JUSTICE IN AGING

FIGHTING SENIOR POVERTY THROUGH LAW

Supplemental Security Income (SSI) Basics

Webinar Transcript

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Presenters:

Trinh Phan
Director, State Income Security,
Justice in Aging

Kate Lang
Director, Federal Income Security,
Justice in Aging

Trinh Phan: We're excited to welcome you to today's webinar on Supplemental Security Income Basics. Your presenters are myself, Trinh Phan, Director of State Income Security at Justice in Aging, and Kate Lang, Director of Federal Income Security at Justice in Aging.

On the next slide are some webinar logistics. Everyone is on mute. We welcome your participation in today's presentation through the Q&A function in the Zoom control panel. Hopefully we will have time for some questions at the end. And for any remaining questions, we will follow up by email afterward. You can also use the Q&A function to request technical assistance with Zoom, and we will do our best to help.

Also available in the Zoom control panel is the CC button, which enables closed captioning. We are providing American sign language interpretation on this webinar. The ASL interpreter will stay on video throughout the training to provide the service. You do have the option to pin their video box to maximize your view of the interpreter. To do this, click the interpreter's video window, then select the pin icon.

This webinar is being recorded, and the slides and recording of today's presentation will be posted afterward on our website and emailed to everyone who registered. We would also appreciate your participation in our post-webinar survey that will pop up on your screen after the end of the webinar.

On the next slide, Justice in Aging is a national organization that uses the power of law to fight senior poverty by securing access to affordable healthcare, economic security, and the courts for older adults with limited resources. We focus on fighting for people who have been marginalized and excluded from justice, such as women, people of color, LGBTQ+ individuals, and people with limited English proficiency.

On the next slide, we believe that justice in aging means that everyone has access to what they need as they age without discrimination. We push for policies that will ensure that people who are experiencing the greatest barriers to economic security, healthcare,

and housing can exercise their rights and fully access the services and programs they need.

On the next slide is the agenda for today. We are covering the basics. What is Supplemental Security Income or SSI? What benefits does it provide and how is it different from other Social Security benefits? And then, who is eligible for SSI? We will spend most of our time on the key eligibility requirements. The SSI program serves older adults and people with disabilities who have very limited income and resources. And SSI has many rules about all of that and more.

As we discuss SSI eligibility, we will try to provide some context about where the SSI rules are coming from and the logic behind them. We will also mention some common problems, as well as strategies to prevent benefits from being incorrectly reduced or terminated. We hope today's webinar gives you a good grounding on SSI, who it serves, and how it works.

On the next slide, I will pass it over to Kate to get us started.

Kate Lang: Thanks, Trinh. And welcome, everybody, to today's webinar. We will get started talking about what is SSI, if we can go to the next slide.

So we're going to start by talking about how SSI fits in with the other benefits that the Social Security Administration administers. So in the box on the left, you can see a little bit about SSI. It's covered by Title XVI of the Social Security Act.

And then on the box on the right, we have information about the Old Age Survivors and Disability Insurance Program. Old age benefits are now usually called retirement benefits. All of those benefits are covered by Title II of the Social Security Act. Sometimes they're just lumped together and called Social Security benefits. And sometimes if people are just talking about disability insurance benefits, they'll talk about Social Security Disability insurance, or SSDI. It can get confusing because those abbreviations or acronyms for Supplemental Security Income, or SSI, is very similar to the abbreviation for Social Security Disability Insurance, or SSDI. They're two different programs, we want to be sure that we're careful about what words we're using to describe which benefits.

All of these benefits are administered by the Social Security Administration and for SSI on the basis of disability and for Social Security Disability Insurance benefits, they both apply the same disability standard to determine eligibility. Next slide, please.

So here is the way that SSI is different from the Old-Age, Survivors, and Disability Insurance benefits. SSI benefits are funded by general fund taxes, and it's strictly a needs-based, means-tested program with lots of financial eligibility rules that we'll be going through today. Social Security, or Old-Age, Survivor, Disability Insurance, benefits are funded through payroll taxes. Also, on your paycheck, you'll see FICA taxes being taken out that are paid into the Social Security Trust funds. Those contributions are based on your employment. It's a social insurance program that's... So the amount of

benefits is connected to how much the worker earned when they were contributing those FICA taxes. So those are the main ways these two types of benefits are different.

Next slide, please. So let's talk about the number of beneficiaries. Altogether, there's a total of about 75 million people who receive benefits from the Social Security Administration each month. And you can see here in the chart how those numbers break down. So there is a total of about 73 million people who receive Supplemental Security Income benefits each month, and a total of about 71 million of those 75 million who receive some sort of retirement, survivors, or disability insurance benefits.

So we see that 90% of the people receiving benefits from Social Security are receiving retirement, survivors, or disability insurance benefits. And of that 90%, that 71 million, about 70 to 75% are receiving retirement benefits. So that's why when people think of Social Security benefits, when they think about benefits coming from SSA, they usually think about retirement benefits because that's the vast majority of people who are receiving benefits from SSA.

But there are other types of benefits, including SSI. About 6% of the 75 million are people who are receiving only SSI. And then about 4% of the 75 million are people who are receiving both kinds. We call them concurrent beneficiaries because they're receiving a small amount of retirement survivors, or disability insurance benefits, and then they receive a little bit of SSI on top of that as a supplement. So they're receiving both kind of benefits, and they are known as concurrent beneficiaries. Next slide, please.

So today's webinar focuses on SSI. And again, just to recap, this is a federal program administered by the Social Security Administration. It's a means-tested program that provides a subsistence level of income for people who are aged, blind, or have disabilities, and it comes with automatic eligibility for Medicaid in most states. Next slide, please.

So how much is this benefit under SSI? In this year, 2026, the SSI Federal Benefit Rate each month is $994 for an individual or $1,491 for an eligible couple. So this is the maximum amount that you can receive from SSI. Some states provide a state supplement on top of that federal benefit rate, but today we're just focusing on the federal program so we're not going to get into the state supplementation, but just so people know that this is the federal benefit rate that people will get with SSI.

You can see here the average monthly payment is $736. This is because SSI benefits will be reduced if folks have other sources of income. So Trinh will be talking about types of income later, but this is just kind of to preview that many people are not receiving that full $994 as an individual or $1,491 as a couple because they may have other sources of income that reduce the amount of SSI they get.

We've divided up the different populations that get SSI on this chart, showing that children under age 18 getting SSI have the highest average monthly payment at $864. Then, working age adults receiving SSI have an average monthly payment of $785.

Those people might be getting an SSDI benefit that reduces the amount of SSI that they get, or they might be working, have a small amount of income from wages that reduces their amount of SSI. And then the last group is people aged 65 and older who get SSI based on age. Their average monthly payment is $611 because they're most likely to have other income, primarily Social Security retirement or survivor's benefits or pension income that reduces the amount of SSI they receive each month. Next slide, please.

So this is how those three populations break out across the 7.3 million people currently receiving SSI benefits. So these are the latest statistics available from SSA from March of 2026. We can see that just over half, 52%, of the people receiving SSI are working-age adults age 18 to 64 people with disabilities. Then the next piece of the pie is about a third of the people receiving SSI is on the basis of age. They're aged 65 and older. And then about 14% of people receiving SSI are children under age 18 with a disability. There are about a million of those beneficiaries. Next slide, please.

And then last is the point I want to reinforce that a major benefit of SSI eligibility is automatic Medicaid coverage. In most states, SSI recipients are automatically eligible for Medicaid as soon as they are eligible for SSI. There's still nine states where Medicaid eligibility is not automatically connected to SSI, and we have the list of the states here: Connecticut, Hawaii, Illinois, Minnesota, Missouri, New Hampshire, North Dakota, Oklahoma, and Virginia. Those folks, even in those states, even when they receive SSI, they still have to go through a separate Medicaid eligibility determination process in their state. Okay. And now I think I'm going to hand it back to Trinh.

Trinh Phan: Great. Thanks, Kate. On the next slide, in this section, we will talk more specifically about who is eligible for SSI.

On the next slide, to be eligible for SSI, an individual needs to qualify across three general areas. First, the person must be blind or have a disability or be 65 years of age or older, at least one of the three. Age is pretty straightforward. You can be eligible for SSI if you are 65 or older. If you are not eligible based on age, then you need to show that you meet the Social Security definition of disability or blindness. Kate will discuss the disability requirement briefly later on in the presentation.

Next, the person also needs to meet the financial criteria for SSI. Do they have limited income and limited resources? If the person makes it through all of that, it may still be necessary to consider some other factors. Residence is always required. You need to live in one of the 50 states, Washington, D.C., or the Northern Mariana Islands to receive SSI.

Also, if someone is not a U.S. citizen, they need to be in one of the specific categories of immigrants who are eligible for SSI. We will start with income and resources, resources, which are the two big areas where questions often come up, starting first with income.

On the next slide, generally speaking, income is anything received in cash or through other support that can be used to meet needs for food or shelter. Cash that is given directly to someone who receives SSI is basically always going to count as income,

except in some specific circumstances, such as if there is an SSI rule that excludes that income. As one example, if you get payment from a fund established by a state to aid victims of crime, there is a rule that excludes that as income.

In general, the more income you have, the lower your SSI payment will be. As countable income from other sources goes up, the amount of the SSI payment goes down. If a person's accountable income is over the allowable limit, they will not receive an SSI payment.

There are a few broad categories of income that are important for understanding SSI. You have what SSI calls earned income, which is basically wages, and then you have income that is not wages, which is everything else that SSI counts as income but that does not fit into their earned income category, and they call this unearned income.

One type of unearned income is what SSI calls in-kind support and maintenance, or ISM. This is where they will count certain types of assistance with housing as income. ISM is a type of unearned income, but it is listed here in its own bullet point just because it comes up a lot.

We'll go through each of these categories in more detail. But before we do that, on the next slide, what doesn't count as income? There are a number of things that will not count as income for SSI eligibility because they don't meet the SSI definition of income or because there is a specific exclusion for that type of income. These exemptions and exclusions are important because they ensure that people can receive other support to do things like recover from a natural disaster, go to college, and just generally be able to pay their bills and plan for their future. This arrangement enables Supplemental Security Income and other assistance programs to work together and to layer on top of each other to form a safety net for older adults and individuals with disabilities.

This slide lists some common exemptions and exclusions such as for income, tax refunds, scholarships, and loans. Direct payments by someone else for expenses other than shelter also don't count. Because going back to that definition of what income is, if someone pays your car insurance bill or pays for a lawn service to mow your grass, you can't use that to meet your need for food or shelter, and so it's not income. Supplemental nutrition assistance program, SNAP benefits, which is also known as food stamps, and home energy assistance are a few other things that are also excluded.

Income disregards are another important aspect. This is where something does count as income for SSI, but you get a deduction so a portion of that income won't count. Earned and unearned income both have important income disregards. This is not a complete list. At the end of the slide deck, there is a slide with additional resources, and that is a good starting point to learn more and to research specific questions.

On the next slide, in terms of things that do count as income, wages or earned income is pretty easy for people to understand. It would include a person's wages or their net earnings if they are self-employed. While you can work and receive SSI, it's not generally

a primary source of income for this population for a few reasons. One big one being that they may have a disability that makes employment difficult.

SSI will count somewhat under half of your gross wages against your SSI payment. The calculation is start with the gross wages for the month. For someone who has SSI based on disability, subtract any work incentive deductions. Work incentives are a set of Social Security programs and policies that let people with disabilities explore working without putting their benefits at risk and could include things like an income subsidy or impairment-related work expenses. So subtract any work incentive amounts from gross wages, and then subtract the earned income disregard, which is $65. Take the resulting number and divide it in half, and that final number is the accountable income that will reduce your SSI payment.

On the next slide in the not-wages category... On the next slide, in the not-wages category, or what SSI calls unearned or general income, this would be income that is not earned in the strict cents but are more passive payments that a person is receiving. It includes things like Social Security benefits, pensions, workers' comp, state disability, interest income, dividends, and cash from relatives and friends. This money often does come from work in that it is based on your past wages. But for SSI purposes, it is not in the earned income category, and so it is unearned income.

For unearned income, the calculation is very simple. Take the person's unearned income for the month, except for any excluded income, and subtract the general income disregard, which is $20. The most common source of other income is actually Social Security benefits. A frequent scenario is a senior who has some Social Security retirement who then gets an SSI payment as a supplement that brings them up to the SSI maximum benefit. Most older adults age 65 or older who receive SSI have some kind of other income like this, more so than children and younger adults with disabilities who receive SSI. A bit over one third of older adults have only the full SSI amount and no other income.

The income disregard amounts can feel kind of random to people. Why $20? Why $65? It makes more sense when you know where they came from. These amounts were set in the bill that created the SSI program, which was signed into law in 1972 by President Nixon. In the years since 1972, costs have gone up and wages have gone up, but these amounts have not. If you think about them in terms of what they would be if adjusted for inflation, they make more sense. If someone has a small Social Security retirement benefit, we would want them to get some benefit from it to help pay for their needs without it offsetting their SSI payment. If they could keep up to $158, for example, that's what $20 in 1972 is worth today, that would be a real help with the monthly budget. But because these income disregards have not kept up and are still at $20 and $65, they lose some of their meaning for us today.

On the next slide, finally, there is an SSI concept called in-kind support and maintenance that counts certain types of assistance with housing as income. The basic idea is that help that a person receives to pay for shelter is deducted from their SSI payment up to a specific amount. The maximum reduction for this is one-third of the SSI federal benefit

rate plus $20. So right now for an individual, that's $351.33. If you have been dealing with SSI for a while, you may remember that this in-kind support concept used to include both food and shelter costs.

A rule change happened in 2024 that removed food from the in-kind support calculation. Food is still there in the technical definition of income. But when they do the ISM calculation, food is no longer included. This means that now SSI payments being reduced due to in-kind support only happens if someone gets help with shelter. Not food, only shelter.

What is considered a shelter cost? Shelter covers rent or mortgage payments and property taxes and also specific utilities: gas, electric, heating, fuel, water, sewer, and garbage. ISM does not include expenses outside of that. That means if you have someone getting in-kind help with some other expense, it doesn't count as ISM.

ISM is a big source of SSI benefit reductions. In practice, it can make it very difficult for people trying to make ends meet by saving money in different ways. A friend who offers to help out could mean a lower SSI payment, even though the whole point of the assistance was to try to give the person a little more money to live on.

Housing help is really important. The national average rent in 2025 for a one-bedroom home was $1,465 as compared to the current federal SSI benefit for an eligible individual, which is $994. Sometimes that assistance with housing is the thing that actually gets an individual into a home or allows them to stay in their home. The in-kind support rules deal with this reality by having various exclusions and exemptions so that, for example, your SSI payment does not get reduced if you get help with heating or cooling costs from your utility company, or if you get housing assistance from the federal government or from a state or local or tribal government or from a nonprofit, but not everything is exempt.

In-kind support is definitely one of the more complex areas of SSI eligibility. To learn more about this area, at the bottom of this slide is a link to a Justice in Aging fact sheet with the basics of in-kind support and how it works.

On the next slide is an example of how the in-kind support rules work. Susan receives SSI and lives with her friend and roommate, Rhonda, in an apartment that rents for $1,400. Rhonda, knowing Susan has very little money, offers to cover more of the rent, so Susan pays $400 and Rhonda pays $1,000. Could this cause a problem for Susan's SSI payment? Yes.

On the next slide, since the rent is 1,400 and two people live there, they would determine that Susan owes one half, or $700. Susan pays 400, so they consider her to be receiving $300 of in-kind support. $280 is then deducted from Susan's SSI payment. You might be wondering, "Why are they deducting the full 300?" Remember that ISM is a type of unearned income. If Susan doesn't have other income like a social security retirement benefit that is using the $20 general income deduction, then that $20 deduction would apply here. So that is a quick example of how ISM shows up. One

important thing to keep in mind is that there were rule changes in 2024 that are helping a lot of people to prevent these in-kind support reductions.

At the bottom of this slide, there is a link to a recent Justice in Aging Webinar where we talk about the changes. It is really helpful to think through what the changes are and how they change the outcomes for people. For example, one of the changes allows more people to prevent an in-kind support reduction if they live in a household with other people who also have low income. And so in this example with Susan and Rhonda, if it turns out that Rhonda also has low income and she receives SNAP benefits to help pay for her own food costs, then the recent rule change could apply to Susan's SSI, and Susan would therefore not have her SSI payment reduced. She would hold onto the full SSI payment.

This is a helpful outcome because otherwise... What sometimes happens is that the people in the household try to rearrange things to help the person receiving SSI to get their full benefit. That makes the whole situation more complicated to deal with, and the senior or person with a disability and they actually end up having even less to live on at the end of the day. Because of the 2024 change for these low-income households where everyone is working with a very limited budget, the household now has more flexibility to figure out who does what and who pays what while doing their best to make sure all the bills get paid and people have what they need.

The changes also make the ISM rules easier for everyone to understand and follow, and that makes it harder for people to make mistakes. That's a really good thing. And as a result, we should see fewer overpayment problems. A lot of times these ISM overpayments and underpayments are happening just because it is so hard to understand what the rules are in this area. That covers the income rules for SSI. Moving on to the next slide, I will pass it to Kate to talk about resources.

Kate Lang: Thanks, Trinh. So we'll get into the resource rules. But first, I wanted to emphasize that these are two different sets of rules. So income covers money. These income rules cover money the month the person receives it. But then, if the person holds onto the money into subsequent months, then it becomes a resource, and the resource rules apply. So I know that sometimes people get confused about whether something is being treated as under the income rules or the resource rules. So it's very important to think through, is this money that somebody's receiving in this month? Then it falls under the income rules. Or is it something that they've held onto after the month they received it? Then the resource rules apply.

So resources are anything that's available to the SSI recipient to use for their support and maintenance, basically their basic needs for food and shelter. So this can be money in the bank, cash, on hand. Can also be property, and it could be a second vehicle. There are many things that are covered by this resource rules. Next slide, please.

SSI has a very low resource limit. So the maximum allowed value of a person's resource for SSI purposes is $2,000 for an individual and $3,000 for a couple. These limits have been stagnant for decades. When SSI was created in 1972, the resource limit was

originally $1,500 for an individual and $2,000 for an eligible couple. Then in the mid 1980s, Congress adjusted those resource limits to the current amounts we have today of $2,000 for an individual and $3,000 for a couple. But these amounts have not been adjusted for inflation since 1989, and these stagnant amounts cause a lot of problems for SSI claimants and recipients. This very low resource limit is the biggest cause of overpayments for SSI recipients. Next slide, please.

It's very important to be aware of what things will not count towards this very low resource limit, so we've listed some of the most important ones on this slide. They include the home that the SSI recipient lives in and the land it's on, all of their household goods and personal property, one vehicle of any value, a burial plot, burial funds and/or life insurance of up to $1,500, retroactive benefits from the Social Security Administration for up to nine months after receipt, and also federal tax refunds up to 12 months after receipt.

There are many other resources that are excluded, but these are some of the most important, the ones that come up most often, and the ones we want to be sure that folks are aware of. But again, there are others that are covered in SSA's program operations manual system, the POMS, the sub-regulatory guidance that implement all of these rules. Next slide, please.

SSI has a transfer penalty. And this is when the SSI claimant or recipient transfers a resource that is countable, so it's not an excludable resource. If the SSI claimant or recipient transfers that resource for less than fair market value, then they will be ineligible for SSI for a certain period of months. The amount of time they will be ineligible is up to 36 months, but it depends on the value of the resource that they transferred for how many months they will be ineligible for SSI.

There is a look-back period of 36 months. So any transfer of accountable resource that occurred anytime in the prior 36 months can result in the transfer penalty, a period of ineligibility. And so this 36-month period is most important for people who are applying for SSI. There will be a 36-month look-back from the month that they are applying to see if they transferred any countable resources in that period.

So an example of the transfer penalty is an older adult who has two cars titled in their name. That second car puts them over the resource limit of $2,000. If they give that second car to their adult child without being paid the fair market value of that car, they will become ineligible for SSI for a period of months. That period of ineligibility will depend on the value of the car that they have given away. This transfer penalty comes up most often with property. A lot of times we will see SSI recipients get a notice from SSA saying, "You're not eligible for SSI right now because you are over the resource limit. You own this property. That puts you over the resource limit. Your SSI is going to be suspended until you get back under the resource limit."

And then that person, in order to restore their eligibility for SSI, goes out and gives that property away, perhaps transfers the property to a family member without getting the fair market value in compensation from the family member, and then goes into SSA and

says, "I am no longer over the resource limit. I've gotten rid of that property that put me over the resource limit. Please restore my SSI."

And SSA turns around and says, "Oh, you did not get any money from your family member when you transferred title to that property to them. You're still ineligible for SSI. We're hitting you with a transfer penalty because of that transfer for less than fair market value. You're still ineligible for SSI." So, unfortunately, this is how we see the transfer penalty come up most often for people. Next slide, please.

The last financial eligibility rule that I wanted to cover is around deeming. These are rules for SSI where SSA will look at the income and resources of a person who is not eligible for SSI. So if the person eligible for SSI is living with a specific person who is not eligible for SSI, then SSA will look at the income and resources of the person not eligible for SSI. So we see this with spouses who are living together and the parents of children under age 18 who are living with that child.

So for example, if I am an adult between the ages of 18 and 64 applying for SSI based on my disability, but I have a spouse and I'm living with that spouse, my spouse is not a person with a disability, they're working, they have income and savings, SSA will ask about my spouse's income and savings, other resources, to decide if I am eligible for SSI. And the same with a child with a disability under age 18. SSA will ask about the income and assets of their parent to determine if that child is eligible for SSI. And SSA will also ask about the income and resources of a sponsor of an immigrant who is applying for SSI.

These are the only categories of people who are subject to the deeming rules. No other people will be asked about for deeming purposes for SSI. So no other family members, no roommates, nothing like that. So it's important to be clear about who is subject to the deeming rules when somebody is applying for SSI. Next slide, please.

Trinh Phan: Okay. So we just went through the income rules and resource rules, which are the top two areas where issues come up for older adults. In this section, we will cover a few other things you should know and other questions that come up frequently.

On the next slide, on immigration status, the basic message is that U.S. citizens are eligible and some non-citizens may be eligible. This area used to be simple, and then it became fairly complicated due to federal legislation in the 1990s. Before 1996, lawful immigrants were eligible for SSI on the same basis as citizens. Then federal legislation in 1996 and 1997 established complex requirements that greatly restricted immigrant eligibility for SSI and other benefits. This led to many people losing support that they needed, and it created complexity across federal public benefits that made it much harder for employees in the different agencies to understand eligibility and to administer their programs. And that is basically where we are still to this day.

These complex restrictions do not apply if you are a U.S. citizen, which includes a naturalized citizen. So remember, U.S. citizens are eligible. If you are not a citizen and you were receiving SSI in 1996, then you can continue receiving SSI, assuming you

continue to meet all the other eligibility requirements. For everyone else who is not a citizen, you have to look at the person's date of entry to the U.S., as there are two sets of rules depending on whether the person came to the U.S. before or after August 22nd, 1996.

We won't go into detail on these rules today. If you are working with immigrant clients, just know that some immigrants may be eligible for SSI and that that is something to check on. Some of the major categories of eligible individuals are listed here. However, there are also other eligible categories that are not listed here. It is a good idea to check the details because it does get complicated.

For example, someone who is a lawful permanent resident, or an LPR, or has a green card and they have 40 or more quarters of work, they may be eligible, but if they came to the U.S. on or after August 22nd, 1996, they might not be eligible for SSI for the first five years that they have that LPR status, even if they have 40 quarters.

On the next slide, next up, there are some situations where because of where someone is, the SSI payment will stop and start or be reduced. The person is still eligible for SSI, but something happens to their SSI payment. If you are out of the country for a full calendar month or for 30 consecutive days or more, then your SSI payment will be stopped and suspended until you have returned and been in the country for 30 consecutive days. The counting of days is important. If you are away for a few days or two or three weeks, this rule won't apply because that wasn't a full calendar month, nor was it 30 consecutive days or more.

Like many of the rules we talked about, there are further details about how the rule applies depending on the circumstances. For example, the month of February is a special case for this rule because it only has 28 or 29 days. If you are out of the country for that entire month, but you weren't away for 30 consecutive days or more, then you won't get a payment for February, but you will for March. In that one specific situation, there's no need to wait for 30 consecutive days after returning.

SSI also has rules about what happens to the payment when you are institutionalized. The institution could be a jail or prison or a hospital or other medical facility. The basic idea is that the institution is providing for your basic living needs so SSI doesn't need to as much. If you are in a jail or prison for a full calendar month or more, your SSI payment will be suspended. If you are in a nursing home or a hospital or other medical facility for a full calendar month or more, and it's a facility where Medicaid pays for more than half of the cost of care, then your SSI payment will be reduced to $30 per month while you are in the facility.

This can cause financial problems because the person still needs to pay rent on their home while they are in the hospital. So there's a helpful exception where if you anticipate being in the facility for 90 days or less, you can continue getting your regular SSI payment instead of the reduced payment. You need a doctor's certification about the length of stay and a statement that you need your SSI benefits to maintain your

living arrangements. And this has to be submitted to the Social Security office before you leave the facility or the 90 days are up, whichever is earlier.

Social Security actually has a convenient form on their website you can use to ask for this. It is form number SSA-186. This is called the Temporary Institutionalization rule if you need to look up the details.

You might wonder, "Doesn't someone who is out of the country or in a jail or prison for a shorter period also still need to pay rent while they're away?" The answer is yes, but there is no similar short-term absence option for those situations. We have a way to hold onto the full SSI payment only for the medical facility situation. On the next slide, I'll pass it to Kate to talk about other considerations.

Kate Lang: So thus far, all of the rules we've covered have to be complied with by all SSI recipients. But those receiving SSI in the basis of blindness or disability must also meet the medical criteria of SSA's disability standard. So this is all children under age 18 and all adults age 18 to 64 still have to go through SSA's disability determination process in addition to complying with all of these financial rules and other considerations that we've gone through thus far.

So on the next slide, we'll talk about SSA's definition of disability. For an adult age 18 to 64 years old, they must have a medically determinable physical and/or mental impairment or impairments that prevent them from working and that are expected to last at least 12 months or result in their death. So this definition of disability for adults is particularly tied to work, whether people's medical conditions are preventing them from working.

And in the Social Security Act, they have a very specific definition of what constitutes working, and that is substantial gainful activity, or SGA, and it's set at a specific dollar amount. So in the current year of 2026, that dollar amount is $1,690 per month in gross wages, right? That's before any deductions for taxes or anything. So it's a gross amount of $1,690 a month. And that amount is adjusted annually for inflation. But if you have income from working that is below that amount, then SSA says, "You're below SGA, and your medical condition may be preventing you from working." If you have income from wages that's above that amount, then they say, "Your medical conditions are not preventing you from working. You're not disabled."

For children under age 18, there is a parallel disability determination process. But we don't expect children to work, so the focus is not on whether their medical condition is preventing them from working, rather the focus is on their functional limitations. So there's a parallel process for children that is not focused so much on work, but rather their functional limitations to decide if they are disabled for the purposes of SSI benefits. Next slide, please.

So this disability determination process, again, focused on adults age 18 to 64 is a five-step process. At the first step, SSA asks, "Is this claimant working?" Again, they look to that substantial gainful activity amount of $1,690 a month. If the person has income

from wages that's above that amount, SSA says, "Yes, they're working. They are not eligible for disability benefits," and their application is denied at that first step.

If they have no income from wages or they're below that SGA amount, then SSA says, "Okay, they're not working," and their application moves on to the second step. That second step, SSA asks, "Is the claimant's medical condition severe?" And this definition of severity is more around SSA looks, again, to see if their medical condition would impact their ability to work. If it's having any impact on their functioning in a work environment, then SSA says, "Yes, their medical condition is severe," and they move on to the next step. If SSA says, "No, their medical condition is not severe," then their application is denied.

Once they've gone through the second step and SSA says, "Yes, their medical condition is severe," then we come to the third step. At step three, SSA asks, "Does their medical condition meet or equal a listing?" So the listings are divided up. There's a catalog of medical conditions divided up by a bodily system. So you have cardiovascular, pulmonary, neurological. All the body systems are divided up into sections and then categorized by medical conditions. And there are criteria given for each medical condition to say if somebody meets these criteria for this medical condition, then everybody agrees that they would not be able to work so they are disabled. So if their medical condition, the criteria for that particular medical condition in the listing, is met or equaled, then they are found to be disabled. Everybody agrees they're not able to work. They're awarded disability benefits.

This language around meet or equal, talk about people equaling a listing, it's because not every medical condition is included in the listings. There are too many medical conditions. So if you have a medical condition that is not part of the listings, you would try and find one that is equivalent to it, is similar to it, and you would be trying to show that you meet the criteria for that equivalent listing to be found disabled.

If your medical condition doesn't meet or equal a listing, then you would move on to step four. At step four, SSA asks, "Can this claimant do any of their previous jobs?" They look back five years at all of the jobs the claimant did in that previous five-year period to see if there is any work that they can return to given their medical conditions. If they can or if SSA finds they could hypothetically return to one of these types of jobs that they've done previously, then SSA will deny their application and say, "No, you're not disabled. You don't meet our definition of disability."

If SSA says, "No, you can't do any of your previous work," then the person moves on to step five of the process where SSA asks, "Can they do any other job in the national economy?" And at this point, the burden shifts to SSA to come up with examples of jobs that the person can hypothetically do given their medical conditions, given their functional limitations. And the burden is on SSA to show what jobs this person could do given their vocational factors. So those vocational factors are their age, their education, and any skills they might have from previous work.

So if SSA says, "No, there are no jobs that this person could do in the national economy given their medical conditions," then they will be found to be disabled. There'll be awarded disability benefits. But if SSA meets their burden and says, "Yes, there are jobs this person could do," then their application will be denied.

So that is a quick rundown of the disability determination process for adults at SSA. We could do a whole separate training on this, and there are other trainings out there about this, but that's just to give you an idea of what that process looks like. You can go on to the next slide.

This is the appeals process. When SSA makes a determination about somebody's eligibility for benefits, whether it's this medical disability determination process or one of the financial non-medical criteria we've talked about previously, if SSA makes a decision about somebody's eligibility that they disagree with, there is an appeals process where you go through the agency.

The first step is to request a reconsideration. If SSA denies your reconsideration, your next step is to request a hearing before an administrative law judge. If the administrative law judge denies your appeal, then you ask for a review by the Appeals Council. All of these steps are within the Social Security Administration. It's only when you've exhausted that administrative appeal process within the agency and you still want to appeal, your next level of appeal is to Federal District Court. So that's the appeals process for SSA decisions. Next slide, please.

And here's the slide Trinh referenced earlier about additional resources. We've given you the citations to the Social Security Act in the U.S. Code, then also given you the citations for the regulations governing SSI in the Code of Federal Regulations. And then we've also been talking a little bit about the POMS, the Program Operations Manual System. This is SSA's sub-regulatory implementation of all these rules and regulations. This link in the slide will take you to the chapter in the POMS specifically for SSI. Then SSA publishes a guide on understanding Supplemental Security Income that can be helpful. And also we have many resources on our own website at Justice in Aging about SSI. Next slide.

So I just want to take a moment to mention that there is federal legislation pending in Congress that would modernize SSI. We've been talking about some of the rules that have never been updated, like the income disregard rules, or haven't been updated in a long time, like the resource limit, and these are bills that would address those issues. So the first one is the SSI Savings Penalty Elimination Act, the bipartisan bill in both the House and Senate that would update the SSI resource limit from $2,000 for an individual to $10,000 for an individual and $3,000 for a couple to $20,000 for a couple.

The next bill is a bipartisan bill that's only been introduced in the House, the SSI Equality Act, that would extend eligibility for SSI to the U.S. territories: Puerto Rico, the U.S. Virgin Islands, Guam, and American Samoa. Currently, people who live there are not eligible for SSI, so this bill would correct that.

And then the last bill I have mentioned here, the SSI Savings and Efficiency Act, was recently introduced in the House. That would get rid of in-kind support and maintenance.

And then the third bill here, SSI Restoration Act, has been introduced in March in the Senate and the House that would make all three of these improvements to SSI, as well as several others, including getting rid of the transfer penalty, and some other rules that are outdated and need to be modernized in SSI. So that is the bill, the SSI Restoration Act, that we focus on the most here at Justice in Aging. And I'll pass it back to Trinh to finish us out.

Trinh Phan: All right. So this concludes the presentation. If you want to learn more and get more information about Justice in Aging, like finding out about other trainings that are going on, you can go to justiceinaging.org and click the sign-up button, or you can send an email to info@justiceinaging.org and ask to be added to our mailing list.

On the next slide, that would take us to questions, but we're running up against the hour and want to get folks out more or less on time. So we will go through after this and follow up with the questions that have been asked, and we'll follow up by email. And also, do feel free to reach out to Kate or me.

We really want to thank you all for participating today. It's been very helpful to see all your questions and comments, and you'll get the post-webinar survey after this as well. We hope this has been helpful to you to keep informed and aware about SSI. Thank you all for joining, and hope you have a great rest of the day.