



Social Security Benefits for People with Disabilities



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Presented by:
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Produced at U.S. taxpayer expense



Call 1-800-772-1213

Representatives from 8am to 5:30pm, Monday through Friday. Information is provided by automated phone service 24 hours a day.

Local Offices – In-Person Service during COVID-19

Use www.socialsecurity.gov/locator to obtain the local office phone number for cases of dire, urgent need. Local hours 9am to 4pm weekdays.



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Protect Yourself from Social Security Scams

If you receive a suspicious call:

1. HANG UP!

**2. DO NOT GIVE MONEY OR
PERSONAL INFORMATION!**

**3. REPORT THE SCAM
AT [OIG.SSA.GOV](https://oig.ssa.gov)**



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Disability Programs

Title II

SSDI
Social
Security
Disability
Insurance

Medicare

Title XVI

SSI
Supplemental
Security
Income

Medicaid



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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; and
- 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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Social Security Disability Insurance

- Provides benefits to disabled or blind persons who are “insured” by the worker’s contributions to the Social Security trust fund-the benefit amount is based on your earnings
- SSDI is for those that are younger than full retirement age and earn less than the substantial gainful activity (SGA) limit if working,
- and have earned a certain number of work credits during certain periods of time in their working career.



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SSDI: Earnings Tests

To be eligible for disability benefits, you must meet two different earnings tests to determine whether you are “insured”:

Based on credits/FICA Tax

- In 2022, 1 credit=\$1510, 4 credits/year = \$6040
- a recent work test, based on your age at the time you became disabled, and
- a duration of work test to show that you worked long enough under Social Security.

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



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Substantial Gainful Activity

- “Substantial gainful activity” (SGA) is a term used to describe a level of work activity and earnings.
- Substantial work involves physical or mental activities
- Gainful work is performed for pay or intended for profit
- If the impairment is anything other than blindness, earnings in 2022 averaging over \$1,350 a month generally demonstrate SGA.
- The SGA amount in 2022 for blind individuals is \$2,260
- SSDI uses SGA to decide eligibility if you continue to work after you use your TWP



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When can we reduce your gross pay?

Which Work Incentive Applies When?

Can we apply?	For Initial Claims	For TWP Purposes	For EPE Months, Before Cessation	For EPE Months, After Cessation	IRP in EXR Cases
Subsidy	YES	NO	YES	YES	YES
IRWE	YES	NO	YES	YES	YES
UWA	YES	NO	YES	NO	NO
Averaging	YES	NO*	<u>YES</u>	NO	NO



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How your monthly payment is figured

- We base your SSDI monthly payment on the worker's lifetime average earnings covered by Social Security.
- Other income/resources do not affect your payment amount
- We usually adjust the payment each year to account for cost of living changes



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SSDI Approved

- A five-month waiting period applies to all SSDI beneficiaries after onset date is established:
 - Ex: Disability Onset = June 15, 2019. First benefit would be for the month of December 2019, payable in January 2020.
- Dependent benefits will be paid, if applicable.

Note: SSI may be paid during the five month wait period, if eligible.



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SSDI: Benefits for the Family

Spouse

- Payable 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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My Family



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Medicare for those on SSDI

- Medicare coverage automatically begins after 24 months of SSDI benefits*. SSA will send Medicare information approx. 2 months before coverage start.
- Part B standard premium 2022 = \$170.10/month.
- Local JFS administers “Qualified Medicare Buy-In”, or QMB-SLMB-Q1. Pays for B premium – must apply for with JFS!! For details, see insurance.ohio.gov and look for Medicare Savings Program information.

**People ESRD or ALS (Lou Gehrig’s disease) qualify for Medicare without the wait.*



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Supplemental Security Income (SSI)

To be eligible for SSI, you must:

- have **limited income and few resources**; and
 - be age 65 or older; or
 - be totally or partially blind; and
 - have a medical condition that keeps you from working and is expected to last at least one year or result in death.
-
- Max benefit in 2022 = \$841/month (individual)



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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	ABLE Accounts up to 100,000

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



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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
- Save up to \$100,000 without affecting benefits.
- Money in ABLE accounts can cover qualified disability expenses (Housing, healthcare, transportation...)



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Filing the Application and The Medical Decision





How to Apply for Social Security Disability-18+

1. Complete Social Security Disability Application (included medical report) at www.socialsecurity.gov/disabilityonline.
2. Make sure you check “YES” for “Do you intend to file for SSI?” - this creates an SSI application!
3. Print confirmation letter for your records
4. Option: call Social Security at 1-800-772-1213 to schedule an appointment (in office or phone).



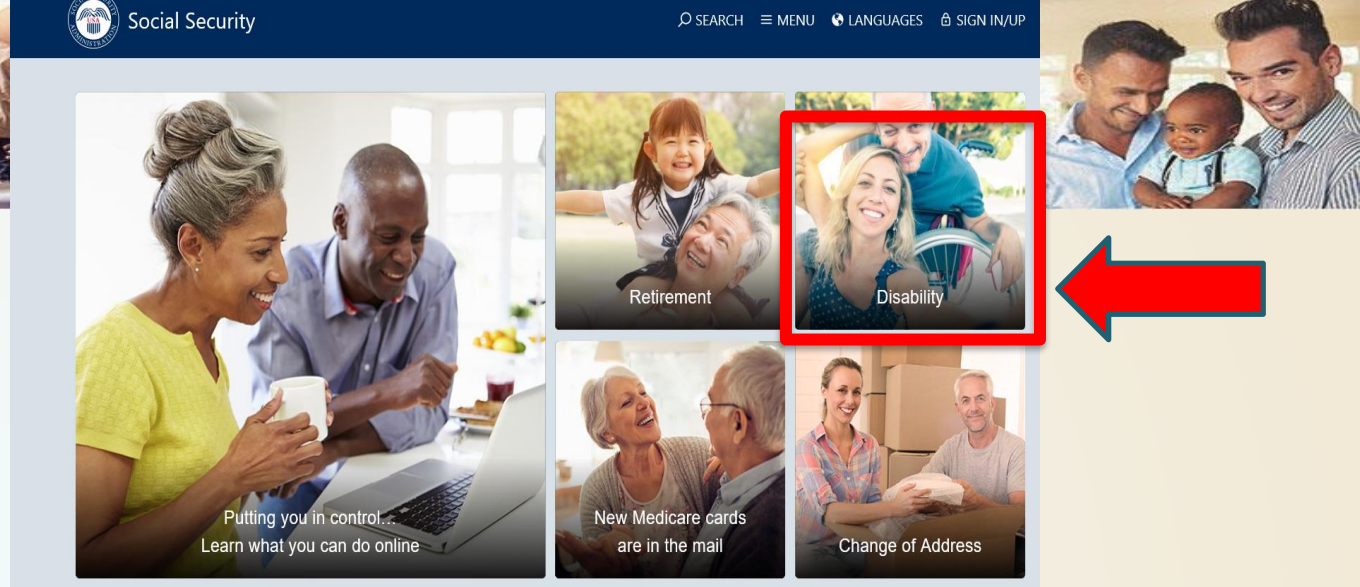
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Applying for Benefits

Apply as soon as you become disabled!



Online @ www.SocialSecurity.gov



By Phone @ 1-800-772-1213



At a local field office

Child and survivor claims can only be done by phone or in a field office



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All Claims are Screened for Both SSDI and SSI

- Claimant may receive a denial notice
 - If not enough credits (uninsured) for SSD
 - If income/resources too high for SSI.
- For claim updates:
 - **my Social Security** tracks claim in detail, and gives claimant estimate.



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You can help during the application process

- Provide signed consent forms with initial claim so you can help through the process (if your child is over 18)
 - SSA-3288 Consent for Release of Information
 - SSA-1696 Appointment of Representative
 - Legal Guardianship
 - POA is not accepted by SSA

Available Online @ <https://mwww.ba.ssa.gov/forms/>



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Medical Decision

- Claims are sent to Opportunities for Ohioans with Disabilities – Division of Disability Determination in Columbus (DDD)
- They'll use the medical evidence from your doctors, hospitals, clinics, or institutions where you've been treated.
- **Most cases decided within 120 of initial contact with Social Security**
- We will send any evidence provided by claimant with the electronic file to Columbus....but no documents are necessary to make a claim!!



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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, or tell you when we will be contacting you for more information.
- If not approved, the letter will explain why and tell you how to appeal the determination if you don't agree with it. You have 60 days to appeal!

File appeals online @

<https://mwww.ba.ssa.gov/benefits/disability/appeal.html>



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Medical Denial: Appeals

- Denial letter is sent via old-fashioned mail
- 60 days to appeal each level:
 - Reconsideration (back to Columbus)
 - Administrative Law Judge Hearing
 - Appeals Council Review (Falls Church, VA)
 - US District Court
- File appeal within 60 days at www.socialsecurity.gov/disability/appeal



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Once the Claim Is Approved: SSI





Claim Approved: SSI

- Follow up interview with applicant or representative payee
- Income, resources and living arrangements back to application date must be verified for the applicant (plus spouse or parent income if applicable) to determine SSI payment amount for each month



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How your monthly payment is figured

- To figure your payment amount, we start with the Federal Benefit Rate (FBR)- in 2022 = \$841/mo
- Then, we subtract your “countable” income from the FBR
- We do not count all of the income you have- only the income left after we make allowable deductions is considered “countable”
- The FBR is usually adjusted yearly for cost of living changes



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Living Arrangements

SSI Payments vary depending on where you live

- In someone else's household (including with parents, if over age 18)- Reduction to SSI unless paying "fair share"
- Alone, but someone outside home pays your rent- Income-Support and Maintenance will cause a reduction to SSI
- Incarcerated– generally cannot receive SSI for any full month of residence incarcerated
- Child living with his parents in own household- Full SSI payment
- Child living with parents in household of another- Reduction to SSI unless paying "Fair Share"
- SSI pays only \$30/mo if a person is in medical facility for an entire, continuous month



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SSI: Living Arrangement Questions

- Does the applicant pay any rent?
- Is the rent amount of a reasonable, current value?
- Is the adult in a “separate household”?

Max. amount SSI = aprox \$522/month if you are in a “subsidized living situation”.

- Can be re-determined if a person contributes towards household expenses.
- Contact SSA at any point to update info- no need to wait until re-determination.



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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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SSI Requirements for Children

- The child (under 18) must have 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.

A child 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 when considering earned income disregards



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SSI Requirements for Children

- A child must have severe and marked limitations in at least 2 “*domains*” as compared to other children of the same age who do not have impairments.
- Domains = Acquiring/Using Information, Attending/Completing Tasks, Interacting/Relating with Others, Fine and Gross Motor, Caring for Self, Health and Physical Well Being.



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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- if parent is deceased/retired/disabled
- Employment or Gifts



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Deeming

The process of determining how much of a parent(s) income and resources will count when determine payment amount

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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Parental Income for Children

- Parental (including step-parent) income counts until age 18, as long as parent/child in the same home.
- Non parental income (ie-grandparents, custodian) doesn't count.
- Income levels depend on type of income and other kids in the home. See www.ssa.gov/ssi for online “Benefit Eligibility Screening Tool” or click on <https://www.ssa.gov/ssi/text-child-ussi.htm> for more details on income limits.



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“Blue Book”

Disability Evaluation Under Social Security

- Explains how the disability programs work and kinds of information a health professional can furnish to help ensure prompt determinations on disability claims

“Listings of Impairments”

- Describes impairments, from each major body system, considered severe enough to prevent an individual from doing any gainful activity (or in the case of children, under 18, severe enough to cause marked and severe functional limitations)
- Most listed impairments are permanent or expected to result in death, or the listing includes a specific statement of duration
- For adults, we also consider past work experience, severity of medical conditions, age, education and work skills





What Changes at Age 18





SSI Determination for Children Turning 18

- If your child is already receiving SSI, we make a new disability determination using the adult rules.
- If your child already gets SSI, continues to live with parent(s) but does not pay for food or shelter, a lower SSI payment may apply.
- If your child wasn't eligible for SSI before his or her 18th birthday because of you and your spouse's income or resources, they may become eligible at age 18-We no longer count the income and resources of parent(s) for eligibility.
- An SSI application can be made as early as the day of the 18th birthday, but to not count parental income or resources, should wait until the month following the month of age 18.



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SSI: Age 18 Filing

- Earliest to file WITHOUT any questions about parental income in the mix = month after 18th birthday month.
- Example: Ryan turns 18 June 22nd. Social Security can process his SSI application anytime from June 1st onward. Earliest to apply without parental income question = July 1st.
- First month of SSI eligibility = “no payment/sit out” month. Ex: Ryan’s 1st eligibility month = July. First SSI check month = Aug.



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DAC- Disabled Adult Child Benefit

Disabled Adult Child (DAC) aka Childhood Disability Beneficiary (CDB) = a form of SSDI for adult (age 18+) dependent children.

- Must have a disabling condition that occurred **BEFORE** age 22.
- Normally unmarried, and
- Parent is deceased or getting Social Security disability/retirement.



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Your Responsibilities if you Return to Work

- You or your Representative Payee must promptly report any changes in work activity telling us:
 - when you start or stop work,
 - if your duties, hour or pay changes,
 - or if you start paying for expenses that you need for work due to your disability
- Report work activity by phone, fax, mail, in person or by using your **my Social Security** account.



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SSDI Employment Supports

- SSDI employment supports allow you to test your ability to work, or continue working and gradually become self-supporting.

TWP-

- In general you have nine months to test your ability to work
 - Full cash payments during the first 12 months of work
 - 36 month re-entitlement period during the extended period of eligibility, and
 - 5-year period in which we can start your cash benefits again without a new application



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SSDI and SSI Employment Supports

Examples:

- Subsidy and Special Conditions
- Trial Work Period- Test your work ability without losing SSDI
- Unsuccessful Work Attempts- Try to work but have to stop due to conditions
- Impairment Related Work Expenses- Pay for items or services related to disability in order to work
- Section 1619(a)(b)- substantial earned income, but still disabled
- Earned Income Disregards- we don't use all of the income you earn from work when we figure your SSI payment



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Subsidies and Special Conditions

What is a subsidy?

- A “subsidy” is support provided by your employer that may result in you receiving more pay than the actual value of the services you perform.

What are special conditions?

- “Special conditions” refer to **support and on-the-job assistance** provided by your employer, or by someone *other than* your employer, for example, a vocational rehabilitation agency. Because of this support, you may receive more pay than the actual value of the services you perform.



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Impairment-Related Work Expenses (IRWE)

We deduct the cost of certain impairment-related items and services that are needed to work from gross earnings when we decide if your work is SGA.

Example:

Beneficiary is earning \$1350.00 per month in gross wages. His monthly co-pay for his medications is \$50.00.

$\$1350 - \$50 = \$1300$ - This is countable income when determining SGA. SGA is \$1350.00.



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Impairment-Related Work Expenses (IRWE)

Type of Expense	Example
Transportation Costs	The cost of structural or operational modifications to vehicle that is needed to travel to work. The cost of driver assistance or taxicabs if public transportation is not available or not accessible.
Attendant Care Services	Services performed in the work setting. Services performed to help prepare for work, the trip to and from work and after work.
Service Animals	Expenses paid in owning a guide dog or other service animal that enables beneficiary to overcome functional limitations in order to work.
Medical Devices	Deductible devices include wheelchairs, dialysis equipment, pacemakers, respirators, traction equipment, and braces.
Prosthesis	Artificial hip, artificial replacement of an arm, leg, or other parts of the body.
Residential Modifications	Employed outside of home - modifications to exterior to permit access to the street or transportation. Self-employed at home - modifications inside to create workspace to accommodate impairment.
Prescription Drugs	Regularly prescribed medical treatment or therapy that is necessary to control disabling condition. This includes co-payments and insurance deductibles.
Other Items and Services	Assistive technology that people with disabilities use for employment-related purposes; such as software applications, computer support services, and special tools which have been specifically designed to accommodate the person's impairment



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Can you get both SSI and SSDI?

- In 2022, SSI supplements up to \$841
- SSI pays on the 1st, SSDI will then pay on the 3rd of the month.
- Ex: Ryan gets \$600/month in SSDI. His SSI = \$241/month.
- Payments are sent to financial institutions or loaded to a Direct Express card.



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SSI ONLY Earned Income Exclusions

- SSA does not count all of your earned income when we figure your SSI payment
- We do not count the first \$65 you receive in a month, plus one-half of the remaining earnings (this means **we count LESS THAN HALF of your earnings when we figure SSI payments**)
- We also apply a \$20 general income exclusion, first, to any unearned income you may receive, then to earned



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Example: Earned Income Disregard

Jake receives \$361 SSDI each month, wages of \$289 each month, and no other income

\$361 SSDI

- 20 General income exclusion

\$341 **Countable unearned income**

\$289 Earned income

- 65 Earned income exclusion

\$224

- 112 ½ remaining earnings

\$112 **Countable earned income**

\$341 Countable unearned income

+ 112 Countable earned income

\$453 **Total countable income**

\$841 2022 Federal Benefit Rate

- 453 Total countable income

\$388 SSI payment

Available Monthly Income

\$361 SSDI

+289 Wages

+388 SSI Payment

\$1,038 Total Monthly Income

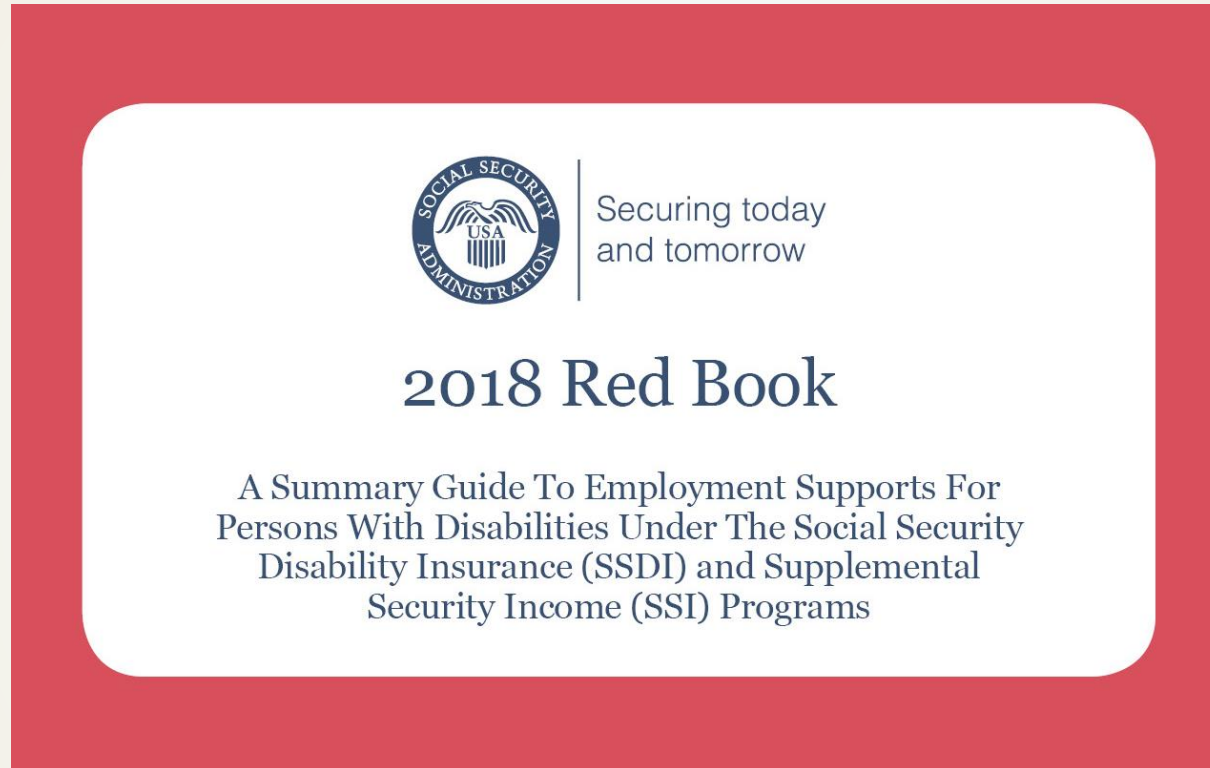


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The Best Guide to Work Incentives

For a complete list of Employment Supports



The Red Book is available at: <https://www.ssa.gov/redbook/>



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SSDI vs. SSI – An Overview

Social Security Disability Insurance	Supplemental Security Income
AKA SSD, Regular Disability, RSDI <ul style="list-style-type: none">• Check arrives on the 3rd or Wednesday• Dependent benefits may be payable	SSI <ul style="list-style-type: none">• Check arrives on the 1st
Payments are based on a person's earnings.	SSI payments are not based on work.
Is “insurance” that you earn through paying FICA taxes on your work.	Needs-based public assistance program that does not require a person to have work history.
Is not based on your income, resources, living arrangement – nor your spouse's.	No work needed. Based on limited income, resources, and living situation.
Leads to Medicare	Leads to Medicaid



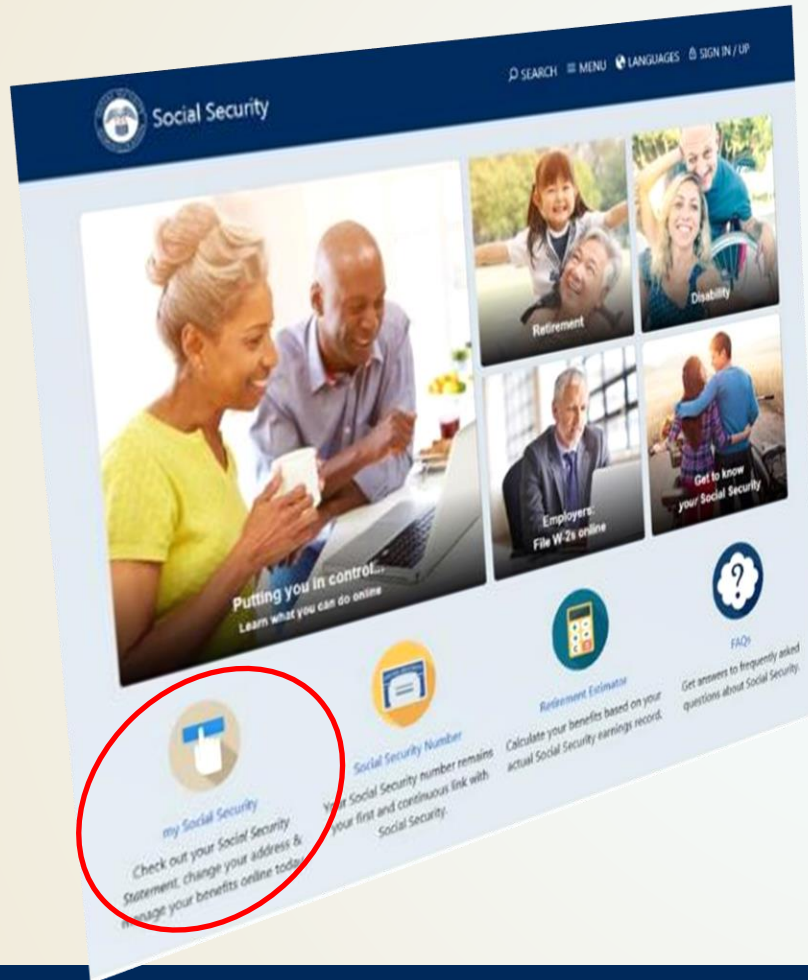
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my Social Security – Registration



Step 1: Visit socialsecurity.gov and select *my* Social Security

Step 2: Select “Create An Account”

Step 3: Verify your Identity

Step 4: Choose a Username and Password

With a *my* Social Security Account :

- Check your application status online;
- Get our benefit verification letter;
- Review estimates of your future benefits;
- Change your address and phone number;
- Report wages if you work and get disability
- Request a replacement Social Security card;
- Get your SSA-1099 and much more!



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Thank You!



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