation to Congress to extend Ticket continuing disability review (CDR) protection to any and all beneficiaries who are participating in an approved program of VR services, employment services, or other employment support services.⁶
- Explicitly state that a person entitled to benefits pursuant to expedited reinstatement is immediately eligible for a new Ticket.⁷
- Amend statute to permit the Ticket Program to increase the sum of payments for serving SSI beneficiaries to a level equal to the sum of payments for serving SSDI beneficiaries.⁸
- Beneficiaries should be eligible for more than one Ticket in a period of entitlement for SSDI/SSI benefits when their disability is likely to require some indefinite supports to remain employed (including self-employment).⁹

Marketing and Outreach on Work Incentives

A coordinated marketing and substantial nationwide public education campaign, targeted to beneficiaries, their families and disability service providers, is needed to increase awareness of SSA's work incentives and to debunk some of the widely held misperceptions about the negative consequences of work for beneficiaries. As referenced earlier, there are substantial numbers of disability beneficiaries actively engaged in looking for work who could face greater likelihood of success if they knew what supports were available and how existing work incentives could provide an important safety net in their return to work.

Specifically the Panel recommends:

- SSA should immediately develop a national marketing and public education campaign to explain available programs.¹⁰
- Expand resources available to broaden the impact of the work incentives planning and assistance network.¹¹
- Expand resources available to broaden the impact of protection and advocacy services and supports.¹²

Improving/Simplifying Specific Work Incentives

Across the board, SSA needs to reduce the complexity and improve the consistency of work incentives for both the SSDI and the SSI programs. We are pleased to announce that the Panel, in consultation with national experts, is preparing an advice report for the President, Congress, and SSA on work incentives utilization. We will be deliberating on this report during our July 2007 quarterly meeting, and plan to publish it this summer.

This Panel is considering ten themes or high level recommendations that form an overall basis for increasing the utilization of work incentives, and more importantly, improve the employment status of beneficiaries with disabilities.

1. Increase awareness of beneficiaries about work incentives (including better understanding and expanding outreach efforts).
2. Improve the collection, organization, and use of data about work incentive utilization for decision making.
3. Improve SSA customer service and the knowledge base of accurate information (training and technical assistance to SSA personnel) delivered to beneficiaries.
4. Integrate planning and delivery of work incentive programs across the myriad of federal programs involved.
5. Increase the number of trained work incentive planning specialists dedicated to assisting beneficiaries.
6. Conduct studies and create demonstration projects to exemplify improved work incentives utilization.
7. Increase the limits on liquid cash and assets for the purposes of future security for beneficiaries.
8. Assure accessible health care as work incentives are utilized.
9. Reduce the risk of overpayments for beneficiaries.
10. Ensure that work incentives accommodate the dynamic nature of disability.

Training for Work Incentives Specialists

The Panel has continued to recommend that Congress appropriate funds for training of SSA staff and work incentives specialists to explain work incentives to beneficiaries, and is currently reviewing how beneficiary support is provided within the current field office structure.

The Panel has also supported funding private organizations to provide work incentives training and support, beginning with the Benefits Planning, Assistance, and Outreach Program and now the Work Incentives Planning and Assistance Program as well as the Protection and Advocacy for Beneficiaries of Social Security Program.

Specifically, the Panel recommends:

- Congress should direct SSA to spend more on public education and field training.¹³

Next Steps for Panel

The Panel's three goals are driving our work: 1) Goal 1 – Elevate and Incorporate the Beneficiary Perspective; Goal 2 – Improve Implementation and Marketing of the Ticket to Work and Work Incentives Improvement Act; and Goal 3 – Develop A National Employment Investment Strategy to Transform Approaches to Assets, Income, Health Care, and Supports for People with Disabilities that is Person-Centered, Culturally Competent, and Respectful of Each Person's Values and Experiences

The recommendations we have offered to date are part of our continuous improvement goal, and our forthcoming advice report on work incentives utilization will provide more detailed recommendations for increasing utilization of work incentives.

The Panel will also be publishing two other reports in line with our other goals. These reports will feed into our Final Report.

1. Beneficiary Summit Report – “Voices for Change: Beneficiaries Paving the Way to Work”

This report will include the Beneficiary Summit recommendations. In addition, the Panel will be developing recommendations for ensuring beneficiary input for future policy development separate from this report.

2. National Employment Investment Strategy Report

The Panel recognizes that more will need to be done outside the current structure to more substantially remove barriers to work for people with disabilities. This report will lay out a comprehensive approach to promoting employment for people with disabilities – today and in the future.

Conclusion

It is essential that SSA act sooner rather than later to decrease the complexity of work incentives, to improve the consistency of work incentives for both the SSDI and the SSI programs, and to remove barriers to work. Social Security beneficiaries with disabilities have waited far too long for improvements. This urgency applies particularly to youth who are transitioning from school to work. Now is the time for SSA to integrate a return-

to-work philosophy and culture into its service to the public, especially for new beneficiaries.

Thank you for this opportunity.

END NOTES

¹ Houtenville, A. J., Erickson, W. A., Lee, C. G. (2007, March 16). Disability Statistics, from the American Community Survey (ACS). Ithaca, NY: Cornell University Rehabilitation Research and Training Center on Disability Demographics and Statistics (StatsRRTC). Retrieved June 7, 2007 from www.disabilitystatistics.org.

² Final Advice Report on Ticket Program Notice of Proposed Rule Making, July 2001.

³ Annual Report: Yr. 6, Advisory Letter to Commissioner Re. NPRM September 2005.

⁴ Annual Report: Yr. 6, Advisory Letter to Commissioner Re. NPRM September 2005.

⁵ Annual Report: Year Two; Aug. 2002.

⁶ Advisory Letter to Commissioner Re. NPRM Aug. 2003 on Continuation of Benefit Payments.

⁷ Advisory Letter to Commissioner Re. NPRM Oct. 2003 on the Reinstatement of Entitlement to Disability Benefits (EXR).

⁸ Advice Report on Employment Networks; Feb. 2004.

⁹ Annual Report: Yr. 6, Advisory Letter to Commissioner Re. NPRM Sept. 2005.

¹⁰ Annual Report: Year Three; May 2003.

¹¹ Letter to Sue Suter, Associate Commissioner, SSA's Office of Employment Support Programs, Feb. 11, 2005.

¹² Letter to Congressman Shaw and Senator Grassley, Nov. 20, 2003.

¹³ Annual Report Year 2.