



# Office of Developmental Primary Care

Improving outcomes for people with developmental disabilities

## Supplemental Security Income (SSI) for Children

### Background

SSI is a federal/state program in California. It is administered by the Social Security Administration. SSI makes monthly payments to those with low income and limited financial resources and who meet the Social Security's definition of disability. In California, the state adds additional funds to the federal benefit. SSI also pays benefits to low income people who are 65 and older and to low income people who are blind.

### Eligibility

#### General Eligibility

- A "child" is a person under age 18 or under 22 and regularly attending school.
- To be eligible for SSI disability benefits, a child must be blind or disabled. A child may be eligible for SSI disability benefits as early as the date of birth until the child is 18. When the child turns 18 s/he is evaluated again under the definition of disability for adults.

#### Income and Resource Criteria

- In order to receive SSI, a person's resources (things they own, i.e. cash, bank accounts, stocks, land, etc.) must be worth \$2,000 or less for one person (or a child living with one parent) and \$3,000 or less for two (or a child living with two parents/stepparent). Monthly income must be approximately below the level of the monthly benefit. The higher the monthly income a person has, the lower his SSI benefit will be.
- Deemed Resources: If a child is under age 18, not married, and lives at home with parent(s) who do not receive SSI benefits, a portion of the parents' income and resources are "deemed" to the child, as if they were the child's. If the child lives with both a biological or adoptive parent and a stepparent, the stepparent's income can also be deemed to the child. Deemed resources may affect whether or not a child can qualify for SSI benefits, including the amount of the benefit.

#### Citizenship

- The child must be a US citizen or be in certain categories of aliens.

#### Criteria for Disability and Blindness

- Disability for children is defined by Social Security as a physical or mental condition or conditions that can be medically proven and which "result in marked and severe functional limitations." The condition(s) must have lasted or be expected to last at least 12 months or end in death.
- Blindness, as defined by Social Security, is central visual acuity of 20/200 or less in the better eye with best correction or limitation in the field of vision of the better eye so that the widest diameter of the visual field subtends to an angle no greater than 20 degrees.

## The Health Care Provider's Role

A letter from or co-signed by the patient's licensed medical provider can facilitate the application or appeal process significantly. Letters from other health care providers can also be helpful. Information on letter writing guidelines and a listing of impairments is available in the "For More Information" section below.

## Benefits

- Monthly income
- MediCal
- In Home Support Services
- Protective services *(Note: Food stamps are not available to people on SSI.)*

## How to Apply

The first step is to contact Social Security by telephone or visiting the local office to schedule an appointment. This is important because it establishes the *onset date* of disability. Currently, you cannot apply for SSI benefits online. Application must then be made within 60 days.

In certain cases, if the child's medical conditions are so serious that their conditions obviously meet disability standards, they can be found presumptively eligible. In these cases SSI can be paid immediately (and MediCal obtained) while the disability determination is proceeding. Only certain conditions are included. These conditions are referred to as "compassionate allowances". If however, the person is later found to be ineligible, they will be asked to pay this money back. This can be appealed.

This disability determination process is facilitated when all required documents are provided in a timely manner. A letter from the treating physician is very helpful. Processing the SSI claim should take between 1-6 months if all required documents, including a letter and/or records from the treating provider are provided. When a claim is denied by Social Security and an appeal is filed, the SSI claim process can take longer.

## Appeals Process

If an application is denied, there are multiple levels of appeal. The first step is called reconsideration. The second step is a hearing in front of an administrative law judge. There is also an appeal process for overpayments, known as waivers. Many previously denied applications are approved on appeal. Claims for appeal must be made within 60 days of denial at each stage. Documentation of medical impairments by the treating provider(s) is critical to this process.

## For More Information

- Disability Evaluation Under Social Security (includes Listing of Impairments): <http://www.socialsecurity.gov/disability/professionals/bluebook/index.htm>
- Disability Letter Guidelines: <http://familymedicine.medschool.ucsf.edu/odpc/docs/word/letter%20writing%20guidelines.doc>
- Social Security Administration: <http://www.socialsecurity.gov/disability/>. To contact your local Social Security Administration: (voice) 800-772-1213; (TTY) 800-325-0778; <https://secure.ssa.gov/apps6z/FOLO/fo001.jsp>
- Regional Center clients may also contact their Case Coordinator for more information.

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