

§ 416.1226 What is a plan to achieve self-support (PASS)?

- (a) A PASS must—
- (1) Be designed especially for you;
 - (2) Be in writing;
 - (3) Be approved by us (a change of plan must also be approved by us);
 - (4) Have a specific employment goal that is feasible for you, that is, a goal that you have a reasonable likelihood of achieving;
 - (5) Have a plan to reach your employment goal that is viable and financially sustainable, that is, the plan—
 - (i) Sets forth steps that are attainable in order to reach your goal, and
 - (ii) Shows that you will have enough money to meet your living expenses while setting aside income or resources to reach your goal;
 - (6) Be limited to one employment goal; however, the employment goal may be modified and any changes related to the modification must be made to the plan;
 - (7) Show how the employment goal will generate sufficient earnings to substantially reduce your dependence on SSI or eliminate your need for title II disability benefits;

Example 1: A Substantial Reduction Exists. Your SSI monthly payment amount is \$101 and your PASS employment goal earnings will reduce your SSI payment by \$90. We may consider that to be a substantial reduction.

Example 2: A Substantial Reduction Exists. You receive a title II benefit of \$550 and an SSI payment of \$73. Your PASS employment goal will result in work over the SGA level that eliminates your title II benefit but increases your SSI payment by \$90. We may consider that a substantial reduction because your work will eliminate your title II payment while only slightly increasing your SSI payment.

Example 3: A Substantial Reduction Does Not Exist. Your SSI monthly payment amount is \$603 and your PASS employment goal earnings will reduce your SSI payment by \$90. We may not consider that to be a substantial reduction.

- (8) Contain a beginning date and an ending date to meet your employment goal;
- (9) Give target dates for meeting milestones towards your employment goal;
- (10) Show what expenses you will have and how they are reasonable and

necessary to meet your employment goal;

(11) Show what resources you have and will receive, how you will use them to attain your employment goal, and how you will meet your living expenses; and

(12) Show how the resources you set aside under the plan will be kept separate from your other resources.

(b) You must propose a reasonable ending date for your PASS. If necessary, we can help you establish an ending date, which may be different than the ending date you propose. Once the ending date is set and you begin your PASS, we may adjust or extend the ending date of your PASS based on progress towards your goal and earnings level reached.

(c) If your employment goal is self-employment, you must include a business plan that defines the business, provides a marketing strategy, details financial data, outlines the operational procedures, and describes the management plan.

(d) Your progress will be reviewed at least annually to determine if you are following the provisions of your plan.

[71 FR 28265, May 16, 2006]

§ 416.1227 When the resources excluded under a plan to achieve self-support begin to count.

The resources that were excluded under the individual's plan will begin to be counted as of the first day of the month following the month in which any of these circumstances occur:

- (a) Failing to follow the conditions of the plan;
- (b) Abandoning the plan;
- (c) Completing the time schedule outlined in the plan; or
- (d) Reaching the goal as outlined in the plan.

[50 FR 42688, Oct. 22, 1985]

§ 416.1228 Exclusion of Alaskan natives' stock in regional or village corporations.

(a) In determining the resources of a native of Alaska (and spouse, if any) there will be excluded from resources, shares of stock held in a regional or village corporation during the period of 20 years in which such stock is inalienable, as provided by sections 7(h) and