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December 12, 2005

Commissioner of Social Security
PO Box 17703
Baltimore, MD 21235-7703

Re: Amendments to the Ticket to Work and Self-Sufficiency Program

Dear Commissioner:

Please consider the following comments when promulgating final regulations concerning the above noted notice of proposed rulemaking.

Faculty at Cornell University's Employment and Disability Institute are comprised of several social security substantive experts whose efforts are primarily focused upon a disabled beneficiary's return to work. Team members are considered experts in their field and regularly provide both technical support and training to individuals and agencies working with disabled and blind social security beneficiaries.

The Ticket to Work Program represents a milestone in the effort to assist disabled and blind beneficiaries to return to the workforce in a most productive and easy manner. We remain convinced that the Ticket to Work Program will succeed and that the proposed amendments will go far toward that end.

The importance of early intervention and rehabilitation to a recently disabled individual can be the key to a successful rehabilitation effort. Your proposal to include the "medical improvement expected" population within those beneficiaries who are eligible to receive a ticket recognizes this fact and brings the program in line with current rehabilitation philosophy: A needed and welcomed amendment.

The elimination of "automatic assignment" to State VR agencies is an incredible step toward enforcing the notion of consumer choice that was the hallmark of the Ticket Act. We are very excited with the proposed steps that will divorce the notion of ticket assignment and cost reimbursement to state agencies. While we recognize that this may reduce the number of tickets assigned to ENs and VR agencies, we believe that choice and meaningful assignment will allow this valuable program to honestly show its intent and potential.

Also along this line of thinking, we are pleased with your proposal to limit continuing disability reviews when a State VR participant is actively pursuing rehabilitation but has not assigned a ticket. Allowing such a beneficiary to keep the ticket for job placement purposes once rehabilitation efforts have concluded will go far toward the goals of the Ticket to Work program by allowing each component of the system to put its efforts where they are best suited.

We also believe that it is of critical importance to keep accurate and timely statistics concerning the group of beneficiaries who are participating with State VR agencies, have not yet assigned a ticket and are receiving CDR protection as a result. This population is truly participating in the Ticket Program and Congress should be kept aware.

The alignment of other sections of the regulations concerning State VR participation, ticket “use” when no ticket is assigned, etc., are all tremendous steps to bringing the regulations in line with the true purposes and intent of the Ticket Act.

We would also like to take this opportunity to provide responses to some of the various questions posed in the NPRM.

1. Whether a beneficiary should be eligible for more than one ticket in a period of entitlement?

We believe that there is potential for a beneficiary to benefit by receiving a second ticket during one period of entitlement. In many situations vocational rehabilitation can be a very costly venture. When costs associated with rehabilitation efforts are extremely high State VR agencies become the only provider available to many disabled and blind beneficiaries. In such cases State VR agencies should be allowed to provide services in accordance with the new proposals: take the ticket or not at the agency’s and participant’s option. If the State VR agency and participant decide that ticket assignment is the best route to rehabilitation a second ticket should be provided to allow the participant to shop for job placement services. State VR agencies tend not to be good sources of job placement. Private ENs are the experts here and should be used to the maximum potential in order to allow the Ticket Program to succeed in its intended mission. We recognize that job placement and rehabilitation are two very different things and would suggest that a “job placement ticket” be funded at a reasonable rate sufficient to allow for the delivery of successful placement services but less than the funding of a “rehabilitation ticket”.

2. Whether and how SSA should simplify the definition of “using” a ticket?

Any effort to simplify the Ticket program must be seen as a positive improvement. The current regulations concerning “use” of a ticket are complex and present, at times, a barrier to the participating beneficiary. While recognizing that the intention of the Ticket Program is to return beneficiaries to work and to stop the payment of cash benefits, we must recognize that ease of use is critical to the success of each individual and the program as a whole.

A specific recommendation would be to tie the definition of ticket “use” to the beneficiary’s Individual Work Plan. This way the timeframes associated with ticket “use” would be directly related to the beneficiary’s ability to progress and directly related to the overall rehabilitation plan. Disability is not a homogenous experience. One size does not fit all. Allowing ticket “use” to be determined and defined by the goals and objectives set forth in the beneficiary’s Individual Work Plan will allow for the greatest amount of individuality as well as flexibility.

Simplifying the “use” rules would also go far to allow better and more informed participation by both State VR agencies and private ENs. Misunderstanding on the part of providers will not allow the program to succeed and will only cause beneficiaries to continue to shy away from a return to work effort.

Thank you for your consideration of these remarks. Should you require further information please feel free to contact us.

Sincerely,

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