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Opening Doors Newsletter

*A publication to promote the inclusion of individuals
with disabilities within AmeriCorps programs.*

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The Heart Act

On June 17, 2008 AmeriCorps became more accessible to people with disabilities. President Bush signed H.R. 6081, the Heroes Earnings Assistance and Relief Tax Act of 2008 “HEART Act.”

How does the HEART Act make AmeriCorps more accessible to people with disabilities?

Supplemental Security Income (SSI) is a Federal program that provides a monthly cash benefit to low-income individuals who are aged, blind, or who have a disability. In the past, receiving an AmeriCorps living allowance could disqualify an individual from eligibility. The new law directs the Social Security Administration to ignore an individual’s receipt of AmeriCorps benefits for purposes of SSI eligibility.

Which AmeriCorps benefits are excluded from countable income? The Heart Act excludes “any benefit (whether cash or in-kind)” and so covers the living allowance, health insurance, child care, and the education award (and related interest payments).

What other items are excluded from countable income under the SSI program? The SSI program rules exclude specific amounts of earned income, unearned income such as tuition scholarship and disaster relief payments, and resources such as a residence or household automobile.

Why doesn’t the law cover both SSI and SSDI? Social Security Disability Insurance (SSDI) is a Federal program that provides money to individuals with disabilities based on their having paid into the insurance program. There are separate laws and regulations for SSDI eligibility and the HEART Act moved through Congress too quickly to include SSDI. We hope that Congress will extend the AmeriCorps exclusion to SSDI in the near-future.

When does the new law take effect? The exclusion of AmeriCorps benefits takes effect for benefits payable after August 16, 2008.

Does the HEART Act affect former AmeriCorps members as well as current members? Yes, the exclusion covers benefits beginning on the effective date, regardless of the status of the AmeriCorps member.

Will the Corporation be issuing guidance? We are working with the Social Security Administration to update guidance and will provide guidance resources on the Corporation’s Accessibility page at http://www.nationalservice.gov/home/site_information/accessibility.asp. We plan to provide training and technical assistance on this topic at the National Conference on Disability Inclusion & National Service, October 15-18, 2008, in Alexandria, Virginia.

- **This information was taken from the National Service Information/Help website.**

Thank you for your efforts toward promoting disability inclusion. Call or email with any questions or concerns; 406- 444-5547 or kbean@mt.gov.