

SSI DISABILITY DETERMINATION

| <u>Child Disability Standard</u> | <u>Adult Disability Standard</u> |
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| <p><u>INCOME:</u> Under 18 years old, parents incomes and assets count</p> <p><u>DISABILITY:</u> Impairment(s) must cause “marked and severe functional limitations” and last at least 12 months – compared with functionality of peers</p> | <p><u>INCOME:</u> Over 18 year old, do not look at parents’ income or assets (< \$2000) unless the child lives with parents. If so, some of parents’ support paid for housing and feeding the child will count toward in kind support and reduce the child’s SSI check.</p> <p><u>DISABILITY:</u> A severe impairment or combination of impairments that prevent engaging in substantial gainful activity (SGA), lasting for a continuous period of not less than 12 months or resulting in death.</p> <p>Must lack Residual Functional Capacity (RFC) to perform any jobs that exist in substantial numbers in the national or local economy.</p> <p><u>EXCEPTIONS</u> → Can reduce assets contributing to SGA if:</p> <ul style="list-style-type: none"> • Impairment-related work expenses, or • The work is “subsidized” (i.e. employee is being paid more than the work is worth) |

SSI vs. SSDI

| Supplemental Security Income (SSI) | Social Security Disability Insurance (SSDI) |
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| <ul style="list-style-type: none"> • Strict income and resource limits • No work history required • \$698 maximum– 2012 Federal Benefit Rate • Often also qualifies for Medicaid (but separate application) | <ul style="list-style-type: none"> • Based on work record (average \$1,000) • Unearned income is not counted with no asset limits • Benefit amount depends on work record • May qualify for Medicare (usually better coverage than Medicaid) |

Transition Income Supports:

SSI and SSDI

Supplemental Security Income (SSI) and Social Security Disability Income (SSDI) provide income to disabled persons who meet the Social Security definition of disability and income requirements. Both use the same definition of disability, but the amount of benefit paid is different. SSDI is based upon payroll taxes if a person has a strong work history; SSI is based upon a fixed amount if a person is low income or lacks a strong work history.

WHO does this apply to?

- Childhood SSI/SSDI recipients
- Adults with disabilities (18yo and over) who did not receive childhood SSI due to family income levels
- Individuals who were found disabled before age 22 and became eligible to receive SSDI benefits due to a parent's disability, retirement for which they are receiving SSA retirement benefits or death

After Age 18

Children already receiving SSI or SSDI will have a review ("Redetermination") when he or she turns age 18. They will use the adult disability rules to decide whether they meet disability and income requirements as an adult. Because of the different definitions of disability for children and adults, a child receiving benefits is not guaranteed to continue receive benefits as an adult.

If an individual was not eligible for SSI before his or her 18th birthday because parent's income being too high, he or she may become eligible for SSI at age 18 and should apply as an adult.

When children are evaluated for a disability, SSA compares how that child is developing compared to their peers. However, when an individual turns 18 year old, SSA considers whether or not an individual can enter the work force in a substantial manner without needing special accommodations. If SSA finds that someone's impairments prevent them from substantial gainful activity (i.e. earning more than \$1010 per month in 2012), then the individual will be found disabled as an adult. SSA has a specific listing that defines what is "disabled" for most illnesses and conditions, and requires you to show functional limitations to your ability to work.

For more information:

- <http://www.ssa.gov/ssi/>
- <http://www.ssa.gov/dibplan/index.htm>
- 1-800-772-1213
- Locate local SSA office

Three Ways to Apply:

- For SSDI Adults only, apply online at <https://s044a90.ssa.gov/apps6z/ISBA/main.html>
- Call the toll free number for either an in office appointment or a telephone appointment 1-800-772-1213 or TTY 1-800-325-0778
- Locate local SSA office. See office locator at <https://s044a90.ssa.gov/apps6z/FOLO/fo001.jsp>

Before applying, consider obtaining the following documents:

- Copies of IEPs
- School reports
- Letters of support from vocational coordinators, teachers physicians

Remember: first applications are often denied. It is important to follow up on the SSA appeal process.

If you receive a denial of the initial application, **appeal the decision within 60 days** by filing and appeal online or by phone. **For childhood recipients, appeal within 10 days to continue receiving SSI checks.**

Social Security Disability Insurance (SSDI): SSDI is available only to adults who have held a job in the past, or who are eligible to collect disability benefits under a parent's past work record. If the adult does not have a work history but one parent does, the individual may be eligible for SSDI if:

1. The individual's disability is documented as having begun before the age of 22
AND
2. The parent is 1) Retired, 2) Disabled themselves, or 3) Deceased

Childhood Disability Beneficiary (CDB) =

a disabled adult receiving SSI can move to receiving SSDI, which is a better benefit.

Health Insurance Impact

- **After receiving SSDI for 24 months, adult child also becomes eligible for Medicare** (better than Medicaid eligibility under SSI)
- New income from SSDI is exempt for Medicaid asset requirements

These benefits are also payable to an adult who received dependents benefits on a parent's Social Security earnings record prior to age 18, if he or she is disabled at age 18. The disability decision using the disability rules for adults. SSDI continues as long as the individual remains disabled. Your child does not need to have worked to get these benefits.

Supplemental Security Income (SSI):

If a disabled adult does not receive benefits under SSDI, they should consider eligibility for the Supplemental Security Income (SSI). SSI is a federal income supplement program designed to help elderly (age greater than 65), blind or disable people who have limited income or resources. It provides monies to help meet basic needs for food, clothing and shelter. SSI eligibility has two types of requirements: 1) category, and 2) income. For adult SSI, the SSA looks at the student's disability, income, and assets at age 18 or older.

2011 SSI Amount = \$698/month

- Payment can vary based on living arrangements & other factors
- Patients nor guaranteed to always receive the full amount

In Illinois: *if you qualify for SSI, you probably also for Medicaid*

- Illinois Medicaid is NOT automatic → MUST apply separately
- Children can be insured under IL All Kids until age 19 if they meet income requirements
- Not all All Kids participants will qualify for Adult Medicaid.

SSI Income: less than \$1000, assets under \$2000

The income requirement for SSI eligibility states that the student cannot earn more than \$1000 of income per month. Additionally, the student cannot have assets (savings and checking accounts, retirement accounts, stocks, bonds) over a specific amount in any given month to be eligible for SSI. If single, the individual's countable assets must be \$2,000 or less. If married, the individual's assets combined with his/her spouse's assets must be equal to or less than \$3,000