

Expedited Reinstatement

Social Security Disability Insurance (SSDI) Reinstatement Provisions:

- ◆ SSDI beneficiary can keep benefits during a nine-month trial work period no matter what they earn.
- ◆ During 36-month extended period of eligibility (EPE begins after ninth trial work month), person keeps SSDI for any month when countable wages are less than the substantial gainful activity (SGA) level – \$1,350 for individuals who are not statutorily blind or \$2,260 if they are statutorily blind in 2022.
- ◆ If person earns more than SGA amount, after EPE, benefits will ordinarily be terminated. However, under expedited reinstatement (EXR) rules, benefits may be reinstated without a new application.

EXR Rules Allow Benefits to be Reinstated without New Application if:

- ◆ The individual was eligible for SSDI and lost SSDI due to performance of SGA.
- ◆ The individual is no longer earning at the SGA level (i.e., earning less than \$1,350 per month in 2022),
- ◆ The individual files a request for reinstatement within 60 months of the last month of entitlement or establishes good cause for missing the 60-month deadline, and
- ◆ Disability is same as (or related to) physical or mental disability that was basis for their original claim and disability renders the individual incapable of SGA (i.e., the disability has not medically improved).
- ◆ SSDI dependent's benefits may be reinstated if the dependent satisfies all requirements for entitlement to the benefits, except requirements relating to the filing of an application.

SSI Provisions Allow Reinstatement without New Application if:

- ◆ Individual was eligible for SSI on the basis of a disability or blindness.
- ◆ Became ineligible due to earned income (or earned and unearned income) for 12 or more consecutive months.
- ◆ Files EXR request within 60 months of the last month of entitlement.
- ◆ Disability is the same as (or related to) the physical/mental disability that was the basis for their original claim and that disability renders the individual incapable of SGA, and
- ◆ Satisfies SSI's non-medical requirements (i.e., SSI's income and resource rules).

Since most individuals who lose SSI through work will qualify for 1619(b) Medicaid, allowing a return to SSI payment status if wages are reduced, the EXR provisions will rarely be used by former SSI recipients.

“Provisional Benefits” Pending Reinstatement:

- ◆ While the SSDI or SSI reinstatement application is pending, the individual is eligible for up to six months of provisional benefits.
- ◆ If SSA eventually determines that the individual was not entitled to reinstatement, any resulting overpayment cannot be recovered unless SSA determines that the individual knew or should have known that he or she did not meet the reinstatement requirements.

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