

# JUSTICE IN AGING

FIGHTING SENIOR POVERTY THROUGH LAW

## SSI ACCESS SERIES

# Improving Language Access for SSI and Social Security Beneficiaries

The Supplemental Security Income (SSI) program exists to provide vital assistance to extremely low-income people who cannot work due to age or disability. This includes those who worked extremely low-wage jobs that didn't allow them to save and older adults whose Social Security benefits are minimal. The maximum federal benefit is just \$841 a month for an individual, which is supposed to cover rent, utilities, food, and other basic needs. Not only is the monthly benefit too low, but there are strict eligibility rules that keep people from being able

to fully access the SSI benefit. To ensure access to SSI for those who have been systematically denied access to wealth because of their race, gender, disability, immigration status, sexual orientation, gender identity, or other characteristics, policymakers must consider where current policies cause barriers to access. This series of briefs highlights areas where SSI policies should be improved, and offers specific proposals that can help reduce senior poverty and advance equity and inclusion for historically marginalized communities.

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The complex and paperwork-intensive process of applying for SSI and Social Security disability benefits (SSDI) can be daunting even for highly-educated individuals with experience navigating bureaucracies. These benefits cover individuals with a much wider range of education and experience however, including older adults and people with disabilities who have limited English proficiency (LEP). For LEP individuals who also have limited income and resources, language access is another barrier to overcome, one that can make it even harder for this uniquely vulnerable population to access SSI and Social Security benefits.

Individuals who need assistance in a non-English language must rely on others to help them navigate the Social Security Administration (SSA), whether the others are family members or friends, community organizations, or SSA staff. Language access is needed in all areas of service including informational websites, phone calls, and forms and written notices; and at all levels including local field offices, appeals in front of an Administrative Law Judge (ALJ), and beyond. Whether individuals receive the language assistance they need to understand their benefits and exercise

their rights depends on SSA language access policies and the implementation of those policies.

As the older adult population in the United States becomes increasingly racially and ethnically diverse in the coming decades, including an increasing percentage of older adult immigrants who may need language assistance, it is important to evaluate whether SSA's language access policies adequately serve the language communities that exist today and those that will exist in the future. While SSA has a number of language access policies in place, more can be done to ensure language access for everyone who needs it. This should include expanding the availability of forms and notices in multiple languages, removing policies that make it harder for LEP individuals to access benefits, and regularly reviewing and updating language access policies.

## HOW IT WORKS

Language access for SSI and Social Security applicants and beneficiaries is implemented through written materials, as well as through oral interpretation in-person and over the phone. The agency's [language access plan](#) describes how SSA provides assistance to individuals who have limited English proficiency. SSA's LEP Steering Committee provides oversight on language access issues.

SSA provides written notices to individuals in English and Spanish. Written notices include decisions to approve or deny an application and notices about reviews of an individual's continuing eligibility for SSI or SSDI.

Translated forms, which can include application and appeals forms, allow individuals to submit critical information to SSA in a language they understand. Some forms are available in Spanish on SSA's website and can be accessed by everyone. In SSA offices in Puerto Rico, where residents have access to Social Security retirement, survivors, and disability benefits, all forms are available in Spanish.

SSA's website, which provides information on SSA programs and services, is available in English and Spanish. The website includes a [multilingual gateway](#) with selected information translated into 13 other languages.

The Social Security Statement and associated fact sheets, which were redesigned in 2021, has been translated into 11 languages in addition to English and Spanish; these translated materials are available on the multilingual gateway. The publication on SSA's policy on issuing Social Security numbers to noncitizens has also been translated into 11 language in addition to English and Spanish; these translated materials are available on SSA's [publications webpage](#).

SSA provides free oral interpretation when an individual needs an interpreter in-person or over the phone. Interpretation is available in 200 languages using bilingual and multilingual employees and a national telephone interpreter service. Oral interpretation is available at all levels, from the field office to hearings in front of an ALJ.

## REDUCING BARRIERS TO ACCESS

SSA serves an increasingly diverse customer base, which calls for policies and practices tailored to address diverse language needs. Effective language access means ensuring that individuals can communicate in a language they understand across all contacts with SSA, whether an individual is viewing a public webpage, calling or coming in to a Social Security office, completing an application for benefits, or reading a notice they received about their benefits.

In practice, advocates sometimes report challenges with LEP individuals accessing interpreters. Interpreter quality can be a concern, especially when interpreting complex concepts and terminology such as those related to determining disability. With written notices only available in English and Spanish, and only some forms being widely available in Spanish, ensuring consistent access to notices and forms in Spanish can be challenging, and

access to notices and forms in other languages is non-existent. Language access policies can vary for different parts of the agency, making it difficult at times to identify the applicable policy and resolve problems that arise.

Policymakers and SSA should re-examine the implementation, scope and details of existing language access policies to ensure that they are being implemented effectively. SSA should also consider policy expansions that can help more individuals who have limited English proficiency access SSA programs and services.

Some specific ways to increase language access include:

### **1. Providing written notices in additional languages**

SSA currently provides written notices only in English and Spanish. SSA should consider setting criteria for providing written notices in threshold languages. This would allow individuals who speak a language that represents a significant language community to receive written notices in that language, rather than needing to rely on oral interpretation to understand their benefits and rights. In addition, reviewing all notices for plain language and readability will improve understanding for both individuals receiving English language notices and individuals receiving translated notices.

### **2. Adding more forms in non-English languages to SSA's website**

While some Spanish-language forms are currently available on SSA's website, SSA has a number of other translated forms that are not currently made available online. Being able to access Spanish-language forms online, such as those to request [waiver of an overpayment](#) and to request a [change in the repayment rate](#) for an overpayment, helps Spanish-speakers to more easily use these options. Adding more such forms to SSA's website will make it easier for individuals who need language assistance to get the forms they need in a language they understand.

### **3. Making forms that have already been translated available throughout the agency**

In Puerto Rico, where residents have access to Social Security retirement, survivors, and disability benefits, all forms are available in Spanish, including forms used in determining disability and requesting appeals. Simply making these Spanish-language forms available to other SSA field offices, Disability Determination Services, and other parts of the agency would increase access to these forms for Spanish-speaking individuals everywhere that SSA operates. More broadly, where one component of SSA has already translated a form or notice into a non-English language, that translated form or notice should be made available to all other components of SSA. This would ensure more complete access to written forms and notices for individuals who speak another language.

### **4. Extending SSI to residents of Puerto Rico and other U.S. territories**

Residents of Puerto Rico, American Samoa, Guam, and the U.S. Virgin Islands currently cannot receive SSI. Extending SSI to these individuals would ensure equal access to SSI regardless of the state or territory someone lives in, including for the 3 million Spanish-speaking residents of Puerto Rico, where Social Security services and forms are already readily available in Spanish.

### **5. Restoring SSI eligibility for immigrant categories that lost eligibility due to federal legislation in the 1990s**

Prior to 1996, citizens and legal immigrants could receive public benefits if they met eligibility criteria for the benefit program, and even undocumented immigrants were eligible for some public benefits. Federal legislation enacted in 1996 and 1997, however, severely restricted eligibility for immigrants of all ages, including LEP older adults and people with disabilities. Restoring pre-1996 standards of immigrant eligibility to SSI and other public benefits would allow more LEP older adults and people with disabilities to get the help they need.

## **6. Restoring consideration of proficiency in English when evaluating disability**

In 2020, SSA removed consideration of the “inability to communicate in English” as an education category when evaluating whether an individual is disabled. This change made it more difficult for individuals who have very limited proficiency in English and a disability that limits their ability to perform jobs that require medium to heavy exertion to be found disabled, ignoring the real-life employment limitations these individuals experience. Restoring the inability to communicate in English as a vocational factor would allow the disability program to better reflect the employment landscape for these individuals.

## **7. Reviewing interpreter access across all points of contact**

SSI and Social Security applicants and beneficiaries may interact with SSA in person, by phone, or online during the process of applying for benefits, reviewing their continuing eligibility, and filing appeals as relevant. SSA should regularly review its procedures on accessing interpreters to ensure that LEP individuals can access interpreters at all points of the process. This could include things such as ensuring that SSA phone systems have the capability to host multiple lines at the same time, including the LEP individual, an interpreter, an advocate, and a support person.

## **8. Improving collection and reporting of language access data**

Consistent collection and reporting of data on the language preferences of individuals would help SSA to fully understand and address gaps in language access. Combining this data with a regular review of language access policies and how they are implemented throughout the agency would provide a foundation for further improvements.

## **9. Creating a language access coordinator role at SSA**

In addition to the LEP Steering Committee, a language access coordinator at SSA could function as a point person to monitor whether the agency’s language access policies are meeting the needs of the population, help ensure complete and consistent training to employees on LEP services, ensure that language access needs are raised at all relevant points in SSA operations, and provide an internal advocate for the needs of LEP individuals. Such a role could also facilitate community feedback, and help improve knowledge, use, and expansion of SSA’s language resources.

For individuals with limited English proficiency, getting the language assistance they need can mean the difference between retaining benefits and losing them. SSA should build on its existing language access policies, and greatly expand them to fully address the language access needs of the LEP older adults and people with disabilities who rely on SSI and Social Security benefits to survive and thrive.