Supplemental Security Income (SSI) Basics

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• All on mute. Use Questions function for substantive questions and for technical concerns.

• Problems with getting on to the webinar? Send an e-mail to trainings@justiceinaging.org.

• Slides and a recording are available at Justice in Aging - Resources for Advocates - Webinars: http://www.justiceinaging.org/resources-for-advocates/webinars. See also the chat box for this web address.
Justice in Aging is a national organization that uses the power of law to fight senior poverty by securing access to affordable health care, economic security, and the courts for older adults with limited resources.

Since 1972 we’ve focused our efforts primarily on populations that have traditionally lacked legal protection such as women, people of color, LGBT individuals, and people with limited English proficiency.
Today’s Topics

1. SSI vs. Social Security (OASDI) benefits

2. Who qualifies for SSI benefits and what are the eligibility rules?
   a. Income and resources
   b. Other eligibility criteria, including disability
Supplemental Security Income (SSI)

- Federal program administered by the Social Security Administration (SSA)
- “Means-tested” program
- Subsistence level income for aged, blind, or individuals with disabilities
2016 Federal Benefit Rate (monthly) = $733/individual, $1,100/couple

Average monthly payment is $542

Average amount is affected by other income or state supplements
How do SSI and Social Security Compare?
Supplemental Security Income (SSI) vs.
Old Age, Survivors, and Disability Insurance (OASDI) aka “Social Security”

• **Similarities**
  • Administered by SSA
  • Same disability standard

Otherwise two completely different programs
# SSI vs. OASDI

<table>
<thead>
<tr>
<th>SSI</th>
<th>OASDI</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Funded by general fund taxes</td>
<td>• Funded through payroll (FICA) taxes, paid into Social Security trust funds</td>
</tr>
<tr>
<td>• Strictly need-based, “means-tested” program</td>
<td>• Employment-based social insurance program</td>
</tr>
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</table>
Number of Recipients of SSI (8.3 million) and OASDI (60.6 million)

SSI and OASDI Recipients

- OASDI: 87%
- SSI: 9%
- Both OASDI+SSI: 4%

August 2016
8.3 Million People Currently Receive SSI Benefits (April 2016)

- 65 and older: 2.1 million
- Under 18: 1.3 million
- 18 to 64: 4.9 million
Older Adult Poverty Status Based on Family Income (2014)

Poor or Near Poor Seniors

<table>
<thead>
<tr>
<th>Category</th>
<th>Poor</th>
<th>Near Poor</th>
</tr>
</thead>
<tbody>
<tr>
<td>All</td>
<td>10</td>
<td>5.2</td>
</tr>
<tr>
<td>Married Persons</td>
<td>12.7</td>
<td>2.5</td>
</tr>
<tr>
<td>Men - Unmarried</td>
<td>18</td>
<td>7.7</td>
</tr>
<tr>
<td>Women - Unmarried</td>
<td>9.2</td>
<td>12.7</td>
</tr>
<tr>
<td>White alone</td>
<td>8.7</td>
<td>4.9</td>
</tr>
<tr>
<td>Black alone</td>
<td>19.2</td>
<td>8.5</td>
</tr>
<tr>
<td>Hispanic</td>
<td>18.1</td>
<td>10.3</td>
</tr>
</tbody>
</table>
Benefit of SSI Eligibility: Medicaid Coverage

• In most states, SSI recipients are automatically eligible for Medicaid as soon as they are eligible for SSI

• 11 exceptions: Connecticut, Hawaii, Illinois, Indiana, Minnesota, Missouri, New Hampshire, North Dakota, Ohio, Oklahoma, and Virginia
Who is eligible for SSI?
Basic Eligibility

• **Specific Category**
  • Blind or disabled, or
  • aged 65 or older

• **Income/Resources**
  • Limited income, and
  • Limited resources

• **Status**
  • U.S. citizen, or in one of certain categories of immigrants
Income - What Counts?

• Anything received, in cash or in-kind, that can be used to meet needs for food and shelter

• General types of income
  • Earned income
  • Unearned income (aka general income)
  • In-Kind Support and Maintenance (ISM)
Income: Earned Income
Income: Unearned Income
Income: In-kind Support and Maintenance (ISM)

Food

Shelter
In-Kind Support and Maintenance

- Food/shelter that someone else pays for
- SSI benefits reduced by up to $264.33 (1/3 the Federal Benefit Rate + $20)
- **MAJOR EXCEPTION:** food or shelter based on need provided by nonprofits
In-Kind Support and Maintenance (Example: Susan and Rhonda)

Susan (SSI Recipient) and Rhonda (Roommate/Friend)

Rent ($1,000)

Susan Pays: $300
Rhonda Pays: $700

$1,000 Rent
In-Kind Support and Maintenance (Example: What Is Deducted From Susan’s SSI Benefit?)

- Susan’s “fair share” of the rent would be half, or $500.
- Susan instead pays $300, so SSA considers her to be receiving $200 of in-kind support and maintenance.
- BUT, SSA will actually deduct $180 from her SSI benefit.
  - (Wait a minute...why not $200?)
Income: What Does Not Count?

- **Income Disregards**
- **Income tax refunds, scholarships, loans**
- **Direct payments by someone else for expenses other than food or shelter** (e.g. medical bills, auto insurance)
- **Food stamp benefits, government home energy assistance**
Resources

What is a resource?

• Anything available to use for support and maintenance
Resources

Resource Limit (the maximum allowed value of a person’s resources):

- Under $2,000 for an individual
- Under $3,000 for a couple
Excluded Resources

Excluded resources:

• Home SSI recipient lives in and the land it is on
• Household goods and personal property
• One vehicle
• Burial plot
• Burial funds and/or life insurance (up to $1,500)
• Retroactive SSA benefits up to 9 months after receipt
Transfer Rules

- **Action**: Transfer of resources for less than market value
  - **Transfer of cash also counts**
- **Transfer period**: Transfer occurring any time in the prior 36 months
- **Consequence**: Ineligibility for up to 36 months, depending on the value of the transfer
- **Example**: Senior with an extra car that puts them over the resource limit can’t give it to their child for free or will become ineligible for SSI
Deeming of Income/Resources

Person eligible for SSI living with specific person not eligible for SSI:

• Spouse (living with recipient)
• Parent of child under 18 (living with recipient)
• Sponsor of immigrant

No others count towards deeming
Immigration Status

Some non-citizens may be eligible for SSI:

• Lawfully residing in U.S. on Aug. 22, 1996, and blind or disabled;
• Lawfully residing in U.S. and receiving SSI on Aug. 22, 1996;
• Lawfully admitted for permanent residence with 40 or more quarters of work in U.S.;
• Active duty military, veteran or spouse of veteran;
• Refugees, asylees and certain humanitarian immigrants (7 year limit on benefits).
Other Conduct/Eligibility Rules: Presence

If absent from the country for a full calendar month, or for 30 consecutive days or more → No longer eligible in subsequent months until return for 30 consecutive days.
Other Conduct/Eligibility Rules: Institutionalization

• Not eligible for SSI if living in correctional facility (prison or jail) for full calendar month

• Limited to $30/month if staying in hospital/skilled nursing facility/other medical facility where Medicaid pays more than half of cost of care
Disability Standards

• ALL SSI recipients must comply with non-medical criteria
• Those receiving SSI on the basis of blindness/disability must ALSO meet medical standards
Definition of Disability

For an adult (18 - 64):

- **Medically determinable** physical or mental impairment(s)
- Preventing from working
- Expected to last at least 12 months / to result in death

Parallel process for children, except focused on functional limitations, not ability to work
Appeals Process

1. Reconsideration
2. Administrative Law Judge hearing
3. Review by the Appeals Council
4. Federal court review
Questions?

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