

Disability Benefits Before & After Age 18

When Why & How To
Apply

for SSI & SSDI

Circles of Life

Ron Konkol – Retired

Social Security Administration

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Public Benefits & Challenges

- Federal/state benefits – a lifelong support
- Bundled cash & healthcare
- Encourages getting a job
- Red tape maze creates anxiety/confusion
- How to navigate complex systems
- Maximize cash & healthcare benefits
- Pandemic & staff turnover/shortages at SSA
- Why apply at age 18?

Disability Benefits for Your Child

- Financial Application Strategies
- Disability Medical Application Strategies
- Maintain Disability Benefits with Work Incentives

Best Disability Outcomes

- Medical disability approval at 18 & \leq 22
- SSI monthly cash payment & medical coverage
- Get a job & keep benefits
- Transition to SSDI benefits on:
 - Parent's SSA benefits
 - Child's own earnings

SSI & SSDI

Three Types of Benefits

- **Supplemental Security Income (SSI)**
 - Limited income & assets
 - At age 18 – no parental income or assets used
- **Social Security Disability Insurance (SSDI)**
 - FICA tax covered work
 - Spouse & dependents covered up to age 19
 - <Age 24: 1.5 years of work (@\$600+/mo.) gives benefits
- **Disabled Adult Child (DAC)**
 - Parent is retired, disabled or deceased
 - Child disabled before age 22

SSI & SSDI Programs Support for Kids/Adults

Birth

NICU & Low Birth Weight
Parent(s) income
/assets do not count while in
hospital

Juvenile Onset < 18

Parent(s) financial condition
is 1st test for SSI

Other options:

Katie Becket or
MA CLTS Waivers

Adult starts at 18+1 month

Medical review

Prepare records starting at
17th birthday (e.g., IEP, ABAS)

Start transition in 18th
birthday month

SSI-E access

SSDI &/or DAC options

Child Under Age 18

SSI Deeming of Income & Assets

- Parent income & assets sets financial eligibility
- Cash Assets Limits:
 - Child - \$2,000
 - One parent with one child <\$2,000
 - Two parents with one child <\$3,000
- Income Limits:
 - One parent with one child <\$46,763 yearly
 - Two parents with one child <\$58,092 yearly
 - Add \$5,664/yr. for every child w/o a disability

SSI Application Planning Options

- ***Before* 18** – parental income & assets
- ***Before* 18** – consider supported decision making, POA consent healthcare & finances, guardianship
- At 18+1 mo. – financial eligibility based only on child's finances
- ***Before* 22** – SSI disability benefits help get lifelong MA public healthcare coverage
- A parent's Social Security benefits include the adult child with a disability determined before 22
- Trusts – ABLE or Special Needs Trusts exclude child's financial assets

Why SSI?

- SSI federal cash - \$943 per month – 2024
- WI State SSI adds \$83.78 = \$1,026.78
- Add SSI-E for additional \$95.99 = \$1,122.77 per month
- SSI-E reference –
 - <https://www.dhs.wisconsin.gov/ssi/ssi-e.htm>
- SSI can help pay for:
 - Rent
 - Food
 - Clothing
 - Telephone & internet
 - Transportation

Age 18 = Adult

POA for healthcare & finances

Supported Decision Making

Legal Guardianship

SSA's Appointed Representative

Signup for MySSA.gov

SSI Living arrangement

written rental loan agreement

The SSI medical application

The SSI phone financial interview

Representative Payee – fiduciary role

Disabled Adult Child (DAC)

- Parent has FICA covered work & is either:
 - Disabled
 - Retired or
 - Deceased
- Child is:
 - Age 18 or older
 - Determined Disabled before age 22
 - No Substantial Gainful Activity (SGA) work
 - Unable to work at SGA (\$1,550 @ month in 2024)
 - Meets medical severity test
 - Not married to a non-beneficiary

Best SSI to DAC Transition Plan

- At age 18+ 1 month or <22 SSI disability starts
- SSI Rule: When parent retires, becomes disabled or dies DAC is mandatory
- DAC income reduces or stops SSI
- DAC/MA Protection Provision continues lifelong MA financial eligibility
- Must be a *transition* from SSI to DAC
- Reference: MEH 25.2 – Google it

Apply at Age 18

- Start SSI application the month after 18th birthday month
- Contact Social Security 800-772-1213 (M-F: 7 am – 7 pm) for a telephone appointment – Record the date
- Important-The day you contact SSA is the application month
- Go online - <https://www.ssa.gov/apply>
- Paper option - <https://www.ssa.gov/forms/ssa-3368-bk.pdf>
- Provide medical source treatment history for past 12 months
- Prepare for:
 - age 18 living arrangement (rental loan) before hand
 - Representation, guardianship or signed consent

Use Disability Online Application If:

- Age 18+ 1 month or older
- Not getting benefits on your own Social Security record
- Unable to work for at least 12 months
- Not been denied disability benefits in the last 60 days
- Or use the paper Medical History - SSA-3368

Medical History – How Much?

- Date impairment(s) began
- At least the past 12 months treatments
- If no treatment – date of the most recent thorough exam
- Cognitive/Developmental Disability/Behavioral impairments –
Consider Neuropsychological Exam with ABAS-3
 - Ask Special Education teacher to complete 15 minute assessment
 - Parents each complete one
 - Family or friends familiar with your child

List All of These SSI Resources

- Any account with child's name & Social Security Number:
 - Savings and/or Checking account
 - ABLE or Special Needs Trust account
 - Uniform Transfer to Minors Act (UTMA) or Uniform Gifts to Minors Act (UGMA)
- Life Insurance or Burial Account ownership
- Savings Bonds (may be known or unknown if a grandparent or relative holds it) but current value counts as an asset
- Stock ownership
- Land ownership
- Inheritance (any property or account transfer anticipated/planned at a certain age)

SSI Financial Phone Interview

- Income
- Assets
- Living arrangement (is one of these)
 - Household of another – 1/3 reduction
 - Sharing expenses – Full benefit
 - **Flat fee rental \$350/mo. (own economic household) - Full benefit**
- SSI-E (Must be in a Full Benefit Living Arrangement)
- Representative payee
- Bank account for 1st check

After Getting Benefits-SSI Reviews

- Representative Payee
 - Annual accounting
- Medical
 - 1,3,5 or 7 years
- Financial – report changes immediately in:
 - Living arrangement
 - Income
 - Assets
 - Fulltime Student Status
 - Use MySSA.gov – monthly wage reporting – before 6th of following month

Disability Work Incentives

- SSI work income exclusion - \$85.00 per month + ½ of the remainder –reduces next payment
- SSDI Cash Continues
 - 9 month Trial Work Period – no effect \leq \$1,110
 - 36 months Extended Period of Eligibility \leq \$1,550
 - Over \$1,550 – payments are suspended
- Medicare continues if cash stops
- Ticket To Work Program supports working
- <https://www.ssa.gov/pubs/EN-05-10062.pdf>

If Application Is Denied

- 60 days to appeal & keep original start date
- Initial application approval rate – 37%
- Reconsideration – 15%
- Hearing – 55%
- Attorney representation at Hearing level
- Representation Fees are limited to:
 - 25% of the initial payment or
 - \$7,200 maximum

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The Online Medical Disability Application:

SSI Only – www.ssa.gov/pgm/ssi.htm

DAC -www.ssa.gov/applyfordisability

The Medical Records Consent Form:

<http://www.ssa.gov/online/ssa-827.pdf>

The Financial Records Consent Form:

www.ssa.gov/online/ssa-3288.pdf

Authorized Representative Application:

www.ssa.gov/online/ssa-1696.pdf

The WI SSI Exceptional Expense Info:

http://dhs.wisconsin.gov/ssi/ssi_e.htm

Duties of a Representative Payee

<http://www.ssa.gov/payee/index.htm>

One Step Ahead – Resource Planning Guide

<http://froemminglaw.com/publications.html>

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