



The Social Security Application Process

With Help Me Help You

SSI vs. SSDI

SSI – Supplemental Security Income	SSDI – Social Security Disability Income
Administered under Title 16 of the Social Security Act	Administered under Title 2 of the Social Security Act
	Also known as OASDI or Old age Survivors, and Disability Insurance
Commonly referred to as SSI	Commonly referred to as Social Security
Needs based (Means-tested) Assistance	Employment based social insurance program
No prior work requirements	
Based on income and resources	Based on work earnings, not affected by other income
Funded by general fund taxes	Funded through payroll (FICA) taxes
For aged, blind, or disabled individuals	
\$735/mo for individuals \$1,103/mo for couples	Average award around \$1,233
California adds a state supplement so recipients receive \$907/mo for individuals, \$1,526 for couples	
Only pays 90% of the FPL (Which is \$990/mo for an individual or \$1,335/mo for couples.)	

- An individual can qualify for Concurrent benefits and receive both SSI and SSDI
 - This happens when their social security benefits is less than the SSI benefit. This can happen to some who has limited work history or someone who has earned low wages
- Only 30% of people receive full SSI benefits. The maximum is \$990 in California, but the average award is \$542
- In most states, SSI recipients are automatically eligible for Medicaid as soon as they are eligible for SSI. And those who qualify for retirement benefits are automatically eligible for Medicare.

Basic Eligibility for SSI

- Must be blind, disabled, or age 65 or older
- Based on income and resources
 - Earned income = wages , if self employed based on net earnings
 - Unearned income = retirement, cash from family, pension, stocks,
 - In-kind support and maintenance = Food /shelter that someone else pays for
 - The value of help for food and shelter is deducted from your benefits (Food or shelter provided by a nonprofit is not counted against you. If based on need, it is not counted.
 - Help with clothing or transportation is ok.

Income

What Income does not count against you

- Tax refunds, scholarships, loans, direct payments from someone for expenses other than food or shelter (medical bills, auto insurance, etc), food stamps and govt energy assistance.
- Also, there is an income disregard, the first \$20 of unearned income does not count and the 1st \$65 of earned income and only ½ of income earned after that.

Resources

A resource is anything available to use for support and maintenance

If the value of your resources are too high, you may not qualify for SSI benefits

- Resources cannot be more than \$2,000 for an individual, or \$3,000 for a couple
 - SSA is looking at what asset can be converted into cash and used for food and shelter
 - Resources include items like: Life insurance, cash, stocks, bonds, land, additional vehicles, real estate, etc.

Excluded Resources

- Recipient's home, household goods and personal property, one vehicle, burial plot, burial funds, life insurance (up to \$1,500), and retroactive SSA benefits, and a special needs trust.

Transfer Rules

- ▶ One cannot transfer resources for less than market value
- ▶ Transfers cannot occur any time in the prior 36 months
- ▶ Can become ineligible for up to 36 months, depending on the value of transfer

Deeming of Income/Resources

- ▶ A person eligible for SSI living with a person not eligible for SSI. Social Security then determines how much the non-recipient's income affects the income of the person on SSI. This counts for the following:
 - ▶ Spouse living with recipient
 - ▶ Parent/step parent of child recipient under the age of 18
 - ▶ An immigrant living with sponsor
 - ▶ No other count towards deeming

Immigration Status

- ▶ Some non-citizens may be eligible for SSI
 - ▶ Lawfully residing in the US on Aug. 22, 1996 and blind or disabled
 - ▶ Lawfully residing in US and receiving SSI on Aug 22, 1996
 - ▶ Lawfully admitted for permanent residence with 40 or more quarter of work in US
 - ▶ Active duty military, veteran or spouse of veteran
 - ▶ Refugees, asylees and certain humanitarian immigrants (7 year limit on benefits)

Physical presence

- ▶ If absent from the country for a full calendar month or 30 days or more, one is no longer eligible in subsequent months until return for 30 consecutive days.
- ▶ Not eligible for SSI if living in correctional facility for full calendar month
- ▶ Limited to \$30 per month if staying in hospital/skilled nursing facility/or other medical facility where Medicaid pays more than half of the cost of care.
- ▶ Can get while homeless and living in a public shelter up to 6 months out of a 9 month period.

5 steps to the Disability Determination Process for Adults

1. Are you working?

- ▶ Are you doing substantial gainful activities? If no →

2. Is your medical condition severe? If yes →

3. Is your medical condition found in the listings?

- ▶ And is the criteria for the listings met? If no →

4. Can you do any previous jobs?

- ▶ They will look at the work done in the last 15 years. If no →

5. Can you do any other job?

- ▶ They will look at your age, education and work experience to determine transferrable skills

Definition of Disability

- For adults age 18 to 64
 - Must have a medically determinable physical or mental impairment
 - That prevents you from working
 - And is expected to last at least 12 months or result in death
- The process is similar for children, except focus on functional limitations not ability to work.

- The ability to do substantial work is your ability to work at the substantial gainful employment level, earning \$1,130.
 - If you can earn this on a regular basis you are not eligible for benefits.

The Appeals Process

- If you disagree with a decision, you can appeal. You have 60 days after a decision is made to appeal.
- You can also appeal if funds are reduced, suspended or terminated.

- There are 4 steps to Appeal
 - 1. Reconsideration, handled by staff at the local office
 - 2. Administrative Law Judge hearing, an in-person hearing at the local office
 - 3. Review by the Appeals Council
 - 4. Federal Court Review, takes place outside of the social security office



Refer your clients for assistance with Social Security SSI, SSDI, and retirement benefits
Fax referral forms to 562-570-8234
Email info@helpmehelpu.org
Call the office to schedule an appointment 562-612-5001

For any questions on the presentation or Social Security Benefits
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