

A QUICK AND EASY GUIDE TO SSI AND SSDI



ILRC SF

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Independent Living Resource Center San Francisco's (ILRCSF) mission is to ensure that people with disabilities are full social and economic partners, both within their families and in a fully accessible community. The mission is achieved through systems change; community education; partnerships with business, community organizations and government; and consumer directed services.

ILRCSF's Core Values include:

- Choice is the right of individuals and families to make informed decisions about their own lives.
- Persons with disabilities are experts on their own needs.
- Consumer leadership creates an accessible community.
- Full access to and inclusion in the community for all people with disabilities means the same range of choices as the general community.
- Universal usability means that services, housing and consumer products are designed to be used by all members of the community.

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This guide consists of a list of commonly asked questions and answers about these benefit programs. It is not intended to cover all aspects of the programs described. The regulations and amounts are subject to change . For more detailed information, you may check with your local Social Security Office or contact ILRCSF.

1. What disability benefits are there?

The two major benefits which provide monthly cash payment are **SSI** (Supplemental Security Income) and **SSDI** (Social Security Disability Insurance). As well as these two Social Security programs there is also **Workers' Compensation** (if you are injured on the job) and **SDI** (State Disability Insurance), a weekly cash payment up to 52 weeks if you paid **SDI** taxes and have a health condition which prevents you from working even temporarily. **CAPI** (Cash Assistance Program for Immigrants) is a California program for people aged 65+, as well as those with disabilities who have permanent resident status. These individuals will not qualify for **SSI**.

SSI is a low income benefit for people who are considered aged (65+), blind (legally or totally blind), or disabled who have very low (or no) monthly income.

In addition, to qualify for **SSI**, you must have little or no money available to you in the bank, in stocks and bonds, in IRA's and pension funds. These are called "resources".

SSDI is an insurance benefit for people who are considered blind or disabled. You get it if you worked long enough and recently enough (approximately half the time between age 21 and when you apply and 5 of the last 10 years) and paid Social Security taxes.

The time requirement is less if you are blind.

If you were disabled before age 22 and a parent is collecting Social Security benefits, you may receive money from that person's account.

2. **How does the Social Security Administration define "disability"? What does "disability" mean for SSI and SSDI?**

A. You must have a physical or mental condition that impairs your ability to work. Examples of physical or mental conditions that impair your ability to work may include functional limitations with sitting, standing, walking, and/or relating to people.

- B. You must be able to verify your condition with medical evidence (tests, procedures, etc.).
 - C. You must be unable to work or participate in what the Social Security Administration calls Substantial Gainful Activity (**SGA**) for at least one year from the time you apply. **SGA** is defined as work earnings of over **\$A** per month. If you are working at the time you apply for **SSI** and **SSDI** and are earning over **\$A** per month, you are not eligible for these benefits.
3. **How is “blindness” defined for purposes of receiving SSDI and SSI?**
- A. In order to receive benefits, you must be at least legally blind. This is defined as vision that cannot be corrected to more than 20/200 in your better eye, or if your visual field is 20 degrees or less, even with corrective lenses.
 - B. You must be able to document your condition with medical evidence.
 - C. In order for a blind person to receive **SSDI**, they may not exceed the Substantial Gainful Activity level, defined as work earnings that exceed **\$B**. There’s no **SGA** limitation for **SSI-Blind** benefits. You might be eligible even if you are working at the time you apply.

4. **How much do I get from Supplemental Security Income (SSI)?**

\$C if you are single, and aged or disabled.

\$D if you have no cooking facilities.

\$E if both you and your spouse are aged or disabled.

\$F if you are single and blind.

\$G if both you and your spouse are blind.

\$H if you are a disabled minor (under age 18) living with parents or relative.

Other factors that affect the amount you receive are living arrangements, cooking facilities, and other financial matters. If someone else pays all or part of rent expenses, you will receive less than the regular benefit amount.

With **SSI** eligibility, you will get free Medi-Cal and free In-Home Support Services (**IHSS**) if you need assistance with personal care or household chores.

5. **How much do I get from Social Security Disability Insurance (SSDI)?**

This amount depends on how long you worked and paid into the Social Security system as a worker, and on how much your taxable work income was.

You may be entitled to receive additional benefits for your children under age 18, or for your spouse.

During the first five months of eligibility, which is a waiting period, you are not entitled to any cash benefits.

After you receive benefits for two consecutive years, you will become eligible for Medicare.

6. **Can I collect both Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI)?**

Yes, if your Social Security Disability Insurance (**SSDI**) is less than **\$I** per month (or **\$J** per month if you are blind), you are still eligible to receive some Supplemental Security Income (**SSI**) benefits. The amounts for married couples are different.

7. **Can I get Supplemental Security Income (SSI) and other benefits at the same time?**

Yes. You are entitled to some **SSI** if all the other benefits (pensions, unemployment insurance, State Disability Insurance, etc.) you receive total less than **\$I** per month, if you are aged or disabled (or **\$J** per month if you are blind). The amounts for married couples are different.

In order to qualify for **SSI**, you must apply for all other benefits to which you may be entitled.

8. **Can I get GA, Food Stamps, and/or TANF while receiving SSI?**

You cannot get **GA** while receiving **SSI**. Very few single adults getting SSI qualify for food stamps. You may collect **TANF** for your children while receiving **SSI** for yourself.

9. **Can I get other benefits while receiving SSDI?**

Yes. Generally speaking your **SSDI** may be reduced by receipt of certain benefits such as State Disability Insurance or Workers' Compensation.

10. **Can I get SSI or SSDI if my husband/wife works?**

Your **SSDI** is not affected by a spouse's income. However, your **SSI** may be reduced. A part of your spouse's income may be "deemed" (to be) yours and subtracted from your check. Social Security will tell you the effect, if any, in your situation.

11. **How old do I have to be to receive disability benefits?**

Children may be eligible to receive **SSI** benefits from the date of their birth, depending on their disability and their parent's income. After the age of 18, you will

be evaluated individually to determine the amount of **SSI** you will receive as an adult.

12. **Can I get SSI or SSDI when I am in the hospital?**

Yes, if your hospital stay is no longer than three full calendar months, and Medi-Cal pays more than half of your medical costs. (In the fourth full month of hospitalization, your **SSI** payment will be reduced to **\$K**). This must be a temporary absence from a permanent living arrangement, and there must be a doctor's statement about length of stay.

Hospitalization does not affect your **SSDI** check.

13. **Can I get SSI or SDI when I am in prison?**

No. You do not receive benefits while in prison.

14. **Can I get SSI or SSDI when I am in a halfway house or a board and care home?**

Yes. You may continue to be eligible for both **SSI** and **SSDI** while you are in a halfway house or a board and care home. The amount you receive depends on the kind of facility you are in and whether or not the facility meets Social Security standards as a

non-medical, out-of-home living arrangement.

15. **Can I leave the country and collect benefits?**

If you leave the country for thirty days or more you will become ineligible to receive **SSI** benefits. In order to re-establish eligibility, you must be back in the United States or its territories for at least 30 days.

You can collect your full **SSDI** benefit regardless of your location.

16. **Are SSI and SSDI permanent lifetime benefits?**

No! For both **SSI** and **SSDI** you must continue to meet the definition of disability. By law, your disability status is reviewed regularly at least once every three years as a general guideline. This review is called a Continuing Disability Review (**CDR**). In addition, for purposes of continuing **SSI** financial eligibility, there is a yearly redetermination interview.

17. **What are resources, and what is the resource limit for SSI and SSDI?**

Resources are items of value that do not include work earnings or other income. Resources include: money in your savings or checking account, the cash value of life insurance policies with a face value of over \$1500, stocks and bonds, property that you own but don't live in, and household items with a value greater than \$2000.

If you own a home its value will not count towards the resource limit. Neither will the value of one car, as long as it does not exceed a value amount set by The Social Security Administration. A burial plot and funeral expense account of up to \$1500 are not considered resources.

You may own no more than \$2000 in personal resources in order to be eligible for **SSI** benefits (\$3000 for a couple). A parent's resources are considered or deemed to belong to a child when applying for **SSI**.

For purposes of receiving **SSDI** benefits, there is no resource limit.

18. **Can I have unearned income and still get SSDI?**

Unearned income includes cash, gifts, interest on a bank account, a lotto win, Workers Comp, Social Security retirement, pensions and a portion of a spouse's income.

Having unearned income does **not** affect either your entitlement to **SSDI** or the amount of **SSDI** you receive. Income from Workers Comp or State Disability Insurance benefits may affect your **SSDI**, however.

19. **Can I have unearned income and still get SSI?**

That depends. Your first \$20 of unearned income will not affect either your entitlement to **SSI** or the amount of **SSI** you receive. However unearned income over \$20 will reduce any potential **SSI** payment dollar for dollar. For example, \$21 of unearned income will reduce your **SSI** payment by one dollar.

20. **Can I have earnings and still get SSI and/or SSDI?**

(The rules regarding employment and financial/health benefits can be complex. If you are thinking about working part or full time, and want to understand your options, you should attend an ILRCSF workshop, "How Employment Affects your Benefits", or speak with a benefits counselor who has training specific to Social Security employment rules/work incentive programs.)

Eligibility for **SSDI** and **SSI** depends on a doctor's finding that your disability is going to prevent you from earning **\$A** per month (or **\$B** per month if you are blind) for 12 months from the date you apply. If you do earn **\$A** per month within your first 12 months of eligibility, Social Security may re-

verse its decision that you were eligible in the first place, and they may require you to repay any/all benefits you received.

After your first year of eligibility, Social Security encourages you to work. **SSI** recipients can earn up to \$85/month without affecting their **SSI**. For every additional \$2 earned, Social Security will reduce your check by \$1. If you receive **SSDI**, you will keep receiving your **SSDI** payments for a minimum of 9 months, and possibly longer (or indefinitely), depending upon how much you earn each month.

21. **If I am approved for SSI and/or SSDI, will I receive any health insurance?**

Yes. If you are approved to receive **SSDI** benefits, after you receive checks for 24 consecutive months, you will be automatically eligible to receive Medicare benefits. If you receive **SSI**, you will receive Medi-Cal benefits. It is possible to receive both Medi-Cal and Medicare benefits at the same time.

22. **Can I receive Medi-Cal if I do not, also, receive SSI?**

If you meet resource limitations (\$2000.00 for an individual and \$3000.00 for a couple), you may receive Medi-Cal after paying a monthly "Share of Cost". Ask at the Medi-Cal office of the Department of Human Services.

If you receive Medicare only, you may be eligible for special Medi-Cal benefits which pay Medicare costs such as Part B premiums, deductibles and co-insurance. Your monthly income limit is **\$L** (**\$M** for a couple). Contact your Medi-Cal office and ask about QMB (Qualified Medicare Beneficiary), SLMB, or the new "Qualified Individual" program.

You may be eligible for "Extra Help"/Low Income Subsidy for Medicare Part D (prescription coverage). Your resource limit is **\$N** for an individual and **\$O** for a couple. Your monthly income limit is **\$P** for an individual and **\$Q** for a couple. If your income is higher, check with SSA to see if you fall into another eligibility category for "Extra Help."

23. **What are In-Home Support Services and how do I receive them?**

SSI eligibility may entitle you to receive in-home support services automatically. The In-Home Support Services program provides an attendant to disabled people who need assistance with household chores including: grocery shopping; cooking; house cleaning; and personal care needs such as bathing and dressing. This program is administered by the County Department of Human Services. Once you are eligible for this program, a social worker will be sent to your home to determine how many hours per week of in-home support services you are eligible for.

24. **What are Assistance Dog payments?**

These payments of \$50 per month are made to **SSI** or **IHSS** recipients who use a guide dog, signal dog, or service dog which has been professionally trained. They help pay for food and health care costs of the dogs.

25. **Where do I apply for disability benefits?**

For **SSI** or **SSDI**, go to your local Social Security Office or call 1-800-772-1213, TTY 1-800-325-0778, for an appointment. Application forms are available at San Francisco Social Security Offices:

Chinatown: 560 Kearny Street

Civic Center: 90 7th St., Annex 1st Floor

Mission: 1098 Valencia Street

26. **When I go to Social Security to apply for benefits, what should I bring with me?**

NOTE: Bring as much of the following as you can, but **DO NOT** delay applying just because you are unsure of what to bring or can't get it all together. Also, you can bring someone to help, support or interpret.

Social Security Numbers:

- For yourself, your spouse, and your children. Be sure to bring any other numbers under which you have applied for benefits, as well.

Proof of:

- Age
- Citizenship status
- Living arrangements (rent receipts)
- Resources (bank statements, insurance policies)
- Income
- Age

About Your Disability:

- List of all aspects of your condition which prevent you from working.
- Information about when and how it began
- How it prevents you from working or performing daily living tasks such as cooking, cleaning, or relating to other people

Medical Information:

- List of names, addresses, and phone numbers of all doctors, hospitals, and other medical facilities where you have been examined, tested, or treated.
- A doctor will be required to complete paperwork verifying your disability.

27. **How long will it take before I get my checks?**

It takes Social Security up to 6 months to decide whether you are eligible. If you are approved for **SSDI**, your first payment should arrive approximately 6 months after you file all paperwork used to make the determination.

If you are obviously severely disabled (totally deaf or blind, use a wheelchair, etc.), you may request “presumptive” disability benefits from **SSI** and your checks will start soon after application for up to 6 months while your claim is being processed.

28. **What if I have an emergency and cannot wait that long?**

Social Security can make a one-time emergency advance payment to new applicants with a financial emergency (a threat to health or safety such as no money for food, shelter or health care). You must be likely to meet all **SSI** requirements; the amount cannot be greater than your regular **SSI** benefit and if benefits are denied, you’ll be asked to repay this money.

29. **What do I have to report once I get my checks?**

Any change of address, marital status, living arrangement (alone or shared with roommates), income (raise in pensions) and employment. You must report within 10 days within the month in which a change occurs, or face a penalty.

30. **What happens if I get an SSI check I am not entitled to?**

You are "overpaid" and will receive a letter requesting that you pay it back. Check with a benefits counselor to learn about negotiating a repayment plan.

31. **What do I do if I receive a letter stating that I have an overpayment of SSI/SSDI?**

If you dispute that you have been overpaid, appeal the overpayment decision immediately by signing and returning the attached Reconsideration Form. It's crucial to return the form by the deadline stated: this will prevent reduction of your benefits until a determination is made

If you agree that you should not have received the money, you should contact Social Security and return the checks - make sure to get a receipt.

If you have spent the money already, you can negotiate a repayment plan – be realistic about what you can afford to give back each month, and ask that this amount be withheld from future payments until debt is repaid (in some cases they may accept as little as \$20 a month).

In exceptional cases, Social Security may consider waiving repayment. One such reason for waiver is if you can prove that the overpayment was due to a mistake made by Social Security.

32. **I'm being cut off/denied my application for disability benefits. What can I do?**

You must appeal within 60 days (10 days to continue receiving an **SSI** check). Do this by phone and in writing, or in person to Social Security. For further information and a referral to someone to represent you, contact IL-RCSF.



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