

Impairment Related Work Expenses

These Medically-Related Items/Services allow a Person to Work and Have Two Different Uses:

- ◆ To reduce countable earnings, thereby avoiding the \$1,310 substantial gainful activity (SGA) rule.
- ◆ To reduce countable income, thereby increasing the amount of the monthly SSI benefit.

The Three-Part Test for an IRWE:

- ◆ The individual with a disability must pay for the item or service.
- ◆ The item or service must be related to the person's disability or to a condition for which he or she is receiving treatment.
- ◆ If person did not spend the money and receive the item or service, he or she would not be able to work.

The Following are Examples of Items or Services that Could Qualify as IRWEs:

- ◆ Transportation to work, including costs related to modified vehicles, operating a vehicle, or paying a driver or transportation company.
- ◆ Attendant care services at home (to get a person ready for work) or at the job.
- ◆ Medical devices (e.g., wheelchairs, walkers) and prosthetic devices (e.g., artificial arms or legs).
- ◆ Residential modifications for persons who work away from home or in the home.
- ◆ Prescription drugs, medical services, the full payment or co-payments if paid by the individual.

Alternative Methods of Allocating IRWEs:

- ◆ The full amount can be deducted in the month it is paid.
- ◆ For large expenditures, the amount can be divided by 12 and deducted monthly.
- ◆ For long-term loans or credit card payments, the monthly payment is deducted.

IRWEs and SGA:

The \$1,310 SGA rule for 2021 (\$2,190 for persons who are statutorily blind) applies to SSI applicants and SSDI applicants and beneficiaries. (There is no SGA test for the blind in the SSI program.)

- ◆ Monthly amount of all IRWEs is deducted from gross monthly earnings to obtain countable earnings.
- ◆ If countable earnings are less than \$1,310/\$2,190, after IRWE deductions, the person is not performing SGA.
- ◆ Subsidies and paid time off (vacation, personal, holiday, sick pay) will also reduce countable income.

IRWEs and SSI Budgeting:

- ◆ The monthly amount of all IRWEs is deducted from gross wages.
- ◆ Since IRWEs are deducted after the \$65 deduction, but before the additional 50 percent deduction, the result is that the SSI payment is increased by no more than 50 cents for every \$1 of IRWEs.

Note: This document is produced, printed, and disseminated at U.S taxpayer expense. One hundred percent of the funding for this document is through a Social Security cooperative agreement that funds our Western NY Work Incentives Planning and Assistance (WIPA) Project. Although Social Security reviewed this document for accuracy, it does not constitute an official Social Security communication.