

Making it happen



SUPPLEMENTAL SECURITY
INCOME (SSI) BENEFITS
FOR CHILDREN





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Introduction

Your son/daughter may be eligible for Supplemental Security Income (SSI). Your Harbor Regional Center (HRC) Counselor has given you this booklet to help you understand basic information about SSI and to let you know how to apply for these services. SSI is used by many of our consumers and their families. This guide will answer questions about SSI like:

- What are Supplemental Security Income (SSI) benefits?
- Who is eligible? How do we apply?
- How much income can we receive from SSI?
- How is SSI different from Social Security benefits?
- Can my child be eligible for both Social Security and SSI?
- How can we get more information?

In addition, we answer other questions to help you decide if you want to apply for SSI benefits.

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WHAT ARE SUPPLEMENTAL SECURITY INCOME

(SSI) BENEFITS? The Supplemental Security Income (SSI) program pays monthly checks to people who are elderly, blind or disabled, and who have very little other income or resources. The money is for you to use to pay your child's living expenses (like food, clothing, and rent). SSI is a federal program run by the Social Security Administration. If your child gets SSI, s/he usually gets Medi-Cal as well, and s/he may also be eligible for food stamps or other surplus food programs in your area. To get SSI a person must be elderly, blind or have a **disability**.

WHO IS ELIGIBLE FOR SSI BENEFITS? Children may be eligible for SSI benefits if they are blind or have a disability and meet the financial eligibility limits. For children, the family assets and income are used to decide the financial eligibility *unless the child lives in a licensed home, and not with his/her parents.*

A child is eligible for SSI benefits if:

the child is a U. S. citizen, a legal permanent resident or a "permanent resident under color of law" (PRUCOL);

the child is severely disabled (this includes either physical disabilities, like deafness, blindness or inability to walk, or mental, emotional and learning disabilities); and

the family has limited income (*unless the child lives in a licensed home, and not with his/her parents, see page 4*).

HOW DOES FAMILY INCOME APPLY TO SSI ELIGIBILITY FOR CHILDREN?

The Social Security Administration considers a child to be any person who is neither married nor head of the household, who is under the age of 18, or under the age of 22 and a student attending a school, college or other training designed to prepare the person for a paying job.

If a child lives at home with parents who do not receive SSI payments themselves, they count some of the parents' income and/or resources as available to the child. They call this "deeming." There are allocations for parents and for other children living in the home. After they deduct these allocations, the amount remaining is used to decide if the child meets the SSI income requirements for a monthly payment. Deeming stops when a child reaches 18 or no longer lives with a parent.

Deeming does not apply to income from AFDC, VA pension, general assistance, foster care payments for an ineligible child, or income used to make court-ordered support payments. This means that the income from these sources is not considered available to your child and will not be counted in determining his/her eligibility for SSI. Also, deeming does not apply to certain resources you may have including your home, up to \$2000 in household goods, and money in pension funds.

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The Social Security Administration has charts which give guidelines for the amount of gross monthly income which parents can earn or receive and still have their child qualify for SSI benefits. **Contact your local Social Security Administration** office for current information on allowable income levels.

If a child who is a legal resident lives in a licensed home and not with his/her parents, s/he is usually eligible for SSI benefits. Family income is not considered at all in making this eligibility determination.

A child who gets SSI benefits can also get Medi-Cal to help pay doctor and hospital bills. Sometimes, a child may be eligible for Medi-Cal while in an institution, but not be eligible when living at home either because of the parents' income and resources, or because the child receives in-kind help or other income. Even if not eligible for Medi-Cal due to SSI, a child may still be eligible for Medi-Cal under other state rules. Always **check with the local Medi-Cal office**.

The above information is offered **only as a general guideline**. The rules can change now and then. Also, different people have different situations. Please contact the Social Security Administration for information about your specific situation.

Do not wait to apply. Your benefits will be effective from the date of your application, so apply as early as possible.

HOW DO I APPLY FOR SSI BENEFITS?

Anyone may apply for SSI benefits. There is no charge. The Social Security Administration (SSA) staff will complete the forms for you based on the information you give them. They will also help you get the reports and documents you need to show that your child meets the SSI eligibility requirements. If the Social Security Administration decides that it needs more medical information to decide if your child is eligible, the Social Security Administration will pay for your child to see a doctor. If you want, you may appoint someone to help you with your SSI application and go with you to meetings with the Social Security Administration. **Apply as soon as possible** so that your child does not lose benefits.

The local Social Security Administration office – the same office that administers Social Security – also administers SSI benefits. You apply by contacting the nearest Social Security Administration office. You may contact the Social Security Administration by telephone, by mail or in person. The Social Security Administration encourages people to do business by telephone. Their toll-free telephone number is **1-800/772-1213**. (Please note that telephone numbers are subject to change.) You can also find the number for their local offices in your telephone book under the US Government listings. You can call between 7:00 a.m. and 7:00 p.m. Monday through Friday. For best service, try

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to call before 9:00 a.m. or after 5:00 p.m. If possible, avoid calling the toll-free number on the first Monday of each month, on days following a holiday and between 10:00 a.m. and 3:00 p.m. You may also get information or make applications through their Web site at www.ssa.gov

In most offices, you can make an appointment for a telephone or in-person interview. If you are unable to make an appointment that is convenient for you, you may drop in at any Social Security Administration office. They will serve you as quickly as possible. You should try to provide a translator if you do not speak English, or an interpreter if you need one because of deafness. If you are unable to find anyone to do this, you can ask the Social Security Administration if they can find someone to translate or interpret for you.

When you call or visit a Social Security Administration office, make a note of the name of any staff member you speak with and the date of the contact. Be sure to put your child's Social Security number on all written correspondence with the Social Security Administration and keep a copy for your records.

The Social Security Administration will notify you in writing of any decision about your child's eligibility or any change in your child's payment amount. The Social Security Administration will also send notices to your representative (someone who helps you) if you have one. You or your representative may examine the information in your child's case file, upon request. Each notice you receive will explain your appeal rights. You may appeal most decisions the Social Security Administration makes about your child's eligibility for SSI or decisions they make to stop your child's SSI check. (For more about appeals, see below.)

CAN SOMEONE HELP ME WITH MY CHILD'S SSI

APPLICATION? Anyone you choose can help complete the forms, go with you to meetings with the Social Security Administration, interpret or translate for you, help you gather and give information, take you and your child to medical examinations or to the Social Security Administration office, and receive mail for you at his or her address. If you want more help, you may appoint a representative who can do all of this plus sign the application for you, review your file at the Social Security Administration office, get information from the Social Security Administration about your claim, represent you at informal or formal hearings, and give the Social Security Administration evidence for you.

You must sign a statement naming your representative on the appropriate Social Security Administration form (SSA-1696). Your representative does not have to be an attorney.

A **representative's** duties are different from those of a **representative payee**. A representative payee is someone who gets your child's monthly SSI checks once your child has been determined eligible. That person helps you take care of your child's money, and helps use the money to pay for your child's expenses. Most of the time a child's parents act as a representative payee. You can find out more about becoming or using a representative payee after your child has been determined eligible for SSI.

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WHAT SUPPORT DOCUMENTATION WILL I NEED?

The more detailed information and documentation you can provide with your child's application, the more quickly and easily the Social Security Administration can decide your child's eligibility. They may ask you to provide some of the following documentation: your child's Social Security card (or number), proof of your child's age, citizenship or Alien Status Record, proof of your child's or your family's income, proof of your child's living arrangements, medical records or sources.

You will need to apply for a Social Security Number for your child if s/he does not already have one.

For **proof of age** you will need a public birth record recorded before age five, or a religious birth record recorded before age five, or any other documents showing your child's age or date of birth. If you already proved your child's age when you applied for Social Security benefits, you do not need to prove it again for SSI.

For **proof of your child's status** as a U.S. citizen, you may use a birth certificate showing your child's place of birth, a baptism certificate showing your child's place of birth, a naturalization certificate, a U.S. passport or a certificate of citizenship. If your child is not a citizen, you may use an immigration form or certificate showing his/her status.

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For **proof of earned income** you may provide payroll stubs or, if self-employed, a tax return. For proof of unearned income, you may provide any records (e.g., award letters, court orders, receipts, etc.) showing how much you receive, how often and the source of the income.

For **proof of resources** you may provide a bank statement for all checking and savings accounts, a deed or tax appraisal statement for all property you own besides the house you live in, insurance policies and certificates of deposit, stocks and/or bonds.

For **proof of your living arrangements** you may provide the deed or property tax bill for the house where you live, the lease or a rent receipt, the medical assistance cards for all household members, and information about household costs, food, utilities, etc.

For **medical sources** you will need the names, addresses and telephone numbers of your child's doctors and other providers of medical services. Your Harbor Regional Center Counselor may send a copy of the report from the most recent psychological evaluation. Your doctors may also send written reports and documentation to the Social Security Administration to support your child's SSI application.

The Social Security Administration needs to see the **original** documents. Photocopies are not acceptable. Keep a copy of each thing you send to the Social Security Administration and keep track of the dates you send them, as well as the name of any Social Security Administration employee with whom you have contact.

Do not wait to apply. Your child's benefits will be effective from the date of your application, so apply as early as possible. If you do not have all of the things the Social Security Administration may need, you can get them later.

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WHAT WILL THE SOCIAL SECURITY ADMINISTRATION ASK ABOUT MY CHILD'S DISABILITY?

The Social Security Administration will ask you:

What is your child's disability and how long has s/he had it?

What kind of medical treatments has your child had and what medications does s/he take?

Where to request your child's medical records, e.g., the names, addresses and telephone numbers of doctors, hospitals and clinics, and the dates when your child was seen there?

What schools has your child attended?

The Social Security Administration may ask you to fill out some forms about your child's disability. If you need help, you may ask a friend or a Social Security Administration employee to help you.

WHO DECIDES IF MY CHILD IS DISABLED?

The Disability Determination Service (DDS) makes the disability decision for the Social Security Administration. The entire eligibility process usually takes about three to four months from the date of the application. Sometimes the Social Security Administration can make a "presumptive disability" decision which takes less time.

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HOW MUCH CAN MY CHILD RECEIVE? The Social Security Administration sets a monthly payment for a child. The State of California adds to this federal payment. These payment amounts vary based on your child's income, your family's income, your child's living arrangements and other factors. These amounts are periodically changed due to cost of living adjustments. Because the amounts vary based on individual factors, and because the amounts change periodically, we cannot tell you the exact amount you will receive. However, the amount is what the federal and California governments think is enough to cover basic living expenses. This information is offered **only as a general guideline**. Your award letter from the Social Security Administration will inform you of the exact amount. You will also receive a written notice from the Social Security Administration each time there is any change to your child's SSI benefits.

WHY ARE MY CHILD'S LIVING ARRANGEMENTS IMPORTANT? Your child's living arrangements affect how much his/her SSI payment will be. Living arrangements include two things: 1) where your child lives (a private place such as a house, apartment or trailer; or a licensed care home; or an institution); and 2) who pays for food, rent or mortgage, and other things like electricity and garbage pick-up.

Some living arrangements can change your child's SSI payment amount. For example, when your child is in the hospital or a nursing home for an entire

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month and Medi-Cal pays over half the bill, or when your child is in an institution run by the federal, state or local government, the Social Security Administration may reduce your child's benefits.

WHAT IF I DISAGREE WITH THE AMOUNT OF BENEFITS APPROVED?

You may appeal most decisions the Social Security Administration makes. The Social Security Administration has a three-level process for individuals who disagree with a decision it makes. The first level is Reconsideration, the second is Administrative Law Judge Hearing and the third is Appeals Council Review. Most decisions the Social Security Administration makes are considered to be an "initial determination," e.g., eligibility, amount of benefit or whether you must repay an overpayment. You may challenge any initial determination decision by filing a written appeal. Contact your local Social Security Administration office to file an appeal. The notification letter from the Social Security Administration will inform you about your appeal rights.

You request a Reconsideration of the initial determination by completing form SSA-561. You must request Reconsideration within 60 days. If you are already receiving benefits and get a notice of a determination with which you disagree, you must request Reconsideration within 10 days so that the

Social Security Administration will continue payments through the appeal process. The Social Security Administration will send you a written notice of the Reconsideration decision.

If you disagree with the Reconsideration decision, you may appeal by asking for a hearing with an Administrative Law Judge. You should request a hearing within 60 days of receiving the written notice. You request this hearing by completing a form SSA-501. You may request to review your file before the hearing and you may appear in person. An assistant to the clerk records the hearing. You may ask for a copy of the tape. It is very important that you attend the scheduled hearing. If for any reason you cannot attend, contact the judge as soon as possible before the hearing and explain why. You may request further medical exams/tests if you think you need them to appeal a disability decision. You may request witnesses. You will get a written notice of the hearing decision.

If you disagree with the decision of the judge, you may appeal by asking for an Appeals Council Review. You must request this review within 60 days after you get the hearing decision. The Appeals Council will carefully examine your claim and will grant, deny or dismiss your request. You will get a written notice of the Appeals Council decision.

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If you disagree with the decision of the Appeals Council, you may file an appeal with the Federal district court. You may want to contact an attorney or the Legal Aid Society to help you. You must file an action in Federal court within 60 days after you receive the Appeals Council decision. The Federal court will review the evidence and the earlier decisions, but will not conduct another hearing.

If you apply for SSI and they decide your child is not eligible but you think s/he is eligible – sometimes Harbor Regional Center can help you with an appeal. Be sure to contact your HRC Counselor if you need help with an eligibility appeal.

HOW ARE SSI BENEFITS LIKE/DIFFERENT FROM SOCIAL SECURITY BENEFITS?

Supplemental Security Income (SSI) and Social Security are **different** programs and they are provided to people for **different** reasons. What follow are just a few of the differences.

The Social Security Administration does not base SSI payments on prior work history, but Social Security payments are based on work history. To get SSI, a child must be blind or disabled, and must have limited income and resources. A person may receive Social Security regardless of any disability or any other income or resources s/he may have. People who get SSI also automatically get Medi-Cal (without having to submit a separate

application), to pay for hospital stays, doctor bills, prescription drugs and other health costs, but people who get Social Security do not necessarily get Medi-Cal.

Both programs pay monthly benefits. The Social Security Administration administers both.

CAN MY CHILD BE ELIGIBLE TO RECEIVE BOTH?

Your child can be eligible for both benefit programs. If your child receives Social Security benefits, they count this as income in determining his/her SSI benefit amount.

ONCE MY CHILD RECEIVES SSI BENEFITS, DOES IT ALWAYS CONTINUE?

The Social Security Administration and the Disability Determination Service periodically re-evaluate your child's disability or blindness to decide if s/he is still disabled or blind. If your child is no longer disabled or blind, benefits will stop. They call this re-evaluation a "Continuing Disability Review." The type of disability your child has decides how often the Social Security Administration re-evaluates his/her disability. Your child may also stop receiving SSI if his/her other income and resources increase or if your family income and resources increase. You can appeal if the Social Security Administration proposes to stop benefits.

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WHAT ARE THE REPORTING REQUIREMENTS?

Your child's circumstances affect his/her eligibility for SSI benefits. **You must report any changes** in these circumstances (e.g., change of address, change in living arrangements; change in income; change in resources; eligibility for other benefits; admission to, or discharge from, a hospital, nursing home or other institution; change in school attendance; leaving the U.S.; etc.).

You must report any of these changes within ten days after the end of the month in which the change occurs.

WHOM SHOULD I CONTACT FOR MORE

INFORMATION? Several people at Harbor Regional Center can give you further information about SSI benefits. Contact your HRC Counselor to discuss any questions you have. She or he will discuss the issues with you, and may also refer you to an expert for complex questions/issues.

The best source for the most current and accurate information about SSI benefits is your local Social Security Administration office or the Social Security Administration toll-free number;

1-800/772-1213

TTY 1-800/325-0778

www.ssa.gov

Please note that telephone numbers and Web addresses are subject to change.

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