

Parent Brief

Promoting effective parent involvement in secondary education and transition.

April 2003

Supplemental
Security Income (SSI)
Program
Part 2 of 3

Supplemental Security Income: So You Have Decided to Apply

This is the second in a series of three Parent Briefs addressing Supplemental Security Income. All three are available from NCSET.

Introduction

Supplemental Security Income (SSI) is a federal income support program administered by the Social Security Administration (SSA) that serves many different individuals. SSI provides monthly cash assistance to persons who have disabilities and limited income and resources. The following information on the SSI program is written specifically for people with disabilities who are 18 years and older, single, pay rent or contribute to the living expenses at home or who live away from the family home, are either in or out of school, and have disabilities other than blindness.

To be eligible for SSI benefits both disability and financial criteria must be met. The disability must be a medically determined mental and/or physical condition that is expected to last for a year or longer. Financial criteria include earned income (wages) and resource assets (bank accounts and other fluid assets, but not your home or automobile, if used for medical appointments or work).

When you apply for SSI benefits your earned income must be at or below \$800 (2002) gross per month, the Substantial Gainful Activity (SGA) level that SSA has established. At the time you apply, your resources must be under \$2,000 and must never go over that amount while on SSI. For more specific information on eligibility criteria contact the Social Security Administration office at 1-800-772-1213.

If you believe you meet these criteria you may be eligible for SSI. This brief is meant to help you apply.

Step One: Making an Appointment

Your first step is to telephone SSA's toll free number—1-800-772-1213—or your local SSA office to make an appointment. SSA generally recommends you call the 800 number. This number is available from 7 a.m. to 7 p.m. CST each business day. The best times to call are before 9:00 a.m. or after 4:00 p.m. At this number a taped message will ask you to select among information options. You may stay on the line without selecting any options and a service representative will eventually come on the line. If you press 6 and then 1, you will reach a representative. Pressing 5 will provide you with the location of your local service office.

Whether you call the local or the federal number you may have to wait to talk to a representative. It might be helpful to make the call when you have plenty of time and are in a comfortable place. Your name, address and social security number will be requested during the call. The representative you speak with will arrange either a phone or an in-person appointment at a time that works for you and your local SSA office. The representative uses a computerized calendar to display the next available appointment times at your local SSA office.



This publication is a collaborative effort of the National Center on Secondary Education and Transition (NCSET) and PACER Center.



Applying for Benefits

After the phone call, an application packet may be mailed directly to you from the federal office. You may either complete the application before your appointment, or you may fill it out during your appointment with the assistance of the SSA representative. The representative can assist you with questions that you have and can also assist you in the process of obtaining medical and other relevant documents needed to meet eligibility requirements. However, the more information you fill out in advance the more efficient the process will be.

Anyone may apply. There is no application fee. The original date of your call will be used as your application date. If you are deemed eligible, benefits are retroactive. It is to your advantage to apply as soon as you think you may qualify for benefits.

Step Two: Applying for Benefits

If you are applying over the phone, your local SSA representative will call you at the appointed time. You have the option of using a family member or an advocate to represent you on this call. Another option is to have a conference call arranged between you the applicant, a family member and/or an advocate and the SSA representative. This is an opportunity for you to ask a variety of

simple or complicated questions. The SSA representative can access your work history and other relevant program information on the computer screen. Therefore, the representative can give you the same information over the phone that would be given to you if you were there in person. The intake may take an hour or longer depending on your questions and the information you have readily available.

The application may also be done in person at your SSA office. This might be a better option if you feel more comfortable communi-

cating in person.

Remember you may still bring a family member and/or an advocate with you. If you decide to apply in person, be aware that the SSA office is a busy place, carrying out many functions and serving a diverse group of consumers. So, even with a scheduled appointment, there is likely to be a wait. Since SSA is a federal office, all consumers will need to pass through a metal detector security device similar to those at airports.

If you are hospitalized or confined to your home, the SSA representative may come to you. In some areas of the country representatives come to the high schools and assist students and their families in applying during transition planning.

Gathering Your Documentation

The more documentation you have available in advance, the more efficient the application process. Some of the suggested information to collect in advance to complete your application may include:

- Social security card.
- Proof of age, generally your birth certificate.
- Proof of income, paycheck stubs or copies of payments received.
- Proof of resources, generally any bank accounts, life insurance, cash etc.
- Proof of living arrangements, rent or mortgage payments.
- Names, addresses and telephone numbers of doctors, hospitals and clinics.
- Information from teachers or employers may be important to show work limitations due to disability.

Documenting Your Disability

After helping you complete your application form, the SSA office will review it to determine if you are financially eligible to receive SSI benefits (unemployed or working and earning less than \$800 per month and resources under \$2,000). Once SSA has established that you are financially eligible and they have all of your supporting documentation, including your medical history, they will send your completed application to the Disability Determination Service (DDS). This is where your application and medical records will be evaluated for eligibility on the basis of your disability.

Step Three: Determining Your Eligibility on the Basis of Disability

The Disability Determination Service determines whether you qualify for benefits based on your disability(ies). The following questions are addressed by the DDS to make this determination.

A. Do you have a severe impairment?

A severe impairment is one that significantly limits your ability to do basic work activities. Some examples of basic work activities include:

- Physical functions such as standing, walking, sitting, lifting, seeing, hearing, speaking
- Understanding and carrying out simple instructions.
- Use of judgement.
- Responding appropriately to supervision and coworkers.
- Dealing with changes.

Decision Points Used for Initial Eligibility ONLY

- Able to make SGA (over \$800 / month) **Not Eligible**
- Able to transfer skills to a different job and make SGA **Not Eligible**
- Not able to make SGA at any job **Eligible**

Who is the Disability Determination Service (DDS)?

The DDS is separate from SSA. The DDS consists of a trained team, including a doctor and a DDS disability examiner. This team reviews all the forms, medical records, information about how the applicant is functioning, and, if applicable, work history. Some of the things considered are; what is wrong, when it began, how the condition limits activities, what the medical tests show, and what treatments were given. The decision is then made on whether the applicant is disabled for SSI purposes. If the DDS cannot make a decision based on the information they have, they will pay for an examination to be done by a SSA consulting physician.

B. Do you have an impairment that meets or equals a social security "listed impairment?"

SSA maintains a list of specific impairments such as musculoskeletal, respiratory, cardiovascular, and neurological. If your disability meets the requirements of a listed impairment, the process ends here and you will be found disabled for SSI purposes. If your disability is not listed, DDS considers whether your impairment is of a severity equal to a listed impairment. If so, you will be found disabled for SSI purposes.

SSA's criteria for specific impairments can be found in their Blue Book: *Disability Evaluation Under Social Security*. This book can be requested by Parent Training and Information Centers in your state and disability and advocate organizations. It is also available on SSA's web site: <http://www.ssa.gov/>. If your disability does not meet or equal a listed impairment, DDS makes an individual determination using questions C and D.

Determining Your Eligibility

C. Were you able to work in the past AND did you earn over SGA (\$800 per month)?

If in the past you were working and making over \$800 per month and you are still able to do that work and earn over \$800 per month, you will be found not disabled for SSI purposes. If you are not able to do past work at the SGA level when you apply, *D* is considered.

D. Can you do any other kind of work?

DDS will consider your age, education and work experience. If the DDS finds that you can do some other type of work at over the SGA level you will be considered not disabled for SSI purposes.

As a person with disabilities, throughout your school years and work history (if any) you have probably been guided to always look at your strengths and abilities and to not dwell on your limitations or disabilities.

For SSA purposes it is important that all your physical and/or mental disabilities are addressed and communicated accurately for this to be a valid assessment of your work limitations. You and your family member or advocate must realistically look at your current situation in order to communicate your needs in the SSI application process. After years of emphasizing the positive, this may be difficult to do. But without addressing your disability and all limitations directly and honestly you will not communicate your need for SSI.

Frequently, applications are denied because physicians and other service providers give incomplete information on an individual's disability or fail to specify how the individual's disability interferes with work. This can occur when physicians and other service providers are unsure of what type of information is required. Determine which people in your life have a

good understanding of your disability and the ways it may affect your employment. If you are still in school this may be a special education teacher, counselor or psychologist that knows you well or other individuals on your transition team.

Whether you are in school or out of school, a vocational rehabilitation counselor or county case manager are also people who can be helpful in the application process. It is a good idea to contact your medical specialist(s) and other service providers in advance to tell them that you are in the process of applying for SSI benefits and that they will be contacted to provide supporting documentation. The supporting documentation needs to be explicit on how your disability impacts your ability to do substantial work.

Be sure that your physician is familiar with your specific limitations and any behaviors that interfere with school or work. Some examples could be the number of seizures you have per day, specific difficulties you have under stress, physical or stamina limitations, or side effects of required medications. Your physician may not necessarily be aware of these limitations or remember them when filling out the required documentation. Describing your disability in work-related terms is valuable and you can use that information not only for the SSI application process, but later when you start to work, or increase your work hours, or change jobs.

Step Four: If DDS Cannot Make a Disability Determination

When the DDS team cannot make a decision based on the information provided, you will be referred to an SSA consulting physician for an additional medical examination. Both general and specific information will be requested from the physician regarding your physical or mental impairment.

What If DDS Cannot Make a Determination

Specific information may include . . .

. . . For Adults with Physical Impairments

The consulting physician will be asked to make a statement regarding what work-related functions you can perform despite your existing physical limitations. SSA asks the physician to describe your ability to work in objective terms. Issues that will likely be addressed are:

- The number of pounds you are able to lift frequently, occasionally, at or above shoulder height.
- The number of hours in an 8 hour work day you can stand/walk/sit.
- How frequently and how well you can bend, push, pull, and/or operate hand/foot controls.
- Your ability to work at heights and/or around dangerous machinery.
- Your ability to carry or handle objects.
- Your ability to see, hear, speak.
- Your balance, coordination, and fine motor dexterity.

. . . For Adults with Mental Impairments

The consulting physician will be asked to make a statement regarding what work-related functions you can perform. Issues likely to be addressed may include comments regarding your mental abilities to:

- Concentrate on and understand instructions.
- Carry out tasks with reasonable persistence and pace.
- Respond appropriately to coworkers and supervisors.
- Tolerate stresses in the work place.

This is a consultative examination only. For both physical and mental impairments no treatment will be administered, or medications prescribed. The physician will not make a statement as to whether you are totally disabled or unable to work. This is a judgment made by DDS.

The basic assumption behind SSI benefits is that there is a link between disability and ability to do substantial work. Qualifying for disability benefits depends upon that link being established. For initial eligibility DDS separates individuals into two groups, those who can meet SGA and those who cannot meet SGA. These are judgement calls and they may be wrong. This is not always an easy or reliable way to determine eligibility for disability benefits. The medical condition and the vocational potential may not always demonstrate whether the individual can or cannot do a substantial amount of work.

If you are denied SSI benefits and you still believe that you are eligible, you are not alone. The DDS report for Minnesota states that 60% of the original applications are denied. Many of these initial denials are overturned when appealed. Reconsideration is the first level of appeal. The reversal rate at this level is approximately 14%. When denials are appealed at the next level, which is before an Administrative Law Judge, the reversal rate is 60%.

If you are denied but still believe that you are eligible for SSI benefits, it is important to appeal the decision. Information on how to appeal can be received directly from SSA or in the next Parent Brief in this series, "Your Right to Appeal."

Applying for SSI is not that difficult. The application forms look more complicated than they really are. Help is available in this application process from SSA and from advocacy organizations.

If you are not working because of your disability, or if your disability substantially limits your work ability — look into SSI.



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Access Parent Briefs and other NCSET materials on-line at: www.ncset.org.

NCSET works to increase the capacity of national, state and local agencies and organizations to improve secondary education and transition results for youth with disabilities and their families. NCSET is headquartered at the University of Minnesota, and is a partnership of six organizations, including PACER Center. NCSET:

- Coordinates national resources that connect policymakers, administrators, professionals, educators, employers, parents, and youth with disabilities to information and useful resources;
- Hosts capacity building institutes and workshops, national summits, national teleconference calls, and additional training opportunities;
- Develops research-to-practice tools for everyday use; and
- Provides technical assistance and outreach.

PACER works with NCSET to represent family perspectives and disseminate information to a national network of federally funded parent centers and the families they serve.



National Center on Secondary Education and Transition
*Creating Opportunities for Youth With
Disabilities to Achieve Successful Futures*



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