

## Benefits Counseling in Pennsylvania

*Individuals with disabilities lack choice, providers lack referrals due to ODP's confusing service description*

For people with disabilities who rely on important benefits, like Social Security, Medicare, Medicaid, SNAP, and TANF, the thought of employment possibly impacting eligibility for these resources can be scary. Therefore, for those currently employed, considering a return to work, or thinking of trying out work for the first time, Benefits Counseling is a vital service meant to guide individuals with disabilities in making informed decisions regarding their employment. For Social Security beneficiaries, Benefits Counseling also includes an introduction to something called *work incentives*, which are options that allow people with disabilities to maintain their cash benefits and health insurance while working.

Although ODP offers the service to Pennsylvanians on Community Living, Consolidated, and PF/DS waivers, Benefits Counseling remains an underutilized service across the Commonwealth. This is not due to a lack of certified counselors, however. Since approximately 2008, language in the Benefits Counseling service description has stipulated the following rule: *"Benefits Counseling may only be provided after Benefits Counseling services provided by a Certified Work Incentives Counselor through a Pennsylvania-based federal Work Incentives Planning and Assistance (WIPA) program were sought and it was determined and documented by the Supports Coordinator that such services were not available either because of ineligibility or because of wait lists that would result in services not being available within 30 calendar days"* (ISP Manual updated 08/09/2022).

To clarify, this language requires interested individuals to first call the Ticket To Work Helpline. A representative will ask the individual four questions: 1) *Are you working?* 2) *Do you have a current job offer?* 3) *Have you had a job interview in the past 30 days?* and 4) *Do you have a job interview scheduled in the next two weeks?* (To be clear, "working" is defined as earning a paycheck and is not specific to competitive integrated employment, meaning people participating in a prevocational program or Small Group Employment would be considered working.) Anyone who answers "yes" to any of these questions is automatically referred to the local WIPA program. WIPAs are organizations authorized by Social Security to provide free benefits counseling services to Social Security beneficiaries.

What is meant by, *"Such services were not available either because of ineligibility or because of wait lists that would result in services not being available within 30 calendar days"*? When the individual is asked the four questions during their phone call to the Ticket to Work Helpline, they are deemed ineligible if they answer "no" to all questions. The person is then recommended to seek services through either OVR, or an Employment Network (an agency thoroughly vetted by and contracted with Social Security to provide the Ticket To Work Program). The latter part of the phrase mentions ineligibility due to a wait list. However, as discovered through conversations with two of Pennsylvania's WIPAs (Disability Rights Pennsylvania and AHEDD), WIPAs cannot decline any referrals, and a wait list does not exist. WIPAs are instructed to contact referrals within 5-7 business days via phone call, email, and/or letter, which means WIPAs are initiating the service well before 30 calendar days have passed.

So where does this leave our participants who could gain from the Benefits Counseling service, and how does this impact providers with a certified Benefits Counselor on staff? Ultimately, it means participants are expected to access the Benefits Counseling service without using their waiver, and staff trained to serve individuals are not receiving referrals. Even more puzzling, in September 2022, ODP

sponsored 25 Pennsylvania employment support professionals representing 18 providers (five of whom are RCPA members) across the state to take part in training through Cornell University's Work Incentive Practitioner Credential Program facilitated by the K. Lisa Yang and Hock E. Tan Institute on Employment and Disability. Of the participating providers, only one is an Employment Network, suggesting that, once certified, 17 providers would be relying on referrals from ODP and OVR to provide the Benefits Counseling service.

When discussing sensitive information related to finances and employment, our participants want to receive help from staff they trust. Instead, they are being asked to access a service and talk about delicate material not with the provider of their choice, but with the staff at an agency they do not know, be it through a WIPA or Employment Network. Providers with a certified Work Incentive Practitioner on staff have their hands tied and are not able to utilize the vast knowledge and training they have acquired to support the individuals they have worked with for years. This is quite the conundrum that unfortunately few people are aware exists.

If any providers are also experiencing barriers to accessing the Benefits Counseling service due to ODP's conditions, or for anyone interested in advocating for program participants to receive this valuable service in the manner of their choice, please reach out to Eileen Campbell, Benefits Counselor & Special Projects Coordinator at Lighthouse Vocational Services at [eileencampbell@lighthousevoc.org](mailto:eileencampbell@lighthousevoc.org) or (717) 354-0355.