

COMMITTEE ON WAYS AND MEANS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515

November 13, 2020

Jennifer Sheehy
Deputy Assistant Secretary
Office of Disability Employment Policy
U.S. Department of Labor
200 Constitution Avenue NW, S-1303
Washington, DC 20210

Dear Deputy Assistant Secretary Sheehy,

We write to direct the Department of Labor to waste no further taxpayer resources on consideration of the inappropriate and unwarranted Request for Information, “Proposed Transfer of Ticket to Work Program From the Social Security Administration to the U.S. Department of Labor” (Sept. 29, 2020; 85 Fed. Reg. 61032; RIN 1230-ZA00). In 1999, Congress placed the new Ticket to Work and Self-Sufficiency program (Ticket program) under the Social Security Administration (SSA), because of the close coordination between SSA and program participants, including beneficiaries and service providers, that is essential to the operation of the Ticket Program. Nothing has changed to warrant a transfer to the Department of Labor (DOL).

Social Security and Supplemental Security Income (SSI) disability beneficiaries have severe, long-lasting medical impairments that prevent them from working at a substantial level. Most beneficiaries see their conditions worsen over time or result in death. Beneficiaries who wish to attempt to work typically face substantial barriers and need a range of supports and services. Many also fear loss of monthly income from Social Security or SSI and loss of health care through Medicare or Medicaid.

Recognizing this, Congress enacted the *Ticket to Work and Self-Sufficiency Act of 1999* to provide new opportunities for Social Security and SSI disability beneficiaries to attempt to return to the workforce. This legislation created the Ticket program, which allows eligible beneficiaries to obtain vocational rehabilitation, employment, and other support services from an approved Employment Network or state Vocational Rehabilitation agency. Congress authorized SSA to pay for these services out of program funds, including the Social Security Trust Funds.

The *Ticket to Work and Self-Sufficiency Act of 1999* also made important enhancements to Social Security, SSI, Medicare, and Medicaid to allow severely disabled beneficiaries to test their ability to work without fear of losing monthly income or health benefits. For example, while a beneficiary is participating in the Ticket program, SSA is prohibited

from using the individual's work activity as the basis for reviewing their eligibility for benefits. In addition, if a beneficiary's work attempt is unsuccessful, SSA will use

expedited processes to determine whether the individual is still eligible for Social Security or SSI benefits and, if so, to restore monthly benefits in a timely manner. The 1999 legislation also significantly expanded access to Medicare and Medicaid for beneficiaries who have returned to work and are no longer eligible for cash benefits under Social Security or SSI. These and other program features have been provided by Congress over the years as employment supports for severely disabled SSA beneficiaries.

The *Ticket to Work and Self-Sufficiency Act of 1999* vested SSA with responsibility for administering all aspects of the Ticket program, which is deeply integrated with SSA core functions, as Congress intended. Successful return-to-work requires close coordination between SSA, beneficiaries, and their employment or Vocational Rehabilitation services providers to ensure timely administration of employment supports under the Social Security, SSI, Medicare, and Medicaid programs so that beneficiaries do not lose access to monthly income or health benefits. In addition, under the Ticket program, SSA makes payments to Employment Networks out of the Social Security Trust Funds; it would be wholly inappropriate for another agency to manage these dedicated funds.

By law, the Department of Labor does not administer the Ticket program. We do not intend to consider legislation to remove the administration of the Ticket program from SSA and place it at DOL. We therefore expect the Department to halt any further consideration of this inappropriate and detrimental proposal.

Sincerely,



John B. Larson
Chairman
Subcommittee on Social Security
Committee on Ways and Means



Danny K. Davis
Chairman
Subcommittee on Worker and Family
Support
Committee on Ways and Means