

SOCIAL SECURITY BENEFITS

Social Security pays disability benefits under these programs:

- **Supplemental Security Income (SSI)** for people with little or no income and resources. Often times, children applying for SSI do not meet the financial and resource limitation allowance due to required reporting of all household income. When the applicant becomes an adult at age 18, only the income and resources of the applicant are considered, regardless of where they live or with whom.
- **Social Security Disability Insurance (SSDI)** for insured workers. To qualify for benefits, you must first have worked in jobs covered by Social Security. Then you must have a medical condition that meets Social Security's definition of disability. In general, monthly cash benefits are paid to people who are unable to work for a year or more because of a disability. Benefits usually continue until you are able to work again on a regular basis. There are also a number of special rules, called "work incentives," that provide continued benefits and health care coverage to help you make the transition back to work.
- **Social Security Childhood Disability Benefits (CDB) formerly called Disabled Adult Child (SSDAC)** An adult with a disability diagnosed before age 22 may be eligible for benefits if a parent is deceased or receiving retirement or disability benefits. Social Security Administration considers this a "child's" benefit because it is paid on a parent's Social Security earnings record. SSA makes the disability decision using the disability rules for adults. The "adult child"—including an adopted child, or, in some cases, a stepchild, grandchild, or step grandchild—must be unmarried, age 18 or older, and have a disability diagnosed before age 22.

More specific information for these programs

SSI – Supplemental Security Income. Based on economic need. Financed by general revenue funds of the US Treasury. When a person receives \$1 (one dollar) or more of this benefit, they are also eligible for Medicaid. Children and adults can receive SSI if they meet the eligibility and financial requirements. There is no five month waiting period for SSI benefits. Benefits are retroactive to the application date. If an application is made in January and the determination of eligibility occurs in June, benefits will be paid from January to the current month of eligibility notification. The maximum amount of benefits paid monthly is determined by the Federal Benefit Rate (FBR) and typically increase each year for cost of living. There are specific resource limitations including real or personal property and cash. The limit for an individual is \$2000. Resources not counted are your home and the land it is on, household goods and personal property that does not exceed \$2000 in value, burial spaces for the person and their immediate family, burial funds not valued over \$1500, property in trust which the SSI recipient can not access and one vehicle regardless of value if it is necessary for work or medical treatment. Recipients who live in someone else's home, such as their parents, and pay no

money for their food and shelter expenses are considered to be receiving full “in kind” support. People falling in this category will have their SSI checks reduced by one third the FBR amount. If the recipient pays any room and board costs (even to their parents as an adult paying rent) make sure and report this to the SSA as the monthly benefit may increase. There are many work incentive programs available to access while receiving SSI. Plan for Achieving Self-Support (PASS) is a program where the purchase of equipment, services, training or education needed for work may be excluded from earnings. Recipient must have a reasonable occupational goal and a plan approved by the SSA. Student Earned Income Exclusion is a program where young adults under the age of 22 and attending school may exclude \$1550 per month up to \$6240 per year. SSI checks are paid on the first of each month.

SSDI – Social Security Disability Insurance. Not based on economic need. Financed by the Social Security Trust Fund from FICA and pays workers under full retirement age, who are disabled or blind and their dependents. To be eligible for SSDI a person must be determined medically disabled, not working or working but earning less than the Substantial Gainful Activity level (SGA – defined as \$940 from earned income) and have insured status as a former worker that has paid into FICA. The amount of the benefit is based on the amount paid in to FICA during the 40 “quarters” of the last ten working years (quarters required may also/or depend on age when the person became disabled). If a person is eligible for SSDI, Medicare coverage begins after 24 months. Eligibility for SSDI is not affected by other unearned income or resources. There are work incentives that help retain cash benefits and Medicare while a person is testing their ability to work. The nine month trial work period allows full benefit payments regardless of how much you earn as long as the work activity is reported to the SSA and the disabling condition continues. Other incentives include deduction of impairment related work expense or subsidy. Both incentives must be approved by the SSA. The date of the SSDI checks is based on the recipient’s birthday.

SSCDB (or CDB) – Social Security for Childhood Disability Benefits (formally known as SSDAC – Social Security for the Disabled Adult Child) Not based on economic need. Adults with disabilities who have not paid FICA long enough to have insured status may receive benefits based on their parents insured status. To be eligible a person must be age 18 or older, totally and permanently disabled before age 22, a child of an insured worker who is either disabled, retired or deceased and never exceed the Substantial Gainful Activity (SGA) income level.

Applying for Social Security

Children under 18 years old

Children from birth up to age 18 may get Supplemental Security Income (SSI) benefits if they have a disability and have little or no income and resources. You must contact the Social Security Office to initiate the SSI application. The representatives will assist with the application process either over the phone or in the local office. The Social Security

Representatives will determine if the income and resources of the parents and the applicant are within the allowed limits to begin processing the application. Often times, children applying for SSI do not meet the financial and resource limitation allowance due to required reporting of all household members' income and resources. When the applicant becomes an adult at age 18, only the income and resources of the applicant are considered, regardless of where they live or with whom. If the income and resources are within allowed limits, an application and a Child Disability Report must be completed. This report collects information about the child's disabling condition and how it affects his/her ability to function. During the interviewing piece of the application process there is a lot of information that will be collected in addition to the items requested in the appointment letter. Be prepared to give accurate information about the child's activities. **No matter what – keep your appointment.** If you do not have all the information, a representative will assist you in obtaining it.

To contact the nearest Social Security Office in your area, look in the Federal Government pages of your local phone directory under Social Security Administration or call toll-free **1-800-772-1213**.

Suggested information to have available:

- Name, address, and phone number of every doctor, therapist, hospital and clinic that has seen or treated the child for at least the last year.
- Any medical records you already have, including the dates the child was seen or treated and the child's patient ID number(s), if known.
- Medication(s) the child is taking. These can be found on the medicine containers.
- Child's medical assistance number, if any.
- Names, addresses and phone numbers of any schools the child attended in the past 12 months, including the names of teachers, psychologists, counselors, speech and other therapists who have seen or treated the child.
- The child's Individualized Family Service Plan (IFSP) or Individualized Education Program (IEP), if the child has one; and any other school records that you may have.
- Names, addresses and phone numbers of any social service programs and the name(s) of caseworkers that have information about the child.
- Name, address and phone number of another adult who helps care for the child and can help us get information, if necessary.
- Names, addresses and phone numbers of any employers the child has had.
- An original or certified copy of the child's birth certificate. If the child was born in another country, you will need to show proof of U.S. citizenship or legal residency.
- Names and Social Security Numbers for all the children and adults who live in the household.
- Proof of current income for the child and family members living in the household (for example, pay stubs, self-employment tax returns, unemployment or other program benefits, child support).

- Proof of resources for the child and parents living in the household (for example, bank account statements, life insurance policies, certificates of deposit, stocks or bonds).

Social Security has a strict definition of disability for children.

- The child must have a physical or mental condition(s) that very seriously limits his or her activities; **and**
- The condition(s) must have lasted, or be expected to last, at least 1 year or result in death.

A state agency makes the disability decision. They review the information you have given. If the state agency needs more information, they will arrange an examination or test for the child, which will be conducted at no cost to the child or family.

Children can get SSI if they meet Social Security's definition of disability for children **and** if the income and resources of the parents and the child are within allowed limits.

It can take 3 to 5 months to decide a child's SSI disability claim. It is important to notify the Social Security Office of any address or phone number changes to assure they will be able to get in touch with you.

Some parts of the application process and more in-depth information are available online at www.socialsecurity.gov/disability/ or call toll-free **1-800-772-1213** (for the deaf or hard of hearing, call TTY **1-800-325-0778**).

Adults age 18 or over

Adults 18 and over can apply for Social Security Benefits by requesting an appointment through the Social Security Administration to complete the application and interview at the nearest Social Security Office in your area or by telephone or online at www.ssa.gov. To contact the nearest Social Security Office in your area, look in the Federal Government pages of your local phone directory under Social Security Administration or call toll-free **1-800-772-1213**.

By law, Social Security has a very strict definition of disability. To be found disabled:

- You must be unable to do any substantial work because of your medical condition(s); **and**
- Your medical condition(s) must have lasted, or be expected to last, at least 1 year, or be expected to result in your death

During the interviewing piece of the application process there is a lot of information that will be collected in addition to the items requested in the appointment letter. Be prepared to give accurate information about your activities. **No matter what – keep your appointment.** If you do not have all the information, a representative will assist you in

obtaining it. Plan one to two hours for the interview process. If it is a phone appointment, it would be best to allow extra time and eliminate distractions or interruptions (such as TV playing in the background, children requiring care, etc.).

Suggested information to have available:

- Names, addresses and phone numbers of all doctors, hospitals and clinics.
- Patient ID number(s)
- Dates seen
- Name(s) of medicine(s) you are taking
- Medical records in your possession
- An original or certified copy of your birth certificate. If you were born in another country, you will need to show proof of U.S. citizenship or legal residency.
- If you were in the military service, the original or certified copy of your military discharge papers (Form DD 214) for all periods of active duty.
- If you worked, your W-2 Form from last year; or if you were self-employed, your federal income tax return (IRS 1040 and Schedules C and SE).
- Workers' compensation information, including date of injury, claim number and proof of payment amounts.
- Social Security Number(s) for your spouse and minor children.
- Your checking or savings account number, if you have one.
- Name, address and phone number of a person we can contact if the SSA is unable to get in touch with you.
- Kinds of jobs and dates you worked in the 15 years before you became unable to work.

Your application is sent to a state agency that makes disability decisions. The state has medical and vocational experts who will contact your doctors and other places where you received treatment to get your medical records. The state agency may ask you to have an examination or medical test. You will not have to pay for any examination or test. If the state does request an examination, **make sure you keep the appointment**. It takes about 3 to 5 months to get a decision. This depends on how much time it takes to get your medical records and any other evidence needed to make a decision.

It is important to notify the Social Security Office of any address or phone number changes to assure they will be able to get in touch with you.

Some parts of the application process and more in-depth information are available online at www.socialsecurity.gov/disability/ or call toll-free **1-800-772-1213** (for the deaf or hard of hearing, call TTY **1-800-325-0778**).

Helpful tips

Applying on-line – Application for SSDI benefits can be completed on-line, no appointment is necessary. If an applicant needs assistance, an appointment can be made and the SSA staff will assist with the process. An applicant is encouraged to complete at least the Disability Report on-line in the Social Security Administrations effort to become paperless and to streamline the application process.

Applying on-line – Application for SSI benefits require an appointment with SSA staff either in the local office or on the telephone. SSI applicants can complete and submit the Disability Report on-line.

When applying for SS benefits make sure and complete the application thoroughly. The application does not give much room for information. Attach additional paper if needed particularly in the section describing the illness, injuries or conditions that affect the applicant and if applicable, how it affects the ability to work. Some Social Security offices have completed a change to paperless application process. It is expected all applications will be paperless in the near future. When this is the case, continue to report thoroughly and provide detailed and explicit information.

To speed the process of determination, respond to any inquiry from the SSA immediately. In the inquiry request they will identify a time frame of when the response can be received. For example within 10 days, 30 days or 45 days, etc. Don't wait for the end of the time frame to respond. Respond as soon as you receive the inquiry request.

If you have not received a determination notice from the SSA in the expected time frame, feel free to contact the Disability Determination Services office in the state you applied for SS benefits. There are times when the Disability Determination Services office is waiting for medical records for long periods of time which then holds up making the determination. If this is the case, the person working on your claim will tell you which records have not been received in a timely manner. The applicant can then go to their provider, get the record Disability Determination Services is waiting to review and mail it to the Disability Determination Services office.

When a person is receiving SSI benefits and due to the initiation or increase of SS Childhood Disability Benefits (formerly known as SSDAC) from a parent's retirement, disability or death, is no longer meeting income eligibility for SSI, Medicaid benefits may be allowed to continue. Often times this requires an initiation to reinstate Medicaid by the recipient. It would be beneficial to check if this is your circumstance.

Many recipients receive benefits from each of these programs the same month and have eligibility for Medicaid and Medicare.

It is critical that earned and unearned income be reported to the SSA monthly. The SSA will accept copies of pay stubs.

Once determined eligible for SS benefits the recipient can expect to participate in a re-determination process assuring continued eligibility. This could occur within 3 to 7 years of becoming a recipient and 3 to 7 years thereafter unless the diagnosis is terminal.

A child receiving Social Security benefits through the child determination will usually need go through a re-determination process at the time of turning an adult, 18 years of age, using the adult criteria. The child criterion focuses on functional ability while the adult criterion focuses on the ability to be substantially and gainfully employed. The resource and income limitations are a combination of the entire household for determining the child resource and finances allowance. At the time of turning an adult, 18 years of age, only the finances and resources belonging to the applicant are counted, regardless of where or with whom the applicant resides.

Having been determined eligible under Social Security's definition of disability is sometimes required as criteria to participate in services from adult programs. Many long term services are purchased through the state Medicaid Plan under the Social Security Act. Participation requires eligibility is met through Social Security standards. Your eligibility determination may also expedite the determination process of other adult programs such as vocational services as most adult agencies accept the determination made by the Social Security Administration and do not require repeating the process. Room and board are expectant costs of persons receiving residential supportive services and typically are paid for through monetary SS benefits.

An adult application for Social Security Benefits can be initiated in the month after the applicant becomes an adult of 18 years of age or anytime after. Often times, the determination process takes months if benefits are initially denied and appeals are applied for reconsideration. It is not unusual for a person to be denied benefits, appeal the decision, and be denied a second time and next go before an Administrative Judge for a final determination. Once the SSA has denied benefits due to not meeting the disability criteria, many state and waiver programs with specific disability criteria will not be available. If you feel that you or your child are eligible for Social Security and have been denied, you must follow the instructions and time frames outlined in the notification letter to request an appeal.

Important to Note: People receiving Social Security benefits have often been misinformed, therefore discouraged of going to work and receiving any earned income for fear of losing their financial and important medical benefits provided through SS programs. Many excellent incentives have been developed to ensure a recipient of SS benefits can remain covered under medical plans while becoming financially independent of monetary subsidy. There are also strong incentives that assist persons with self-employment goals by protecting unearned benefit income in savings accounts designated for obtaining the self-employment goals. To learn more about incentive programs for people to be employed to their maximum potential while retaining critical medical benefits, contact your local SSA office or the SSA website. You may also contact your state Vocational Rehabilitation agency for further referral and direction on work incentives.

The Social Security's website, www.ssa.gov provides a wealth of information.

The majority of this information was obtained from the Social Security website. The Helpful Tips are a compilation from experienced people in the field of disabilities.