

CATEGORICAL FACTORS**TRIAL WORK PERIOD****Policy:**

A trial work period is a period during which a certified disabled individual may test his or her ability to work and still maintain disability status. During this trial work period, an individual who is still medically impaired may perform "services" in as many as nine (9), not necessarily consecutive, months. "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.

Effective January 1, 2005, a trial work period month is any calendar month in which the certified disabled recipient earns \$590 or more. For self-employment individuals, a calendar month counts as a trial work month when his/her earnings are more than the SGA level or the individual works more than 80 hours per month. Federal regulations provide for annual cost of living adjustments to the trial work threshold amount.

References:

Dept. Reg. 360-5.9

GIS 04 MA/031

Disability Manual

Interpretation:

For the purpose of calculating the number of months associated with a trial work period, the time spent on certain activities is **NOT** considered if the activity 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
4. Not normally performed for pay or profit.

During the trial work period the A/R may still be considered disabled even if the earnings exceed the ***Substantial Gainful Activity (SGA) limit (see page 33).***

At the end of the trial work period, there is an evaluation of the individual's ability to perform SGA. The evaluation may include a medical review to see if the individual still meets the disability criteria.

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When to Verify: When a certified disabled A/R indicates potential earnings from employment or indicates s/he would like to work.

Documentation: Sufficient to establish an audit trail:
Pay stubs;
Returned clearance in case record; or
Note indicating duration of employment.