

Section 301 Requires Continued Social Security Disability Benefits While Participating in a Vocational Rehabilitation or Similar Program

What is Section 301?

Section 301 requires the Social Security Administration (SSA) to continue providing benefits for SSI and SSDI recipients even when recipients no longer meet the SSA disability standard if:

- (1) The recipient is enrolled in an approved employment or education program prior to the month in which the recipient was found not disabled, and
- (2) SSA determines that participation in the program increases the likelihood the recipient will not have to return to the disability or blindness benefit rolls.

Why is Section 301 important?

It requires the Social Security Administration to continue providing cash payments and medical insurance to SSI and SSDI recipients while they are preparing for employment, even though they no longer meet SSA's disability definition. This is particularly important to provide stability for SSI recipients turning 18 as they transition from high school to postsecondary school or employment.

What are the eligibility requirements for Section 301?

- (1) The individual's SSI or SSDI benefits based on disability or blindness were medically ceased or the individual was determined ineligible during an age 18 redetermination;
- (2) The individual participates in an appropriate program of vocational rehabilitation (VR), employment, education, or other support services (see below for programs that qualify);
- (3) The individual began participating in the program before the month when disability benefits were ceased; and
- (4) The Social Security Administration determines that participation in the program will increase the likelihood that the individual will not return to the blindness or disability benefits rolls.

What qualifies as an approved employment or education program?

- An individualized education program (IEP).
- A program carried out under an individualized plan for employment (IPE) through the Office of Vocational Rehabilitation (OVR).



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- A program with an individual work plan (IWP) with an employment network under the Ticket to Work and Self-Sufficiency Program.
- A Plan to Achieve Self-Support (PASS).
- Other programs for VR, employment, or support services under certain conditions.

When does Section 301 eligibility end?

- The individual completes the employment, VR, or education program;
- The individual stops participating in the employment, VR, or education program; or
- The Social Security Administration determines that participation in the program will no longer increase the likelihood that the individual will not return to the disability or blindness benefits rolls.

Special rule for students with Individualized Education Programs (IEPs)

- The eligibility requirement (number 4 above) that the individual be less likely to return to the blindness or disability benefits rolls is automatically satisfied if the individual is a student age 18 to 21 who is participating in an IEP.
- A student age 18 through 21 who has an IEP will remain eligible for Section 301 even after leaving high school if the student enrolls in an eligible employment or vocational rehabilitation program within 3 months of leaving high school.
 - o Example: Mr. Smith has an IEP and graduates high school on June 25, 2014 when he is 21 years old. If he enrolls in a vocational rehabilitation program by September 30, 2014, he will be eligible for Section 301 coverage throughout high school and for as long as he continues participating in the vocational rehabilitation program.

Temporary interruptions do NOT terminate Section 301 coverage

The Social Security Administration will still consider an individual to be participating in an approved program under Section 301 if there is an interruption of participation that is only temporary. An interruption is temporary if the individual resumes participation within three months after the last day of the month the interruption began.

- Example: Mr. Smith stopped participating in his vocational rehabilitation program on July 14, 2014. If he resumes the program before October 31, 2014, he will be eligible for Section 301 even during the time he was not participating in the program. If he does not resume the program until November 1, 2014, he will not be eligible for Section 301 for any of the time since July 14, 2014.

All non-medical SSI and SSDI eligibility requirements apply under Section 301

Section 301 only waives the medical disability requirement to receive SSI or SSDI benefits. The individual must continue to meet all other eligibility requirements, such as SSI income and resource limits, to qualify.