



Section 301 Factsheet

What does Section 301 entail and why is it important?

Section 301 mandates the Social Security Administration (SSA) to maintain benefits for SSI and SSDI recipients, even if they no longer meet the SSA disability standard under certain conditions:

- If the recipient enrolls in an approved employment or education program before being deemed not disabled.
- If the SSA determines that participation in said program reduces the likelihood of the recipient needing to return to disability or blindness benefits.

Section 301 is important for ensuring stability, especially for SSI recipients transitioning into adulthood at 18, as they move from high school to postsecondary education or employment.

What criteria must be met for Section 301 eligibility?

- The individual's SSI or SSDI benefits stemming from disability or blindness were medically terminated, or the individual was deemed ineligible during an age 18 redetermination.
- The individual engages in a suitable program such as vocational rehabilitation (VR), employment, education, or other supportive services (refer below for qualifying programs).
- The individual began participation in the program **prior** to the month when disability benefits ceased.
- The Social Security Administration determines that participation in the program will increase the likelihood that the individual will not return to the blindness or disability benefits rolls.

What qualifies as an approved program?

- An individualized education program (IEP).
- A program carried out under an individualized plan for employment (IPE) through the Division of Rehabilitation (DORS).
- A program with an individual work plan (IWP) with an employment network under the Ticket to Work and Self-Sufficiency Program.
- A Plan to Achieve Self-Support (PASS).
- Other programs for VR, employment, or support services under certain conditions.

Payment Facts

- Payment may be made to both SSI and Title II disability beneficiaries (SSDI, CDB, DWB)
- Payments include applicable State supplements and auxiliary benefits.



- Medicare and/or Medicaid coverage continues as applicable.
- Section 301 only waives the medical disability requirement to receive SSI or SSDI benefits. The individual must continue to meet all other eligibility requirements, such as SSI income and resource limits, to qualify.
- People receiving Section 301 payments cannot use or assign a Ticket to Work.

Special rule for students

- The eligibility requirement that the individual be less likely to return to the blindness or disability benefits rolls is automatically satisfied if the individual is a student aged 18 to 21 participating in an IEP.
- A student aged 18 through 21 who has an IEP will remain eligible for Section 301 even after leaving high school if the student enrolls in an eligible employment or vocational rehabilitation program within 3 months of leaving high school.

Temporary interruptions

The Social Security Administration will still recognize an individual as actively engaged in an approved program under Section 301 if there is an interruption of participation that is only temporary. An interruption is temporary if the individual resumes participation within three months after the last day of the month the interruption began.

When does Section 301 eligibility end and what is the impact of employment?

- The individual completes the employment, VR, or education program.
- The individual stops participating in employment, VR, or education program.
- SSA determines that continued participation will NOT increase the likelihood that the person will be permanently removed from the disability rolls. Section 301 cases are regularly reviewed.
- Paid employment is likely to cause termination of Section 301 status.
- TWP/EPE are not provided to Title II beneficiaries in section 301 status.
- Some paid internships or work-study programs may be permitted if part of an individualized plan.
- For students 18-21, work transition programs would not cause termination if included under the IEP.