Supplemental Security Income for Transition Age Youth with Special Needs
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Agenda

- Introductions
- Overview of Supplemental Security Income (SSI)
- Overview of County Responsibilities
- Common Barriers & Best Practices
- Q&A Section
Today’s Presenters

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OVERVIEW OF SSI
What is Supplemental Security Income ("SSI")?

- SSI is a federal program that pays a monthly benefit and provides Medi-Cal to persons with qualifying disabilities.

- **Eligibility:**
  - Little or no income
  - Few or no resources
  - U.S. Citizen (or certain categories of immigrants)
  - "Disabled"—Marked or severe functional limitation expected to result in death or last for at least 12 continuous months
Definition of Disability

- Physical and/or mental impairment that has or will last 12 months or result in death AND limits functioning

- Functional Limitation Standard:
  - Children—cannot function in an age appropriate manner
  - Adults—cannot engage in substantial gainful employment
Overview of SSI Process

- **Step 1: Application**
  - Can take approximately 6 months to receive decision
  - Are almost always denied

- **Step 2: Reconsideration**
  - Have 60 days to request reconsideration after denial
  - Can take an additional 3-4 months to receive decision
  - Opportunity to submit new/additional evidence
  - Most are denied

- **Step 3: Administrative Hearing**
  - Have 60 days to request hearing after denial
  - Can take 6 months+
  - Youth may need to testify before administrative judge
SSI: What Do They Get?

- Medicaid + Cash Benefit
  - Disabled child - $815.15
  - Disabled child in the home of another - $568.67
  - Independently living adult - $910.72
- Non-Medical Out of Home Care: $1173.37
  - Children who are not living with their parents (applies to youth living with a foster parent, relative caregiver, or guardian)
Non-Medical Out-of-Home Care
MPP 46-140

• Child lives in foster placement, with non-parent relative, or non-related legal guardian and needs:
  o (A) Assistance in dressing, grooming, bathing and other personal hygiene.
  o (B) Assistance with taking medication.
  o (C) Central storing and/or distribution of medications.
  o (D) Arrangement of and assistance w/ medical/dental care.
  o (F) Supervision of client schedules and activities.
  o (H) Monitoring food intake or special diets.
• CWD certifies and returns SSP-22 within 13 working days.
Non-Medical Out-of-Home Care: The SSP-22 Form

- Most of SSP-22 form is completed by the Social Security Administration
- The “County Welfare Department” completes Section B
- The “Effective Date” for the NMOHC rate comes from Page 2 of the form
SSP-22 Form: Client Statement

- Client completes Page 2 of the SSP-22 form, indicating when the NMOHC began.
- County Welfare Department certifies the SSP-22 and returns it to Social Security within 13 working days.
SSP-22 Form: Beginning Date of Aid
MPP 46-140.64-.65

If the youth was receiving NMOHC care in the home of a relative or legal guardian when s/he establishes eligibility for SSI, then whichever of the following is later:

- Date of SSI application
- Date all SSI eligibility requirements are met

If the youth is already receiving SSI and subsequently begins receiving NMOHC, then when the county is asked to certify the NMOHC.

- Exception: If NMOHC care began earlier, then back to the month care began or 3 months before request (whichever is later).
SSI: When Does it End?

• Continues as long as disability, income and resources criteria are met

• Different disability standard for adults
  o Continuing Disability Review (“CDR”) to determine if the youth meets adult disability criteria
  o Benefits continue until CDR is complete – no need to reapply at 18.
  o **Note:** If a child still has an IEP, then benefits should continue until the child exits from special education, even if the child is determined no longer disabled
How Can SSI Help a NMD Transition Out of Foster Care?

- Links to Medi-Cal (while in care and after the youth exits care)
- May qualify youth for permanent affordable housing (can use time in EFC to apply for these housing slots!)
- Programs to help youth pursue education or attempt work without losing eligibility
- Can receive school scholarships and SSI simultaneously
- Allows youth additional time to establish SSI eligibility under adult standards
- Allows caregivers to continue caring for youth with disabilities after they age out of care
ASSEMBLY BILL 1331
County Responsibilities: Screen & Submit

• County Responsibilities under AB 1331 (WIC § 13757)

1. **Screen** all youth who are in foster care and are between the ages of 16.5 and 17.5 years of age for a physical or mental disability using an “SSI Disability Screening Guide.”

2. **Submit** an SSI application on behalf of those youth who are determined likely eligible for benefits.

**Goal:** Ensure that TAY with disabilities make a safe, supported transition out of foster care
Eligibility Screening

• **Note**: Counties’ obligation to screen youth for SSI eligibility has **not** changed as the result of extended foster care.

• All youth must be screened before age 17.5, even if they are going to remain in foster care until age 21.

• SSI Disability Screening Tool (FC 1633A) developed
Why Is It Important to Complete the SSI Determination Before Age 18?

- Evidence used to establish SSI eligibility for a child helpful in establishing ongoing eligibility for a youth adult

- Ensuring SSI is in place at age 18 provides youth maximum flexibility and choice among benefits, services and supports

- Even if a youth is determined to no longer meet the criteria after turning 18, they can continue to receive SSI if:
  - Participating in the Ticket to Work and Self-Sufficiency Program or other program of vocational rehabilitation, employment or other support services – AND –
  - Completion of the program or continued participation for a specified period increases the likelihood that the youth will not return to SSI
  - **NOTE**: Continuation in an IEP program is automatically considered an acceptable program that will reduce dependence on benefits.
What Happens After Eligibility Screening?

• If “Yes” answers, submit screening and supporting documentation to designated liaison

• If all “No” answers, retain copy of screening form in youth’s file
County Responsibility: Submit

- County child welfare agencies are responsible for submitting SSI applications on behalf of TAY screened as eligible

- Best Practices:
  1. Submit **early** to ensure that youth exits care with SSI benefits
  2. Use **existing** information instead of relying on caregiver or youth to produce information
     - Medical Records
     - Education Records
     - Special Education Evaluations & IEPs
     - Regional Center Evaluations & IPPs
     - Contact Information
  3. **Track** appeal deadlines and submit timely appeals
     - If appeal is not submitted timely, youth may need to restart process, losing time and retroactive benefits
SSI Benefits for NMDs

• NMDs cannot receive both the full amount of SSI and the full amount of federal foster care funding at the same time.

• If federal foster care funding is higher, NMD’s SSI benefits are temporarily suspended to preserve eligibility.

• Once foster care funding ends at 21, NMDs can continue to receive SSI benefits.
Representative Payees

- The County should be the payee of last resort.
  - “The county shall apply to be appointed representative payee on behalf of a child beneficiary in its custody when no other appropriate party is available to serve.” (WIC 13754)

- A legal guardian or caregiver can become payee by making a request with the local Social Security Office.
  - Good idea? When the child is receiving SSI benefits, but the caregiver is receiving less than $1100 for the child.
Common Barriers to SSI Benefits

• Lack of medical or education information/records
  - Ex. Youth is not receiving treatment/in school
  - Ex. Provider/School will not disclose records to caregiver
  - Ex. Caregiver does not have much information about the youth

• Failure to engage treating provider

• Limitations due to disability
  - Ex. Youth refuses to participate in treatment
  - Ex. Youth has difficulty articulating limitations/presents well

• Delay in timely filing application or appeal
Best Practices for Obtaining SSI

• County-funded programs to assist youth with disabilities with obtaining SSI
  o Alameda County SSI Trust
  o Los Angeles County CBEST Program

• Help youth with the Continuing Disability Review – appeal adverse decisions!
Money to SSI Eligible Clients

Money reinserted in program

SSI lump sum pays back County+ goes to clients

Attorneys assist clients to obtain SSI

Money to Attorneys

Anatomy of an SSI Trust
Alameda County SSI Trust Results

- Cost neutral to the county within 2 years
- Program has grown from 25 attorneys in 2011 to 75 in 2018
- In the year following approval for SSI benefits:
  - 79% of clients experienced fewer psychiatric emergency events
  - 80% of clients experienced fewer hospitalizations
  - 75% of clients experienced fewer incarcerations
Best Practices: Using SSI Eligibility to Assist in Transition Planning

• Assist NMD in applying for permanent affordable housing

• Gain understanding of SSI programs designed to help individuals work or pursue their education
  o Ticket to Work
  o Plan to Achieve Self Sufficiency
  o Student Earned Income Exclusion
Questions?
Thank you!

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