



*For people with intellectual
and developmental disabilities*

The Work Without Worry Act

People with intellectual and developmental disabilities (I/DD) often want to work to their fullest capacities. Those who, because of their disability, rely on different public programs over the course of their lives for health care, home and community-based services, and financial support must be mindful about the impact of work on eligibility. This includes both Supplemental Security Income (SSI) and Social Security Old-Age, Survivors, and Disability Insurance (OASDI) benefits. The Work Without Worry Act fixes a crucial work disincentive in Social Security for people with disabilities and their families.

What is the problem?

Currently, people with disabilities that onset before age 22 and who are found to be unable to work at a level to sustain themselves may be eligible for “Disabled Adult Child” (DAC) benefits. DAC benefits are often more generous than SSI because they are based on the parent’s Social Security work records (the maximum SSI benefit in 2020 is \$783). DAC eligibility is a way to ensure that an adult “child” (indicates relationship, not age) with a disability will still be supported, even after a parent becomes disabled themselves, retires, or passes away. DAC eligibility is unavailable until triggered by the parent’s use of OASDI and until that point, many people with disabilities rely on SSI benefits, which are means tested and have strict assets and income limits.

Unfortunately, navigating the different programs and their rules are extremely complex for people with I/DD and their families. Most important, if a young person with disability has countable earnings even a dollar over the substantial gainful activity (SGA) level (\$1260 a month in 2020) before receiving DAC benefits, they lose their eligibility for DAC forever. This creates a disincentive to work for young adults with disabilities, who may want to try and work, but who are unsure of their capacity and need to try working different numbers of hours. There are many circumstances in which a young person with a disability might be able to earn over the current limit for a short period of time or a few times, but be unable to sustain that level of work in the long run. Families often worry that the wrong amount of work will cause their family member to lose DAC benefits and this fear may discourage young adults with disabilities from working.

What will the Work Without Worry Act do?

The Work Without Worry Act would eliminate this work disincentive by allowing young adults with disabilities to try and work and see if they can support themselves without losing eligibility for DAC benefits. Earnings from work over SGA will not prevent the individual from receiving DAC benefits from their parent’s work history as long as the individual remains disabled by the same impairment from before age 22 and meets other eligibility conditions for benefits. The benefit amount will be either the benefit from the individual’s parents or the benefit from the individual’s own work history, whichever is higher. The Arc strongly supports the Work Without Worry Act. Please contact Bethany Lilly, Director of Income Policy, with any questions at lilly@thearc.org or 202-534-3725.