



Department of Taxation and Finance

**Disability Income Exclusion**

New York State • New York City • Yonkers

**IT-221**

Submit this form with Form IT-201 or IT-203.

Name(s) as shown on your return	Social Security number
---------------------------------	------------------------

For limits on exclusion, see instructions, Form IT-221-I.

Date you retired (if after December 31, 1976). Also enter this date in the space provided on the <i>Physician's statement</i> on page 2.	<b>Employer's name</b> (also give payer's name, if other than employer)
<b>Youself</b> Date of retirement	
<b>Your Spouse</b> Date of retirement	

Mark an **X** in the box if you did not live with your spouse during any part of the tax year. ☐**Which column(s) to fill in** – Use Column A to enter your disability income amounts. If you are married and your spouse also received disability income, enter your spouse's amounts in Column B. If you checked filing status ③, *Married filing separate return*, see instructions.

	Column A (yourself)	Column B (your spouse)
1 Enter total disability pay you received during this tax year .....	1 .00	1 .00
<b>Excludable disability pay</b> (see instructions)		
2 Multiply \$100 by the number of weeks for which your disability payments were at least \$100. Enter total.....	2 .00	2 .00
3 If you received disability payments of less than \$100 for any week, enter the total amount you received for all such weeks...	3 .00	3 .00
4 If you received disability payments for less than a week, enter the smaller amount of either the amount you received or the highest exclusion allowable for the period (see instructions) .....	4 .00	4 .00
5 Add lines 2, 3, and 4. Enter the total .....	5 .00	5 .00
6 Add amounts on line 5, columns A and B. Enter the total.....		6 .00

**Limit on exclusion** (see instructions)

7 Enter amount from Form IT-201, line 19, or Form IT-203, line 19, <i>Federal amount</i> column .....	7 .00
8 Amount used to figure any exclusion decrease .....	8 15000.00
9 Subtract line 8 from line 7. If line 8 is larger than line 7, enter 0 .....	9 .00
10 Subtract line 9 from line 6. If line 9 is larger than line 6, <b>stop</b> ; you cannot claim any disability income exclusion .....	10 .00
11 Enter line 10 amount in Column A. This is your disability income exclusion. However, if both spouses received disability pay, see instructions for proration. ....	11 .00

Column A (yourself)

Column B (your spouse)

Transfer the total of columns A and B to Form IT-225, line 10, *Total amount* column and enter subtraction modification **S-124** in the *Number* column.**Statement of permanent and total disability**

If you filed a *Physician's statement* for this disability for tax year 1984, **or** you filed a *Physician's statement* for tax years after 1984 and your physician marked an **X** in box B on the *Physician's statement*, **and** due to your continued disabled condition you were unable to engage in any substantial gainful activity in this tax year, mark an **X** in this box .....

If you marked the box above, you do not have to file another *Physician's statement* for this tax year. If you did not mark the box above, have your physician complete the *Physician's statement* on page 2 of this form, and submit **both** pages with your return.

221001250094



## Physician's statement

I certify that:

Name of patient
-----------------

was permanently and totally disabled on January 1, 1976; **or** January 1, 1977; **or** was permanently and totally disabled on the date they retired.

Date retired if after December 31, 1976 (mmddyyyy)

--

Mark an **X** in box A or B below and sign. Mark **only one** box.

**A** ☐ The disability has lasted or can be expected to last continuously for at least a year .....

Physician's signature	Date
-----------------------	------

**B** ☐ There is no reasonable probability that the disabled condition will ever improve .....

Physician's signature	Date
-----------------------	------

Physician's name (print or type)	Physician's address
----------------------------------	---------------------

## Instructions for Physician's statement

## Taxpayer

Enter in the space provided the date you retired if after December 31, 1976.

If required, your physician must complete the above statement. File both front and back pages of this form with your tax return.

If both spouses take the exclusion, a *Physician's statement* must be completed for each spouse.

If you retired on disability before January 1, 1977, the *Physician's statement* must show that you were permanently and totally disabled on January 1, 1976, or January 1, 1977.

If you retired on disability after 1976, the *Physician's statement* must show that you were permanently and totally disabled when you retired.

## Physician

A person is permanently and totally disabled when they cannot engage in any substantial gainful activity because of a physical or mental condition, and a physician determines that the disability:

- has lasted or can be expected to last continuously for at least a year; **or**
- can be expected to lead to death.

Complete the statement area above, sign the form, and return it to the taxpayer to submit with their return.

