



# Social Security Disability and Supplemental Security Income



# SSDI Supplemental Slides



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# Definition of Disability - Adult

**The Social Security Act defines disability as:**

a person who cannot work due to a severe medical condition that has lasted, or is expected to last, at least one year or result in death; or

the person's medical condition must prevent him or her from doing substantial gainful employment – work that he or she did in the past, and it must prevent the person from adjusting to other work.



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# Requirements for Getting Disability Benefits

To be eligible for disability benefits, you must meet two different earnings tests:

- a recent work test, and
- a duration of work test.

Note: Certain blind workers have to meet only the duration of work test.



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# Rules for Recent Work Test

If you become disabled	You generally need
In or before the quarter you turn age 24	1.5 years of work during the three-year period ending with the quarter you become disabled.
In the quarter after you turn age 24 but before the quarter you turn age 31	Work during half the time for the period beginning with the quarter after you turned 21 and ending with the quarter you become disabled.
In the quarter you turn age 31 or later	Work during five years out of the 10-year period ending with the quarter your disability began.



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# Rules for Duration of Work Test

If you become disabled	Then you generally need
Before age 28	1.5 years of work
Age 30	2 years
Age 34	3 years
Age 38	4 years
Age 42	5 years
Age 46	6 years
Age 48	6.5 years
Age 50	7 years
Age 52	7.5 years

**NOTE:** *This table doesn't cover all situations.*



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# When should I apply for disability benefits?

- Apply as soon as you become disabled.
- Processing an application for disability benefits can take three to five months.
- We may be able to process your application faster if you help us by getting any other information we need.



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# How do I apply for disability benefits?



Online at [www.socialsecurity.gov/disability](https://www.socialsecurity.gov/disability)



Call 1-800-772-1213 to make an appointment at your local office



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# SSDI: What Happens Next?

- Your application will be reviewed to make sure you meet some basic requirements for disability benefits.
- We'll check whether you worked enough years to qualify and evaluate any current work activities.
- If you meet these requirements, we'll forward your case to the Disability Determination Services office in your state.



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# Disability Determination Services Office - State

- This state agency completes the initial disability determination decision for us.
- Doctors and disability specialists in the state agency ask your doctors for information about your condition(s). They'll consider all the facts in your case.
- They'll use the medical evidence from your doctors, hospitals, clinics, or institutions where you've been treated.



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# How is a Disability Determination Made?

Five-step process:

1. Are you working?
2. Is your medical condition “severe” ?
3. Does your impairment(s) meet or medically equal a listing?
4. Can you do the work you did before?
5. Can you do any other type of work?



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## We'll tell you our decision...

- When the state agency makes a determination on your case, we'll send a letter to you.
- If approved, the letter will show the amount of your benefit, when your payments start, and your reporting responsibilities.
- If not approved, the letter will explain why and tell you how to appeal the determination if you don't agree with it.



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# SSDI: Benefits for the Family

## Spouse

- At age 62
- At any age if caring for child who is under 16 or disabled
- Divorced spouses may qualify

## Child

- Not married under age 18 (under 19 if still in high school)
- Not married and disabled before age 22



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# You need to tell Social Security if...

- you have an outstanding warrant for your arrest
- you are convicted of a crime
- you violate a condition of parole or probation



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# Working While Receiving Benefits

- Social Security has special rules called *work incentives* that allow you to test your ability to work and still receive monthly Social Security disability benefits. You can also get help with education, rehabilitation, and training you may need to work.
- If you do take a job or become self-employed, tell us about it right away. We need to know when you start or stop work and if there are any changes in your job duties, hours of work, or rate of pay.
- Individuals receiving Social Security disability benefits and their representative payees must report their wages. Wages can be reported using their personal *my* Social Security account online.



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# SSI Supplemental Slides



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# Requirements for Getting SSI

To be eligible for SSI, you must:

- have limited income and few resources;
- be age 65 or older;
- be totally or partially blind; or
- have a medical condition that keeps you from working and is expected to last at least one year or result in death.

Note: There are different rules for children.



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# Definition of Disability - Adult

## The Social Security Act defines disability as:

- a person who cannot work due to a severe medical condition that has lasted, or is expected to last, at least one year or result in death; or
- the person's medical condition must prevent him or her from doing substantial gainful employment – work that he or she did in the past, and it must prevent the person from adjusting to other work.



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# Requirements for Getting SSI

- Your income – money you receive such as wages, Social Security benefits, and pensions. Income also includes such things as food and shelter.
- Your resources – things you own such as real estate, bank accounts, cash, stocks, and bonds.
- Where you live – must live in the U.S., or Northern Mariana Islands. If you're not a U.S. citizen, but you are lawfully residing in the United States, you still may be able to get SSI.



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# Income

Earned	Unearned
Wages	SSA benefits
Net earnings from self-employment	Veterans benefits
Payment for services in sheltered workshop	Unemployment benefits
	Interests
	Pensions
	Cash from family/friends



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# Resources

Included Resources	Excluded Resources
Bank Accounts (CDs, IRAs)	Home in which you live
Stocks, Bonds, 401Ks (Liquid Assets)	First car
Second Car	Burial plots for self & family
Life Insurance	Some resources set aside for burial
Property other than where you live	

**Individual Limit: \$2,000 / Couples Limit: \$3,000**



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# Living Arrangements

Living arrangements are another factor to determine how much SSI a person can get. Benefits may vary depending on where you live:

- In someone else's household
- In an institution – generally \$30/month maximum
- In a group care or board and care facility



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# Reporting Responsibilities Under SSI

## What Things Must You Report To Social Security?

You must report any changes in your status because they may affect your eligibility for SSI and your benefit amount. If you work and get SSI, then you must report your earnings.

## When Do You Need To Report?

Report any changes that may affect your SSI as soon as possible and no later than 10 days after the end of the month in which the change occurred.

## How Do I Report Wages?

Social Security offers a toll-free automated wage reporting telephone system and a mobile wage reporting application. You can also report your wages through your personal *my* Social Security account.



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# What to Report Under SSI

- change of address
- change in living arrangements
- change in earned and unearned income
- change in resources
- death of a spouse or anyone in your household
- change in marital status
- change in citizenship or immigration status
- change in help with living expenses from friends or relatives
- eligibility for other benefits or payments
- admission to or discharge from an institution (i.e. hospital, nursing home, jail, etc.)
- change in school attendance (if under age 22)
- change in legal alien status
- sponsor changes of income, resources, or living arrangements for aliens
- leaving the U.S. for a full calendar month or for 30 consecutive days or more
- an unsatisfied felony or arrest warrant for escape from custody, flight to avoid prosecution or confinement, or flight-escape



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# You need to tell Social Security if...

- you have an outstanding warrant for your arrest
- you are convicted of a crime
- you violate a condition of parole or probation



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# SSI for Children

## Who is considered a “child” for SSI?

A disabled person who is neither married nor head of a household and:

- is under age 18; or
- is under age 22 and is a student regularly attending school.



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# SSI Requirements for Children

- If under 18, the child has a physical or mental impairment (or combination) that results in marked or severe limitation in functioning.
- The child must be either blind or disabled. If the child is blind, he or she must meet the same definition of “blind” as applies for adults.
- Condition must be expected to last at least 12 months or result in death.



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# SSI Requirements for Children (continued)

- Disabled children living in households with limited income and resources may be eligible to receive SSI benefits.
- For eligibility, the income and assets of the disabled child and parent(s) living in the household are assessed.

## Children's income examples:

- Child support
- Social Security auxiliary benefits
- Gifts



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# Deeming

## What is it?

The process of determining how much of a parent(s) income and resources will count is called deeming.

## When does it apply?

If the parent(s) has income and/or resources that we must consider and:

- the child is under 18; and
- lives at home with his or her natural, or adoptive parents(s); or
- lives away at school, but comes home on some weekends, holidays, or school vacations and is subject to parental control.



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# SSI Determination for Children Turning 18

- We make a new disability determination using the adult rules.
- We no longer count the income and resources of parent(s) for eligibility.
- If the child continues to live with parent(s) but does not pay for food or shelter, a lower SSI payment may apply.
- An SSI application can be made as early as the day of the 18th birthday.



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# SSI and Age 18 Foster Children

A disabled youth transitioning out of foster care may file an SSI application if he or she:

- lives in a foster care situation;
- alleges blindness or disability;
- appears likely to meet all of the non-medical eligibility requirements when foster care payments terminate;
- expects foster care payments to cease within 180 days of the application filing date; or
- is within 180 days of losing foster care eligibility because of age.



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# SSI & Homeless

## Social Security defines “homeless” as:

A **transient** – an individual with no permanent living arrangement, i.e., no fixed place of residence. A transient is neither a member of a household nor a resident of an institution.

If you are homeless, you can receive your SSI benefits by:

- having them deposited into your personal bank account;
- having your benefits mailed to a third party;
- having a relative or other third party be assigned as your representative payee; or
- having your benefits directed to a Direct Express bank card.



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# How to Apply for SSI (Adult)

**You can begin the process and complete a large part of your application online!**

You may be eligible to complete your application online if you:

- are between the ages of 18 and 65;
- have never been married;
- are a U.S. citizen;
- haven't applied for or received SSI benefits in the past; and
- are applying for Social Security Disability Insurance at the same time as your SSI claim.



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# How to Apply for SSI (Under Age 18)

- Schedule an appointment with Social Security. Call 1-800-772-1213 (TTY 1-800-325-0778) from 7 a.m. to 7 p.m., Monday through Friday or contact your local Social Security office;

and

- Complete the online Child Disability Report at <https://www.socialsecurity.gov/childdisabilityreport>



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# SSI: What Happens Next?

- Your application will be forwarded to the state Disability Determination Services (DDS) agency.
- The DDS will contact medical providers to obtain medical records.
- The DDS may ask for additional information about how your condition(s) affect daily activities.



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# Special SSI Qualification Requirements for Non-Citizens

Effective August 22, 1996, most non-citizens must meet two requirements to be potentially eligible for SSI:

- be in a **qualified alien** category; and
- meet all of the other rules for SSI eligibility, including the limits on income and resources, etc.



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# 7 Types of Qualified Aliens

You are a qualified alien if the Department of Homeland Security (DHS) says you are in one of these seven categories:

1. Lawfully Admitted for Permanent Residence (LAPR) in the U.S., which includes "Amerasian immigrant" as defined in P.L. 100-202, with a class of admission AM-1 through AM-8;
2. Granted conditional entry under Section 203(a)(7) of the Immigration and Nationality Act (INA) as in effect before April 1, 1980;
3. Paroled into the U.S. under Section 212(d)(5) of the INA for a period of at least one year;



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## 7 Types of Qualified Aliens (continued)

4. Refugee admitted to the U.S. under Section 207 of the INA;
5. Granted asylum under Section 208 of the INA;
6. Deportation is being withheld under Section 243(h) of the INA, as in effect before April 1, 1997; or removal is being withheld under Section 241(b)(3) of the INA; or
7. A "Cuban and Haitian entrant" as defined in Section 501(e) of the Refugee Education Assistance Act of 1980 or in a status that is to be treated as a "Cuban/ Haitian entrant" for SSI purposes.



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# “Qualified Aliens” May Be Eligible For SSI

If you are in one of the seven "qualified alien" categories, you may be eligible for SSI if you also meet one of the following conditions:

- You were receiving SSI and lawfully residing in the U.S. on August 22, 1996.
- You are LAPR with 40 qualifying quarters of work. (Work done by your spouse or parent may also count toward the 40 quarters of work, but only for getting SSI. However, you need to be a LAPR prior to August 22, 1996.)
- You are currently on active duty in the U.S. Armed Forces or you are an honorably discharged veteran.
- You were lawfully residing in the U.S. on August 22, 1996 **and** you are blind or disabled.



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# Qualifying for SSI as a Non-Citizen

We will need to see proof of immigration status:

- Current DHS admission/departure Form I-94
- Form I-551
- Order from an immigration judge showing withholding of removal or granting asylum
- DD-214 if in the armed forces

What if there is a sponsor?

- Generally, we will count the income/assets of the sponsor(s) to determine eligibility.



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# The Ticket to Work Program

- Social Security and Supplemental Security Income disability beneficiaries can get help with training and other services they need to go to work **at no cost to them.**
- Most disability beneficiaries are eligible to participate in the Ticket to Work program and can select an approved provider of their choice who can offer the kind of services they need.

**<https://choosework.ssa.gov/about/index.html>**



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## We'll tell you our decision...

- When the state agency makes a determination on your case, we'll send a letter to you.
- If approved, the letter will show the amount of your benefit, when your payments start, and your reporting responsibilities.
- If not approved, the letter will explain why and tell you how to appeal the determination if you don't agree with it.



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# Other Related Slides



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# ABLE (Achieving a Better Life Experience) Act

- Signed into law December 2014
- Allows certain individuals with disabilities and their families to save money in a tax advantaged savings and investment account, similar to a 529 College Savings Account
- Limits eligibility to individuals who became disabled before turning 26
- Account must be administered by a qualified ABLE program which is available in most states.



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# ABLE Account Limits & Qualifying Expenses

- Save up to \$100,000 without affecting benefits.
- Money in ABLE accounts can cover qualified disability expenses.
  - Some of these expenses include:
    - Housing
    - Education
    - Healthcare
    - Transportation
    - Assistive technology
    - Personal support services
    - Job training



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# ABLE Act

- Currently, 40 states and Washington, DC have established ABLE programs.
- Beneficiaries can enroll in an ABLE program in their state or another state that accepts out-of-state residents.
- Visit our web sites:  
<https://www.ssa.gov/ssi/spotlights/spot-able.html> or  
<https://choosework.ssa.gov/blog/2016-12-19-getting-to-know-the-able-act>  
to learn more about ABLE accounts.



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# Medicare and Medicaid

**Medicare** – federal health insurance program for people 65 or older and people who have been getting disability benefits for 24 consecutive months.

**Medicaid** – state health program for people with low incomes and limited resources.

- In most states, children who get SSI qualify for Medicaid.
- In many states, Medicaid comes automatically with SSI eligibility.



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# Representative Payee

- Social Security's Representative Payment Program appoints a relative, friend, or other interested party to serve as the 'representative payee' who receives and manages the Social Security or SSI benefits for anyone who cannot manage or direct the management of his or her benefits themselves.
- We thoroughly investigate those who apply to be representative payees to protect the interests of Social Security beneficiaries, because a representative payee receives the beneficiary's payments and is given the authority to use them on the beneficiary's behalf.
- Our *Representative Payee Portal*, accessible with a *my* Social Security account, lets individual representative payees conduct their own business or manage direct deposit, wage reporting, and annual reporting for their beneficiaries.



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# Advance Designation of Representative Payees

## What is it?

- Effective March 2020, Advance Designation of Representative Payees allows you to designate in advance up to three individuals who could serve as a representative payee for you, should the need arise.

## Who is it for?

- Adult and emancipated minor applicants and beneficiaries of Social Security or Supplemental Security Income, who do not have a representative payee



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