

HR 3433 IH

105th CONGRESS

2d Session

H. R. 3433

To amend the Social Security Act to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide beneficiaries with disabilities meaningful opportunities to return to work and to extend Medicare coverage for such beneficiaries, and to amend the Internal Revenue Code of 1986 to provide a tax credit for impairment-related work expenses.

IN THE HOUSE OF REPRESENTATIVES

March 11, 1998

Mr. BUNNING (for himself and Mrs. KENNELLY of Connecticut) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Social Security Act to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide beneficiaries with disabilities meaningful opportunities to return to work and to extend Medicare coverage for such beneficiaries, and to amend the Internal Revenue Code of 1986 to provide a tax credit for impairment-related work expenses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Ticket to Work and Self-Sufficiency Act of 1998'.

SEC. 2. THE TICKET TO WORK AND SELF-SUFFICIENCY PROGRAM.

(a) IN GENERAL- Part A of title XI of the Social Security Act (42 U.S.C. 1301 et seq.) is amended by adding at the end the following new section:

'THE TICKET TO WORK AND SELF-SUFFICIENCY PROGRAM

'SEC. 1147. (a) IN GENERAL- The Commissioner of Social Security shall establish a Ticket to Work and Self-Sufficiency Program, under which a disabled beneficiary may use a ticket to work and self-sufficiency issued by the Commissioner in accordance with this section to obtain

further legislative action with respect to the amendments made by subsection (a), taking into account experience derived from efforts to achieve full implementation of the Ticket to Work and Self Sufficiency Program under section 1147 of the Social Security Act.

SEC. 4. CREDIT FOR IMPAIRMENT-RELATED WORK EXPENSES OF HANDICAPPED INDIVIDUALS.

(a) **IN GENERAL-** Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to nonrefundable personal credits) is amended by inserting after section 25A the following new section:

SEC. 25B. IMPAIRMENT-RELATED WORK EXPENSES OF HANDICAPPED INDIVIDUALS.

(a) **ALLOWANCE OF CREDIT-** In the case of a handicapped individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 50 percent of the impairment-related work expenses which are paid or incurred by the taxpayer during the taxable year.

(b) **MAXIMUM CREDIT-** The credit allowed by subsection (a) with respect to the expenses of each handicapped individual shall not exceed \$5,000 for the taxable year.

(c) **DEFINITIONS-** For purposes of this section--

(1) **HANDICAPPED INDIVIDUAL-** The term 'handicapped individual' has the meaning given such term by section 190(b)(3).

(2) **IMPAIRMENT-RELATED WORK EXPENSES-** The term 'impairment-related work expenses' means expenses--

(A) of a handicapped individual for attendant care services at the individual's place of employment and other expenses in connection with such place of employment which are necessary for such individual to be able to work, and

(B) with respect to which a deduction is allowable under section 162 (determined without regard to this section).

(d) **SPECIAL RULES-**

(1) **DENIAL OF DOUBLE BENEFIT-** The amount of impairment-related work expenses which is allowable as a deduction under section 162 (determined without regard to this paragraph) for the taxable year shall be reduced by the amount of credit allowed under this section for such year.

(2) **ELECTION TO HAVE SECTION NOT APPLY-** No credit shall be allowed under subsection (a) for the taxable year if the taxpayer elects to not have this section apply for such year.

(b) **CLERICAL AMENDMENT-** The table of sections for such subpart A is amended by inserting

after the item relating to section 25A the following new item:

'Sec. 25B. Impairment-related work expenses of handicapped individuals.'

(c) EFFECTIVE DATE- The amendments made by this section shall apply to taxable years beginning after December 31, 1997.

END

C - I did these w/ HHS's help last ~~in 3/4/17~~ march 17

TALKING POINTS -- RETURN TO WORK

- ◆ **In March, the President signed an Executive Order on Employment of People with Disabilities.** People with disabilities report that the fear of losing essential health and long-term care services covered under Medicare and Medicaid, is an important factor in preventing them from leaving the federal income support programs (Supplemental Security Income and Social Security Disability Income) and trying to work. HHS is conducting research on what types of incentives could have a significant impact on helping these individuals enter the work force.
 - ***The Secretary of HHS has written to each of the Governors to inform them of the new provision under the BBA,*** which allows states to offer Medicaid services to people with disabilities who are able to work and earn more than the currently allowed limits. This will enable people with disabilities to earn middle income salaries, but retain the health and long term care they need.
 - **WE NEED YOUR HELP** in publicizing the availability of this new Medicaid option, and encouraging states to include it in their Medicaid state plans.
 - ***The Administration supported and Congress enacted a provision that allows HCBS waivers to provide supported employment to all participants with mental retardation or mental illness,*** not just those recipients who were formerly institutionalized. A number of states have already picked up on this, and HHS will provide technical assistance to other states who want to do so.
 - ***HHS has a solid research agenda underway.*** A recent HHS study conducted with SSA reviewed the research on the link between health care coverage and the decision to work. While few empirical studies were identified, the available evidence suggests that health care access is one important factor in the decision to seek work. Another recently completed study confirmed that at least some Section 1619 participants deliberately restrain their earnings so they can keep Medicaid. HHS is also looking at the impact of Medicaid expansions in Tennessee and Oregon to determine whether improved health care access led to greater numbers of people with disabilities entering the work force. Finally, at Secretary Shalala's request, Bob Williams' office is initiating a new research study to examine why some people with disabilities are able to successfully enter the work force and/or use existing work incentives while others are not.
 - ***Independent living centers and other consumer service organizations need to fill an important void: they must familiarize themselves with the current work incentives for SSI and SSDI recipients, find out how they work and how to access them, and help consumers use the work incentives.*** On average, fewer than one percent of SSI and SSDI recipients use the work incentives that are currently available.

United States General Accounting Office

GAO

Report to the Chairman, Special
Committee on Aging, U.S. Senate

July 1996

SSA DISABILITY

Return-to-Work Strategies From Other Systems May Improve Federal Programs



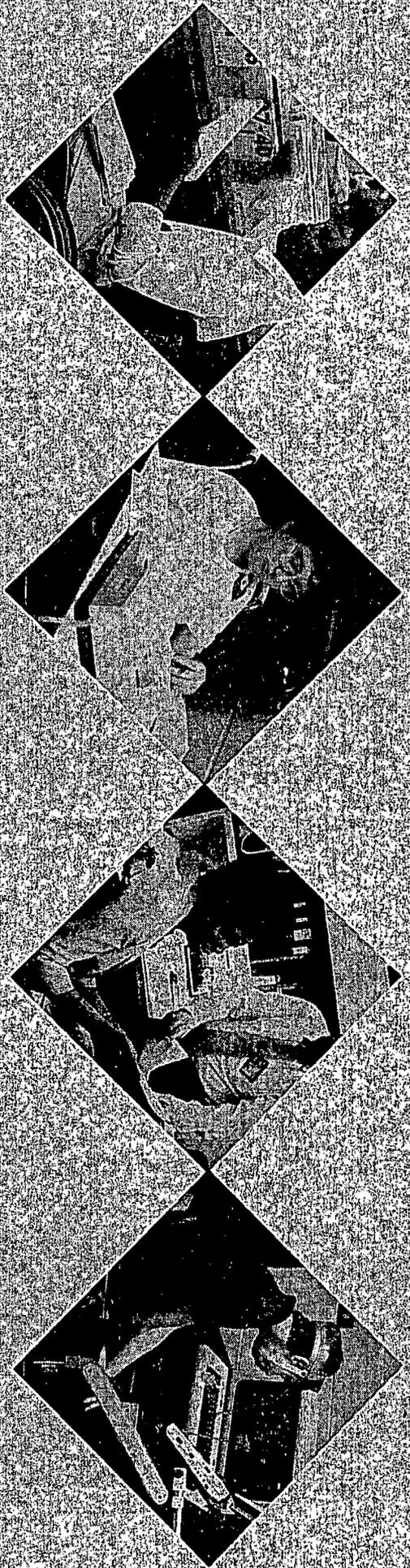
GAO/HEHS-96-133

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a publication.

Publications have not been scanned in their entirety for the purpose of digitization. To see the full publication please search online or visit the Clinton Presidential Library's Research Room.



RED BOOK ON WORK INCENTIVES

**--A Summary Guide to Social Security and
Supplemental Security Income
Work Incentives
for People With Disabilities**

Department of Health and Human Services

Social Security Administration

Office of Programs

SSA Pub No 64-030

ICN 436900

Developed By

Social Security Administration

Office of Disability

Office of Supplemental Security Income

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a publication.

Publications have not been scanned in their entirety for the purpose of digitization. To see the full publication please search online or visit the Clinton Presidential Library's Research Room.
