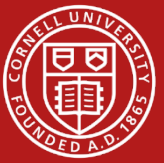


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Court Visitors Benefits Issues

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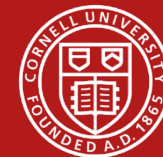


Today's Class

- What's SSDI?
- What's SSI?
- Similarities and Differences
- Who is eligible for each?



The Two Disability Programs



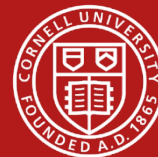
Programs Known As

❖ Social Security Disability Insurance Benefits

- **RSDHI (Retirement, Survivor, Disability, Health Insurance)**
- **Title II, DIB (Disability Insurance Benefits)**
 - **SSDI (Social Security Disability Insurance)**
 - **CDB (Childhood Disability Benefits)**
 - **DWB (Disabled Widow(er) Benefits)**

❖ Supplemental Security Income

- **SSI (Supplemental Security Income)**
- **Title XVI**



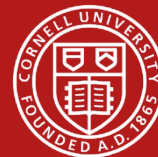
Work History

❖ Social Security Disability Benefits

- **Wage Earner must have accrued sufficient “credits of coverage”**
- **\$1640 in 2023**

❖ Supplemental Security Income

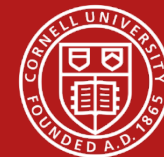
- **No work history is required**



Title II Disability Benefits

Benefits to Recipient's Family

- **Spouses:** At least age 62, or if caring for either a child under 16 or a disabled child of the worker
- **Divorced Spouses:** If the marriage lasted at least 10 years and the person is age 62 years old or older and remains unmarried.
- **Child:** If under age 18 (or under 19 is a full-time high school or elementary student) and dependent unmarried child of an insured eligible worker.
- **Disabled Adult Child/Childhood Disability Benefit:** Adult children (18 or older) of a retired, disabled, or deceased worker, if the disability began before the age of 22.



SSI Benefits to Recipient's Family

❖ Supplemental Security Income

- No family member of the SSI recipient will be eligible for SSI benefits unless he or she independently establishes eligibility for SSI

Waiting Periods

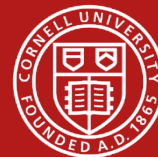
❖ Title II Disability Benefits

- From the date one becomes disabled, there is a five-month waiting period prior to receipt of benefits **EXCEPT DAC/CDB (no waiting period)**



❖ Supplemental Security Income

- **NO** waiting period. An individual may receive benefits as of the first day of the month following month of application



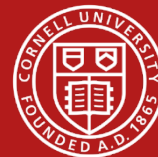
Retroactive Payments

❖ Social Security Disability Benefits

- **Provision for payment up to 12 months before the date of application.**

❖ Supplemental Security Income

- **Only paid as of first day of month following month of application.**



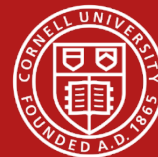
What Affects Benefit Amount?

❖ Social Security Disability Benefits

- **Only Worker's Compensation or other Federal or State disability payments may affect payment level.**
- **Earned Income can affect the benefits (to be discussed later)**

❖ Supplemental Security Income

- **Any income (earned or unearned) affects benefits.**



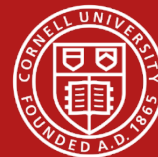
Effect of Resources

❖ Social Security Disability Benefits

- **No resource limits**

❖ Supplemental Security Income

- **Resources must be below \$2,000 for an individual and \$3,000 for federally married eligible couples.**



Health Benefits

❖ Social Security Disability Benefits

- **Eligible for Medicare after receiving benefits for 24 months after establishing eligibility for SSDI**

❖ Supplemental Security Income

- **In New eligible for Medicaid if receiving even \$1.00 of SSI**



Title II Disability and Work

Impact of Income on Title II Benefits

Title II Work Incentives

Trial Work Period

Extended Period
of Eligibility

Extended
Medicare

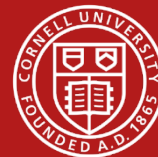
Expedited
Reinstatement

Impairment Related
Work Expense

Subsidy & Special
Condition

Income Averaging

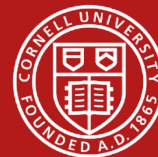
Unsuccessful Work
Attempt



Trial Work Period (TWP)

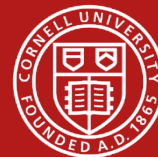
- Nine-month period to test ability to work.
- Beneficiary works for pay and earns *above* the TWP level (\$1050 gross wages per month in 2023).
- Benefits are paid during the TWP regardless of earnings!
- **No other work incentives apply during the TWP.**

Tip: The TWP level will likely increase each year, based on the national average wage index. The table in your text materials shows how the amount has changed over time. Always apply the TWP amount in effect at the time the work was performed!



When Does the TWP Begin?

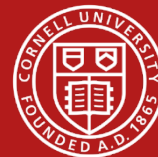
- The first month the beneficiary is entitled to a cash payment—this is called the *Entitlement Month*—as long as they have a favorable written decision from SSA.
- The Entitlement Month is the month following the 5-month waiting period.
- The TWP cannot begin earlier than the date the application was filed.



When Does the TWP End?

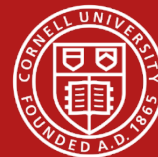
- When the individual has 9 TWP months that fall within a rolling 60-month window.
- The 9 months do not need to be consecutive.
- The 9 months must all fall within a 5-year period.
- To begin charting TWP months, always determine the first month that was above the TWP level.

Note: Due to the rolling period, a beneficiary may accumulate more than 9 TWP months in total.



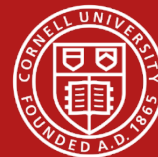
TWP and Self-Employment

- Self-employed individuals use a TWP month when:
 - Net earnings in a month are above the TWP level.
- or*
- They engage in the business activity for at least 80 hours in the month.
- Start-up business activity doesn't count toward the TWP.



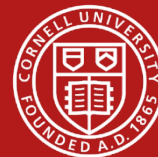
Extended Period of Eligibility (EPE)

- The EPE starts the month after the TWP ends and continues for the next 36 months, regardless of whether work continues.
- For any month during this period when the beneficiary's Countable Earned Income is less than the SGA level, \$1,470 (non-blind) or \$2,460 (blind) in 2023, they receive their SSDI check.
- The first time after the TWP that earnings rise above the SGA level, SSA will cease benefits—but the beneficiary will receive a check for that month and the 2 following months as a grace period. These months must come as a package.



Extended Period of Eligibility (continued)

- **SGA:** At the end of the TWP, if a work CDR indicates the ability to perform SGA, the beneficiary will receive a check in the first month of the EPE and the following 2 months before cessation begins.
- **No SGA:** At the end of the TWP, if a work CDR indicates no ability to perform SGA, payments will continue until the first month of SGA activity and this month will be paid along with the 2 months following before benefits cease.

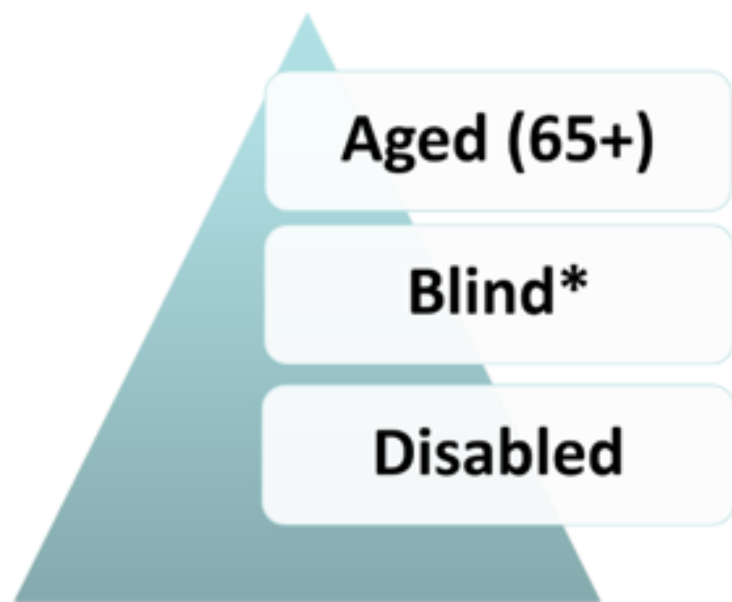


When Are Benefits Terminated?

- If Countable Earnings are above the SGA level after the 36 months have passed (i.e. month 43), Title II cash benefits will be terminated (if the grace period has already been used).
- If the grace period hasn't been used, the "T" month and the "C" month are the same month!

Supplemental Security Income (SSI)

- Title XVI of the Social Security Act
- Implemented in 1974
- Categorical tests



*Acuity \leq 20/200 in better eye with correction; field of vision less than 20 degrees

SSI Income Test

- The formula considers unearned and earned income.
- SSI is an exact science. Use the calculation worksheets to ensure all exclusions and deductions are taken in proper order!



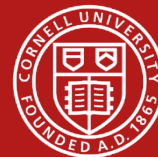


SSI Calculation Worksheet

This worksheet is also found in the course materials as Exhibit 8, and in the Manual near the beginning of Chapter 7

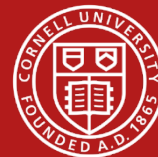
STEP 1	Calculations
Unearned Income	
General Income Exclusion (GIE)	-
Countable Unearned Income	=
STEP 2	
Gross Earned Income	
Student Earned Income Exclusion (SEIE)	-
Remainder	
IDA Contribution*	-
Remainder	
GIE (if not used above)	-
Remainder	
Earned Income Exclusion (EIE)	-
Remainder	
Impairment Related Work Expense (IRWE)	-
Remainder	
Divide by 2	
Remainder	=
Blind Work Expenses (BWE)	-
Total Countable Earned Income	=
STEP 3	
Total Countable Unearned Income	
Total Countable Earned Income	+
PASS Deduction	-
Total Countable Income	=
STEP 4	
Base SSI Rate (2020: FBR \$783 or VTR \$522)	
Total Countable Income	-
Adjusted SSI Payment	=
STEP 5	
Adjusted SSI Payment	
Gross Earned Income Received	+
Gross Unearned Income Received	+
PASS, BWE or IRWE, IDA Contributions, O/P offsets, ABLE contributions	-
Total Financial Outcome	=

*Ensure that IDA is approved by SSA and that the deduction will be allowed.



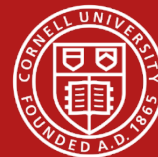
Federal Benefit Rate (FBR)

- The maximum dollar amount that individuals or couples can receive in SSI cash benefits on a monthly basis from the federal government.
- The FBR is adjusted each January. Look for new figures in October or November of each year.
- The 2023 FBR is \$914 per month for an individual and \$1,371 for a married couple.



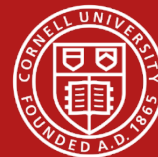
Healthcare

- SSDI – A recipient of SSDI will become eligible for Medicare after receiving 24 monthly cash payments.
 - Part A – Hospital Care – premium free
 - Part B – Doctor Services – Premium based
 - Part C – Medicare Advantage Plan – premium based
 - Part D – Prescription Drug Plan – premium based



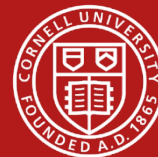
Healthcare

- SSI comes with Medicaid.
- This is automatic in 44 states and DC.
- 5 states require a separate application for Medicaid benefits.
- 1619(b) – Working program
- Medicaid buy-ins – Work program



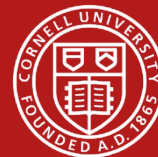
Institutionalization and SSI

- Should an SSI recipient become institutionalized (NH, institution) and the stay is likely to be under 90 days, benefits will be paid to allow the recipient to maintain the housing, etc., situation outside of the institution.
- Should the stay be expected to last more than 90 benefits will not be paid with the exception of NH payments that will see an increase in SSI.



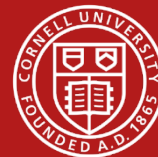
Institutionalization and SSDI

- SSDI is payable to those who become institutionalized.
- However, SSDI is not payable to prisoners held in an institution. Dependents benefits paid to other family members will remain payable.



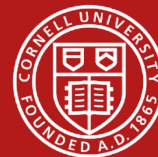
Pre Release Program

- Benefits applications and end of suspensions can be taken by SSA 90 prior to a “release date certain” in an effort to have benefits ready upon the release of the individual.
- The pre release program is available to SSDI and SSI applicants/recipients and applies to institutions and prisons.



Representative Payment

- Representative Payment is made on behalf of a recipient of either SSDI or SSI who has been determined “unable to manage benefits”.
- This is NOT a competency determination. It is an SSA determination that can be made on scant evidence.
- Representative Payees accept the benefits on the recipient’s behalf and must use the benefits to support the recipient.

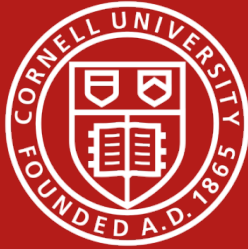


Guardianship

- A Guardianship is created by a Court when the “ward” is determined to be “legally incompetent”.
- The Guardian can take the powers of self-determination and finances on behalf of the “ward”. However, it is hoped that guardianships will be limited as much as possible.
- A determination of incompetency will take decision making power away from the “ward”.



Questions and Hodge Podge



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