§ 1320b–20. Work incentives outreach program

(a) Establishment

(1) In general

The Commissioner, in consultation with the Ticket to Work and Work Incentives Advisory Panel established under section 101(f) of the Ticket to Work and Work Incentives Improvement Act of 1999, shall establish a community-based work incentives planning and assistance program for the purpose of disseminating accurate information to disabled beneficiaries on work incentives programs and issues related to such programs.

(2) Grants, cooperative agreements, contracts, and outreach

Under the program established under this section, the Commissioner shall—

(A) establish a competitive program of grants, cooperative agreements, or contracts to provide benefits planning and assistance, including information on the availability of protection and advocacy services, to disabled beneficiaries, including individuals participating in the Ticket to Work and Self-Sufficiency Program established under section 1320b–19 of this title, the program established under section 1382h of this title, and other programs that are designed to encourage disabled beneficiaries to work;

(B) conduct directly, or through grants, cooperative agreements, or contracts, ongoing outreach efforts to disabled beneficiaries (and to the families of such beneficiaries) who are potentially eligible to participate in Federal or State work incentive programs that are designed to assist disabled beneficiaries to work, including—

(i) preparing and disseminating information explaining such programs; and

(ii) working in cooperation with other Federal, State, and private agencies and nonprofit organizations that serve disabled beneficiaries, and with agencies and organizations that focus on vocational rehabilitation and work-related training and counseling;

(C) establish a corps of trained, accessible, and responsive work incentives specialists within the Social Security Administration who will specialize in disability work incentives under subchapters II and XVI of this chapter for the purpose of disseminating accurate information with respect to inquiries and issues relating to work incentives to—

(i) disabled beneficiaries;

(ii) benefit applicants under subchapters II and XVI of this chapter; and

(iii) individuals or entities awarded grants under subparagraphs (A) or (B); and

(D) provide—

(i) training for work incentives specialists and individuals providing planning assistance described in subparagraph (C); and

(ii) technical assistance to organizations and entities that are designed to encourage disabled beneficiaries to return to work.

(3) Coordination with other programs

The responsibilities of the Commissioner established under this section shall be coordinated with other public and private programs that provide information and assistance regarding rehabilitation services and independent living supports and benefits planning for disabled beneficiaries including the program under section 1382h of this title, the plans for achieving self-support program
(PASS), and any other Federal or State work incentives programs that are designed to assist
disabled beneficiaries, including educational agencies that provide information and assistance
regarding rehabilitation, school-to-work programs, transition services (as defined in, and provided
in accordance with, the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), a
one-stop delivery system established under subtitle B of title I of the Workforce Investment Act

(b) Conditions

(1) Selection of entities

(A) Application

An entity shall submit an application for a grant, cooperative agreement, or contract to provide
benefits planning and assistance to the Commissioner at such time, in such manner, and
containing such information as the Commissioner may determine is necessary to meet the
requirements of this section.

(B) Statewideness

The Commissioner shall ensure that the planning, assistance, and information described in
paragraph (2) shall be available on a statewide basis.

(C) Eligibility of States and private organizations

(i) In general

The Commissioner may award a grant, cooperative agreement, or contract under this
section to a State or a private agency or organization (other than Social Security
Administration Field Offices and the State agency administering the State medicaid
program under subchapter XIX of this chapter, including any agency or entity described
in clause (ii), that the Commissioner determines is qualified to provide the planning,
assistance, and information described in paragraph (2)).

(ii) Agencies and entities described

The agencies and entities described in this clause are the following:

(I) Any public or private agency or organization (including Centers for Independent
Living established under title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796 et
seq.), protection and advocacy organizations, client assistance programs established
in accordance with section 112 of the Rehabilitation Act of 1973 (29 U.S.C. 732), and
State Developmental Disabilities Councils established in accordance with section
6024 of this title) that the Commissioner determines satisfies the requirements of
this section.

(II) The State agency administering the State program funded under part A of
subchapter IV of this chapter.

(D) Exclusion for conflict of interest

The Commissioner may not award a grant, cooperative agreement, or contract under this
section to any entity that the Commissioner determines would have a conflict of interest if the
entity were to receive a grant, cooperative agreement, or contract under this section.

(2) Services provided

A recipient of a grant, cooperative agreement, or contract to provide benefits planning and
assistance shall select individuals who will act as planners and provide information, guidance, and
planning to disabled beneficiaries on the—

(A) availability and interrelation of any Federal or State work incentives programs designed
to assist disabled beneficiaries that the individual may be eligible to participate in:
(B) adequacy of any health benefits coverage that may be offered by an employer of the individual and the extent to which other health benefits coverage may be available to the individual; and

(C) availability of protection and advocacy services for disabled beneficiaries and how to access such services.

(3) **Amount of grants, cooperative agreements, or contracts**

(A) **Based on population of disabled beneficiaries**

Subject to subparagraph (B), the Commissioner shall award a grant, cooperative agreement, or contract under this section to an entity based on the percentage of the population of the State where the entity is located who are disabled beneficiaries.

(B) **Limitations**

(i) **Per grant**

No entity shall receive a grant, cooperative agreement, or contract under this section for a fiscal year that is less than $50,000 or more than $300,000.

(ii) **Total amount for all grants, cooperative agreements, and contracts**

The total amount of all grants, cooperative agreements, and contracts awarded under this section for a fiscal year may not exceed $23,000,000.

(4) **Funding**

(A) **Allocation of costs**

The costs of carrying out this section shall be paid from amounts made available for the administration of subchapter II of this chapter and amounts made available for the administration of subchapter XVI of this chapter, and shall be allocated among those amounts as appropriate.

(B) **Carryover**

An amount not in excess of 10 percent of the total amount obligated through a grant, cooperative agreement, or contract awarded under this section for a fiscal year to a State or a private agency or organization shall remain available for obligation to such State or private agency or organization until the end of the succeeding fiscal year. Any such amount remaining available for obligation during such succeeding fiscal year shall be available for providing benefits planning and assistance only for individuals who are within the caseload of the recipient of the grant, agreement, or contract as of immediately before the beginning of such fiscal year.

(c) **Annual report**

Each entity awarded a grant, cooperative agreement, or contract under this section shall submit an annual report to the Commissioner on the benefits planning and assistance provided to individuals under such grant, agreement, or contract.

(d) **Definitions**

In this section:

(1) **Commissioner**

The term “Commissioner” means the Commissioner of Social Security.

(2) **Disabled beneficiary**

The term “disabled beneficiary” means an individual—

(A) who is a disabled beneficiary as defined in section 1320b–19 (k)(2) of this title;

(B) who is receiving a cash payment described in section 1382e (a) of this title or a supplementary payment described in section 212(a)(3) of Public Law 93–66 (without regard
to whether such payment is paid by the Commissioner pursuant to an agreement under section 1382e (a) of this title or under section 212(b) of Public Law 93–66;

(C) who, pursuant to section 1382h (b) of this title, is considered to be receiving benefits under subchapter XVI of this chapter; or

(D) who is entitled to benefits under part A of subchapter XVIII of this chapter by reason of the penultimate sentence of section 426 (b) of this title.

(e) Authorization of appropriations

There are authorized to be appropriated to carry out this section $23,000,000 for each of the fiscal years 2000 through 2011.

Footnotes

1 So in original. Probably should be “subparagraph”.

2 See References in Text note below.


References in Text

Section 101(f) of the Ticket to Work and Work Incentives Improvement Act of 1999, referred to in subsec. (a)(1), is section 101(f) of Pub. L. 106–170, which is set out as a note under section 1320b–19 of this title.

The Individuals with Disabilities Education Act, referred to in subsec. (a)(3), is title VI of Pub. L. 91–230, Apr. 13, 1970, 84 Stat. 175, which is classified generally to chapter 33 (§ 1400 et seq.) of Title 20, Education. For complete classification of this Act to the Code, see section 1400 of Title 20 and Tables.


Section 212 of Public Law 93–66, referred to in subsec. (d)(2)(B), is set out as a note under section 1382 of this title.

Amendments

2010—Subsec. (b)(4), Pub. L. 111–280, § 3(b)(1), substituted “Funding” for “Allocation of costs” in par. (4) heading, designated existing provisions as subpar. (A), inserted subpar. (A) heading, and added subpar. (B).

Subsec. (c), Pub. L. 111–280, § 3(a), added subsec. (c). Former subsec. (c) redesignated (d).

Subsec. (d), Pub. L. 111–280, § 3(a), redesignated subsec. (c) as (d). Former subsec. (d) redesignated (e).

Pub. L. 111–280, § 2(a), substituted “2011” for “2010”.

Subsec. (e), Pub. L. 111–280, § 3(a), redesignated subsec. (d) as (e).

2009—Subsec. (d), Pub. L. 111–63 substituted “2010” for “2009”.

2004—Subsec. (c)(2), Pub. L. 108–203, § 404(a)(1), reenacted heading without change and amended text generally. Prior to amendment, text read as follows: “The term ‘disabled beneficiary’ has the meaning given that term in section 1320b–19 (k)(2) of this title.”

Subsec. (d), Pub. L. 108–203, § 407(a), substituted “2009” for “2004”.
Effective Date of 2010 Amendment

Effective Date of 2004 Amendment