



## Disability InFocus

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# Phased Development of a Modern Gateway for Disability Benefits

In 2015, we proposed an Employment/Eligibility Service (EES) system that would serve as a new gateway to Social Security Disability Insurance (SSDI). The EES would quickly award SSDI to workers who are unable to stay in the labor force long term and provide time-limited cash and return-to-work (RTW) support to others. The EES offers policymakers an opportunity to move toward a support system that focuses on a person's ability to work instead of their inability to work. Although simple in concept, this change would take a concerted effort. The good news is that some states are already proceeding in this direction. With federal funding, eight states are developing work-force retention supports (WRS) for workers experiencing work loss because of injury or illness. EES development can leverage these efforts through a phased approach to testing and scale-up.

## The current system

When workers have a medical condition that threatens their ability to stay in the workforce, they have several options in the current system: apply for SSDI, seek assistance (from health care providers, American Job Centers, vocational rehabilitation agencies, or others) that would enable them to stay in the labor force, or pursue both paths simultaneously. These efforts have little or no coordination and often have conflicting objectives. Further, the Social Security Administration's (SSA's) disability determination process does not consider how services and supports might increase a worker's ability to stay in the labor force. Instead, the current process attempts to determine inability to engage in substantial work on the basis of medical and vocational factors alone.

## Our original vision: An integrated EES system

As initially conceived, EES would be an integrated system delivering either time-limited RTW support or SSDI benefits to workers with significant medical conditions as soon as they experience work loss. The early services were motivated by evidence that many

workers experience preventable work disability because they do not receive the assistance they need during this critical period. Key features of the EES system include the following:

- 1. Application.** Extensive records are submitted about the worker's medical condition, past work, and RTW goals.
- 2. Triage.** After verifying eligibility for support, the adjudicator determines whether the worker is qualified for immediate SSDI or time-limited RTW support. For an immediate award, the worker must be unable reenter the workforce within 12 months of first work loss.
- 3. RTW support.** These are time-limited services and monthly cash benefits identical to those workers would have received if awarded SSDI. Benefits are contingent on the worker's pursuit of an approved RTW plan, developed with an EES counselor, specifying a timeline for reentering the workforce, service needs, financing, and expectations.
- 4. Redetermination of SSDI eligibility.** Workers receiving RTW support can request a reevaluation of SSDI eligibility at any time. The EES would award SSDI benefits only if new

information demonstrates that RTW within 12 months is infeasible.

## Development Phase 1: An EES within a sequential system

Phased development of the EES would limit risk and initial costs. It would also provide time to address the complex challenges of building a modern gateway to SSDI. Some workers already receive high quality assistance immediately following work loss through well-organized WRS systems supported by various insurers and employers. Furthermore, the U.S. Department of Labor has launched an effort to stimulate development and eventual scale-up of such systems—the Retaining Employment and Talent After Injury/Illness Network (RETAIN) demonstration. In the first phase of RETAIN, eight states are designing and implementing pilot systems to provide early coordination of health and employment services that workers might need to successfully RTW. Some of these states will receive larger grants for the purpose of completing a rigorous test of the impacts of the state’s system on RTW and entry into SSDI.

Hence, for Phase 1, we recommend developing and testing an EES that is the back end of a sequential system in which workers unable to RTW within five months, despite support from a WRS system (the front end),

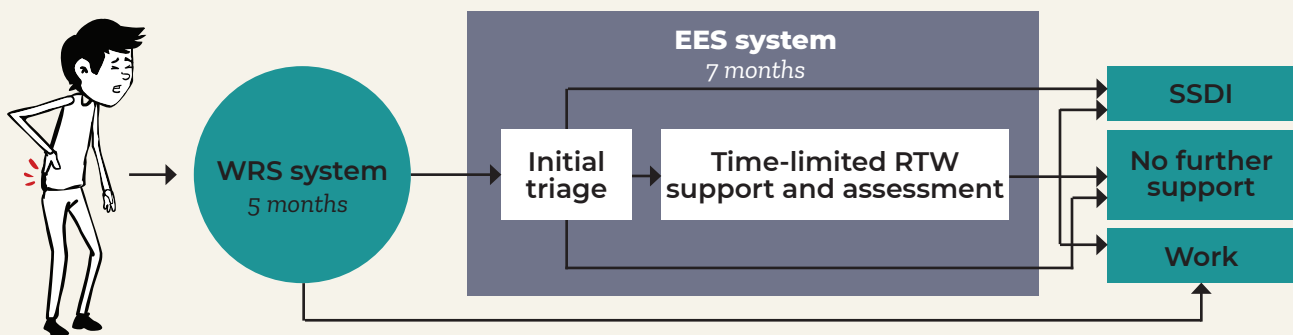
would transition to EES support (Figure 1). Presumably, a substantial majority of those served by the WRS system would in fact RTW. As soon as WRS staff recognize that a worker is unable to RTW within five months, they can help the worker apply for EES supports.

States developing WRS systems now are potential candidates for Phase 1 of EES development. EES development could begin when the state has established a WRS system and rigorously demonstrated that it works. At that point, SSA and the state could begin developing an EES at the backend of the WRS system.

## From Phase 1 to a full-fledged EES system

In Phase 2, the EES systems would become the SSDI gateway to workers initially served by a qualifying WRS system established by a workers’ compensation insurer, private disability insurer, or self-insured employer. And Phase 3 would feature expansion to other states and to all workers expected to miss at least five months of work. In all three phases, development of the EES system would encourage improvements in workers’ access to well-functioning WRS systems. Ultimately, all workers whose livelihoods are threatened by significant medical conditions would have access to an integrated RTW system such as EES.

**Figure 1. An EES system for workers who are first served by a WRS system**



Source: Stapleton, David C., Yonatan Ben-Shalom, and David R. Mann. “Development of an Employment/Eligibility Services (EES) System.” Available at <http://www.crfb.org/project/ssdi/development-employmenteligibility-services-ees-system>. Accessed May 9, 2019.