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## Medicaid Disability Manual

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from work. Payments made to a family member for attendant care services may be deducted only if such family member, in order to perform the services, incurs an economic loss by terminating his/her employment or by reducing the number of his/her work hours.

- (iii) Medical devices such as wheelchairs, hemodialysis equipment, canes, crutches, inhalators and pacemakers
- ( iv) Prosthetic devices, such as artificial replacements of arms, legs and other parts of the body
- ( v) Work-related equipment, such as one-hand typewriters, telecommunication devices for the deaf, Braille devices, and specially designed work tools
- ( vi) Residential modifications, in the form of changes to the exterior of the home to permit the individual to get to his/her means of transportation (e.g., exterior ramps, railings, pathways)
- (vii) For an individual working at home, modifications to the inside of his/her home in order to create a working space to accommodate an impairment (e.g., enlargement of a doorway leading into the office, modification of work space to accommodate problems in dexterity)

For a self-employed person, any cost deducted as a business expense cannot be deducted as an impairment-related work expense.

- (viii) Devices or appliances which are essential for the control of a disabling condition, either at home or in the work setting, and are verified as medically necessary (e.g., electric air cleaner for an individual with severe respiratory disease who cannot function in a non-purified air environment)
- ( ix) Drugs or medical services, including diagnostic procedures, needed to control the individual's impairment

The drugs or services must be prescribed or used to reduce or eliminate symptoms of the impairment or to slow down its progression. The diagnostic procedures must be performed to ascertain how the impairment(s) is progressing or to determine what type of treatment should be provided for the impairment(s). Some examples of deductible drugs and medical services are: anticonvulsant drugs, antidepressant medication for mental disorders, radiation treatment or chemotherapy, corrective surgery

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for spinal disorders, and tests to determine the efficacy of medication.

- ( x) Expendable medical supplies, such as catheters, elastic stockings, bandages, irrigating kits, incontinence pads, face masks and disposable sheets and bags
- ( xi) Physical therapy required because of an impairment and which is needed in order for the individual to work
- (xii) Costs of a seeing-eye dog, including food, licenses and veterinarian services
- (xiii) Payments for transportation costs in the following situations:
  - Costs of structural or operational modifications to a vehicle required by an individual in order to get to and from work;
  - Mileage allowance for an approved vehicle, limited to travel related to employment; and
  - Cost of driver assistance or taxicabs, where such special transportation is not generally required by an unimpaired individual in the community.

## 2. Trial Work Period

- a. Trial Work Period is a period during which an individual may test his or her ability to work and still maintain disability status. During a trial work period an individual, who is still medically impaired, may perform "services" in as many as nine (9), not necessarily consecutive, months.
- b. "Services" in this section means any activity in employment or self-employment for pay or profit, or the kind of activity normally done for pay or profit. Work activity will be considered "services" if in any month the individual earns more than \$910 a month. Federal regulations provide for an annual automatic cost of living (COLA) adjustment to this amount. For self-employed individuals, work will be determined to be "services" only when the individual's monthly net earnings are more than the Trial Work Period amount or when the individual works more than 80 hours a month in his/her business. Work is generally not considered to be "services" for the purpose of calculating trial work period months if the work is:
  - (1) Part of a prescribed program of medical therapy;
  - (2) Carried out in a hospital under the supervision of medical and/or administrative staff;
  - (3) Not performed in an employer-employee relationship; or

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- (4) Not normally performed for pay or profit.
- c. The Disability Review Team may find that the individual's disability has ended at any time during the trial work period if the medical or other evidence shows that he/she is no longer disabled. An individual may have only one trial work period during a disability period.

### **3. Plans for Achieving Self-Support (PASS)**

Department Regulation Section 360-4.6

Eligible blind and disabled individuals may participate in Plans for Achieving Self-Support. These plans are intended to assist certain A/Rs to accumulate money and/or set aside current income and/or resources in excess of the allowable income and/or resource level for use in accordance with a plan. The purpose of the PASS is to assist these individuals in obtaining or regaining a feasible occupational objective. PASS allows an individual to set aside money for short-term objectives like saving money for education, vocational training, or starting a business, or for a work-related item, such as a computer or even a custom van.

#### a. Conditions for Plans for Achieving Self-Support (PASS)

After application of all disregards for blind or disabled individuals under 65, or for blind or disabled individuals age 65 or over who received SSI payments or aid under the State Plan for the blind or disabled for the month before the month in which the individual attained age 65, any remaining countable income and/or resources may be set aside for a Plan to Achieve Self-Support (PASS).

A PASS must meet the following conditions:

- (1) A specific plan for self-support must contain a feasible designated occupational objective and must exist in writing.
- (2) The local Commissioner of Social Services must approve the plan and any subsequent plan changes.
- (3) The individual plan must contain specific savings and/or planned disbursements for the designated occupational objective.
- (4) The plan must provide for the identification and segregation of money and goods, if any, being accumulated and conserved for the purpose of achieving the feasible occupational objective.
- (5) The plan must be current.
- (6) The individual must be performing in accordance with the specific plan.
- (7) An approved plan is limited to 18 months with the possibility of an extension for an additional 18 months. A further extension of 12 months may be allowed