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Supplemental Security Income (SSI) Overview

Office of Clients' Rights Advocacy
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3 What is the Social Security Administration (SSA)?

Social Security Administration (SSA)
is the federal agency that is in charge of the
Supplemental Security Income (SSI) benefits program.

4 How does SSA define disability for children?

An individual under age 18 is "disabled" if he or she has a medically determinable physical or mental impairment, which:

- Results in marked and severe functional limitations; and
- Can be expected to result in death; or
- Has lasted or can be expected to last for a continuous period of not less than 12 months.

5 How does SSA define disability for adults?

18 year old person is an adult (does not matter if live with family)

The inability to engage in any substantial gainful work activity (SGA) because of a medically-determinable physical or mental impairment(s):



- That is expected to result in death, or
- That has lasted or is expected to last for a continuous period of not less than 12 months.



6 Sequential Evaluation

- To decide if an adult or child meets Social Security's definition of disability, Social Security takes the claim through a process called a "sequential evaluation."

7 **Sequential Evaluation (Cont.)**

1 Adults

The sequential evaluation asks:

- Is the claimant working?
- Is the condition "severe"?
- Does the condition meet or medically equal a social security "listing"?
- Are you able to do your past work?
- Can you do any other kind of work?

2 Children

The sequential evaluation asks:

- Is the claimant working?
- Is the condition severe?
- Does the condition meet or medically equal a social security "listing"?



8 **STEP 1:**

Is the claimant working?

- If the claimant is working in 2021 and earnings average more than \$1310 a month, she/he generally cannot be considered disabled.
- If she or he is not working, go to STEP 2.



9 **STEP 2:**

Is the condition "severe"?

- The condition must interfere with basic work-related activities for the claim to be considered. If it does not, SSA will find the claimant not disabled. Specifically, the impairment must cause more than a minimal limitation in [their] ability to do basic work activities.



10 **STEP 3:**

Is the condition found in the list of disabling conditions?

- If the claimant meets the listing it means their condition is so severe they automatically are disabled. If the condition is not on the list, SSA then decides if it is of equal severity to a medical condition that is on the list. If it is, SSA will find that the claimant is disabled.

11 **Listing of Impairments**

- Describes for each major body system:
 - Impairments that may prevent someone from doing gainful activity;
 - Or for a child, impairments that cause a marked or severe functional limitation

12 Listing of Impairment for Children

If a child's disability or combination of conditions meets the criteria of the listing of impairments; or
 - If the symptoms, signs or laboratory findings are equal or severe enough to one condition of the listing of impairments; or

- If the impairment (s) of the child does not meet or medically equal a listing, but it "functionally equals" the listing.

- Meets
- Equals or
- Functionally Equals

13 What income does SSA count for SSI?

Deemed Income (Income from parent if under the age 18 or spouse if married)



Earned Income (Income from job if working)



Unearned Income (Unemployment benefits)



In-Kind Income (Food and shelter)



14 What is deeming?

- The process of determining how much of a parent's or spouse's income and resources SSA will use in determining SSI payment is called "deeming."

- SSA considers some of a parent's income and resources to be available to his or her child.
- SSA considers some of a spouse's income and resources to determine an adult's SSI payment



15 What income does not count?

\$20.00 a month of earned or unearned income

\$65.00 a month of earned income

½ of earnings are not counted or ½ of child with a disability's earnings

Student under age 22 and working: \$1,930 a month, with a maximum of \$7,770 annual for 2021.

16 Which resources does SSA count?

Cash;

Bank accounts, stocks, U.S. savings bonds;

Land;

Life insurance;
 2nd Automobile(s);
 Anything else you own which could be changed to cash and used for food or shelter.

17 **What resources do not count?**

The house you live in;
 One car (many exceptions exist);
 Life insurance policies you own with a face value of \$1,500 or less per person;
 Burial plots for you or your immediate family;
 A burial fund of up to \$1,500 each;
 Household goods and personal effects;
 Resources can't exceed \$2,000 for an individual/child or \$3,000 for couple/parents.



18 **How much SSI benefits does someone living in CA receive in 2021?**

* The amount a child receives depends on the household income. See DRC publication #5017.01 for deeming rules and formula.



19 **What information MUST be reported to SSA?**

A person receiving SSI beneficiary or their representative payee (parent or family member) must report all changes that might affect eligibility or payment by the 10th of the month after the month in which it occurs.



20 **What is retrospective monthly accounting?**

- Changes in January will be reflected in the March benefits check.



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Application Process

22 **How to apply for SSI during Coronavirus?**

You can call SSA at 1-800-772-1213 from 7 a.m. to 7 p.m. Monday through Friday.

You can apply online at the SSA website <https://www.ssa.gov/benefits/disability/>

You will get a call from the SSA office to schedule phone appointment.

23 **Sources of information to include with application**

- Medical: licensed doctors, licensed or certified psychologists, licensed therapists, hospital records and medical records.
 - Non-medical: parents, teachers, child care, friends, neighbors, and regional center service coordinators.

24 **What do I need to have for the initial meeting?**

Birth Certificate

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Proof of income and resources (adult ONLY NOT parent's)

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Medical proof including organized medical records, supplementary records from regional center, CCS, doctors, hospitals and clinics, and specialists.

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Names, addresses and telephone numbers of doctors, hospitals and clinics and specialists if you don't have the records.

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25 How to accelerate the application process:

- For child: School assessments and IEPs.
- Names, addresses, and telephone numbers of care providers and family members that can provide information about the person's functional abilities.
- A description of how the disability affects the ability of a child to function on a daily basis OR for adults, the adult's ability to work.

26 Tips for how to prepare to submit initial application

- Review sample SSI application
- Organize records in a binder
- Review SSA listing
- Provide copies of records at appointment with field representative. Do not rely on SSA to obtain permanent records
- Ensure that records are stamped with the date and time provided to SSA

27 How long does SSI eligibility application process take?

It can take several months.



If a person's condition is extremely severe, then SSA may presume the disability.



SSI benefits can be paid for up to six months while the formal disability decision is being made.



Must meet all other SSI eligibility factors (income and resources).



28 Examples of extremely severe eligibility conditions:

Total Blindness



Total Deafness



Cerebral Palsy (in some cases)



Down Syndrome



29 **Mandatory re-determination at age 18**

Must happen even if person received SSI under age 18.

Must meet the adult definition of disability.

If individual does not meet adult definition of disability, benefits may continue if:



Individual participating in special education, vocational rehabilitation, employment or other support services.

Benefits may last until age 22, when special education services terminate.



30 **Mandatory re-determination at age 18**

- The SGA requirement is NOT part of the Age 18 Redetermination process.

- If the review results in eligibility, SSI and Medi-Cal continue uninterrupted. If the review results in denial, benefits are terminated 2 months after the date on the notice. Social Security does not apply the ineligibility back to the month after the 18th birthday.



31 **What is a continuing disability review?**

After you are approved for disability benefits, SSA will conduct a continuing disability review (CDR) every few years to see if your condition has improved.

32 **Medical improvement standard**

- Benefits may not usually be terminated unless there is a finding that the recipient's condition has medically improved.

- The medical improvement standard requires a decrease in the medical severity of the recipient's impairments, based on changes in signs, symptoms and/or laboratory findings.

- See POMS DI 28010.001 – 28010.150.

33 **Comparison point decision**

- In evaluating medical improvement, the recipient's current impairment(s) are compared with his/her impairments at the time of the most recent favorable medical decision or review. This is called the Comparison Point Decision.

- Only look at impairments for which there was medical evidence at the time of the CPD.

34 **CDR timetable for kids**

- Every 3 years,

- By the child's 1st birthday, if eligibility was based on low birth weight.

35 **Advocacy Tips – Increasing SSI Payments**

Report changes to local SSA office within 10 days:

MUST report

Change of address and living arrangement,

Get married

Are admitted into nursing home/hospital/prison/jail,

Income including wages, new resources,

Trips outside of US for 30 days or more.



36 **Next Steps: Complete the Survey**

Questions and Answers

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