

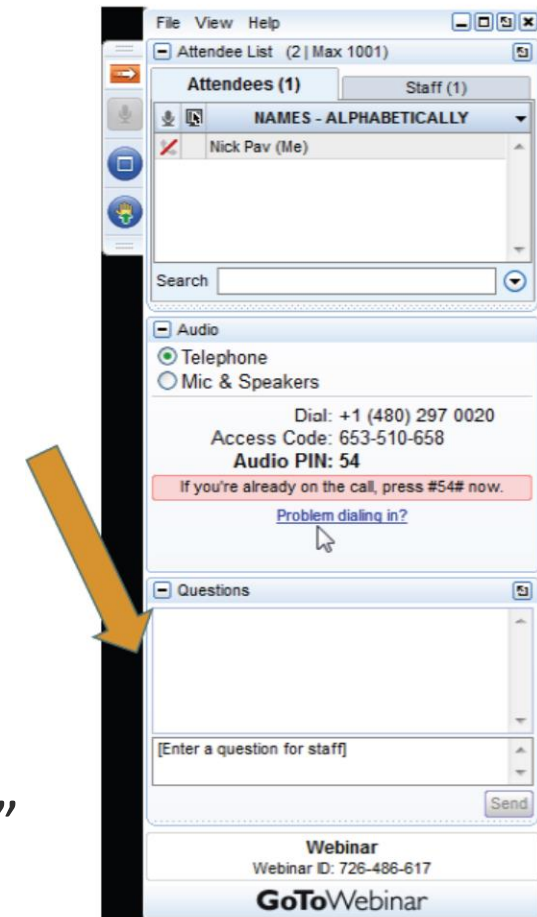


ALLIANCE
for CHILDREN'S
RIGHTS

Supplemental Security Income for Transition Age Youth with Special Needs

Logistics

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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:
 - (A) Assistance in dressing, grooming, bathing and other personal hygiene.
 - (B) Assistance with taking medication.
 - (C) Central storing and/or distribution of medications.
 - (D) Arrangement of and assistance w/ medical/dental care.
 - (F) Supervision of client schedules and activities.
 - (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

STATE OF CALIFORNIA - HEALTH AND HUMAN SERVICES AGENCY
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**AUTHORIZATION FOR NONMEDICAL OUT- OF- HOME CARE
(BOARD AND CARE)
(SSA COMPLETES ALL BUT SECTION 'B')**

DATE

APPLICANT/RECIPIENT'S NAME SEX DATE OF BIRTH SOCIAL SECURITY NUMBER
 M F

APPLICANT/RECIPIENT'S HOME ADDRESS RECEIVING INHB TELEPHONE NUMBER

AGED
 BLIND
 DISABLED TYPE OF DISABILITY

REASON FOR CERTIFICATION
 CHANGE OF ADDRESS CHANGE OF LIVING ARRANGEMENT OTHER

I. SSA OFFICE REQUEST TO COUNTY WELFARE DEPARTMENT FOR CERTIFICATION

ADDRESS FOR WINDOW ENVELOPE

TO

SSA REPRESENTATIVE REQUESTING INFORMATION
NAME
TITLE
TELEPHONE NUMBER

A. SSA OFFICE REQUEST
The above-named person may be entitled to the nonmedical out-of-home care benefit level in the home of a relative or a facility.
(MPP Section 46-140)

NAME OF RELATIVE RELATIONSHIP OR FACILITY

Please certify whether or not this person is receiving nonmedical out-of-home care.

B. COUNTY WELFARE DEPARTMENT RESPONSE
I certify that the above named

IS NOT receiving nonmedical out-of-home care as authorized under DSS MPP Section 46-140.
 IS receiving nonmedical out-of-home care as authorized under DSS MPP Section 46-140 in the arrangement described below.

CHECK ONE:
 a. The home of a relative or legally appointed guardian or conservator, or,
 b. A certified family home or foster family home

EFFECTIVE (See Reverse)
MONTH / DAY / YEAR

SIGNATURE OF CERTIFYING COUNTY REPRESENTATIVE TITLE TELEPHONE DATE
SIGNATURE OF SUPERVISOR TITLE TELEPHONE DATE

II. SSA OFFICE VERIFICATION OF LICENSED CARE FACILITIES CASE

A. I have verified that the above-named person lives in a licensed nonmedical out-of-home care facility, license number
The effective date of the living arrangement is MONTH / DAY / YEAR

Current residency was confirmed with NAME TITLE

B. Licensure was verified by:
 List supplied by State Department of Social Services.
 Telephone contact with
 Other (specify)

SIGNATURE OF REPRESENTATIVE TITLE OFFICE DATE

RETURN TO

ADDRESS FOR WINDOW ENVELOPE

OFFICE

SSP 22 (9/99)

- 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

COUNTY INSTRUCTIONS

When the county cannot obtain material evidence that the individual needed and was receiving care in the living arrangement continuously from an earlier date, have the client complete the statement below. When this is necessary, the county will enter the date to which the client has attested in the "EFFECTIVE" section of Part B. on the authorization form.

NOTE: MPP Section 48-140.65 limits the earlier date for an individual who is already receiving SSI/SSP to the month in which the care began or three (3) months from the month the County is asked to certify the NMOHC living arrangement, whichever is later.

CLIENT STATEMENT FOR RETROACTIVE CERTIFICATIONS.

I certify that I have been in my current living arrangement with my _____ since _____
DATE RELATIONSHIP

I AGREE TO IMMEDIATELY NOTIFY SOCIAL SECURITY IF THERE IS ANY CHANGE IN MY CURRENT LIVING ARRANGEMENT.

APPLICANT/RECIPIENT SIGNATURE	SOCIAL SECURITY NUMBER	DATE
▶		

- 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
 - Continuing Disability Review (“CDR”) to determine if the youth meets adult disability criteria
 - Benefits continue until CDR is complete – no need to reapply at 18.
 - **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 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.

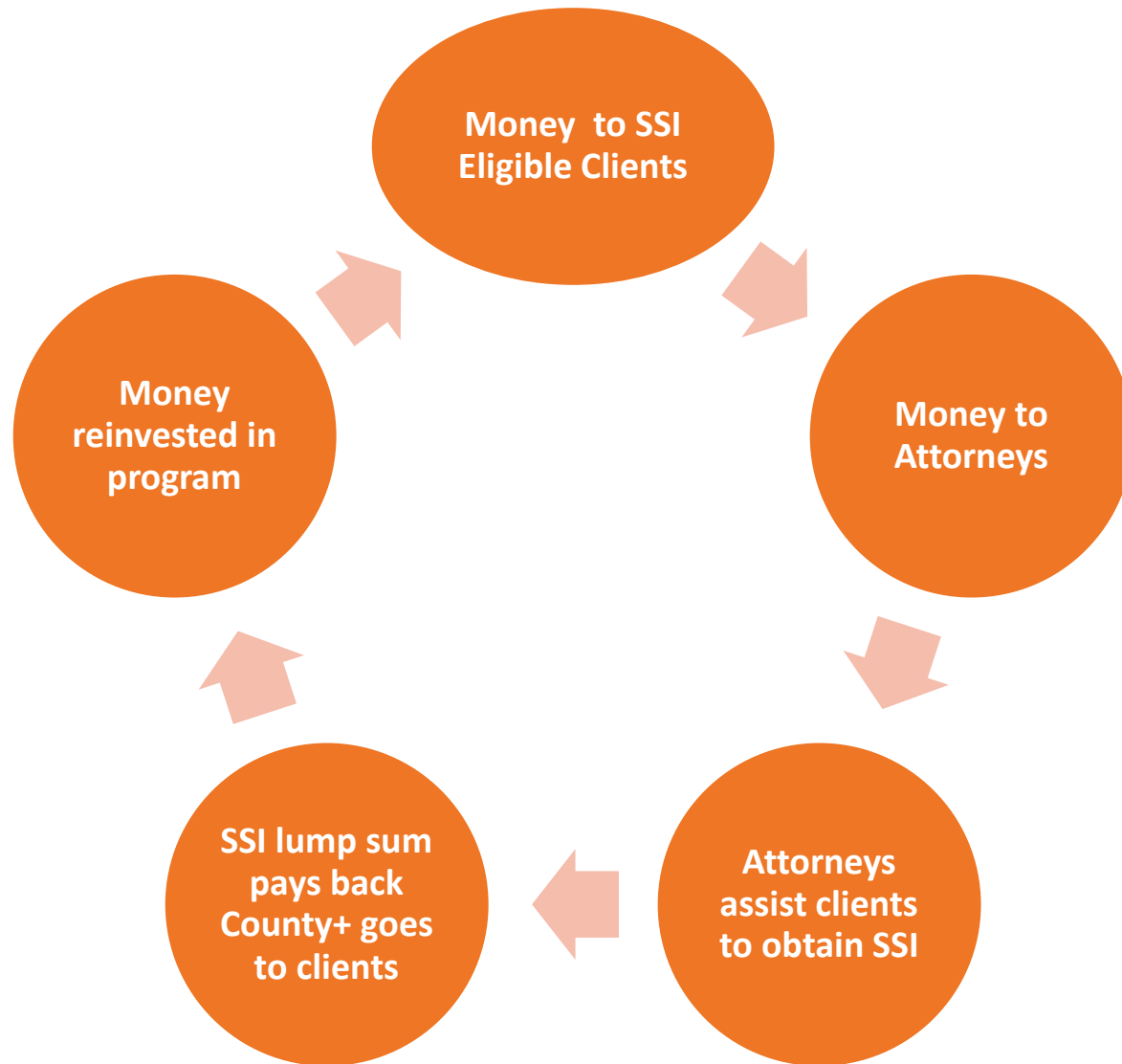
Common Barriers to SSI Benefits

- 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
 - Alameda County SSI Trust
 - Los Angeles County CBEST Program
- Help youth with the Continuing Disability Review – appeal adverse decisions!

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
 - Ticket to Work
 - Plan to Achieve Self Sufficiency
 - Student Earned Income Exclusion

Questions?

Thank you!

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