

## SUPPLEMENTAL SECURITY INCOME (SSI)

The Supplemental Security Income (SSI) program provides financial assistance to low-income people who are aged, blind, or disabled. It is a needs-based program and not based on past work experience. Applicants must meet financial requirements and must have a disability that meets the Social Security definition of disability. If eligible, you receive a cash benefit intended to help you pay for your basic needs of food, clothing, and shelter. The program is operated by and application is made through the Social Security Administration.

### TOPICS COVERED

- Eligibility
- Benefits
- Work Incentive Programs
- Appeal Rights
- New Hampshire Social Security Offices

For more detailed information, see the Social Security website at:  
[http://socialsecurity.gov/pgm/links\\_disability.htm](http://socialsecurity.gov/pgm/links_disability.htm).

### ARE YOU ELIGIBLE FOR SSI BENEFITS?

You are eligible for SSI benefits if you:

1. Are **aged, blind, or disabled**;
2. Have a **countable income** at or below SSI income limits;
3. Have **countable resources** with a value of no more than \$2,000 (or \$3,000 if you have an eligible spouse);
4. Are a U.S. resident;
5. Are a citizen, a national or an eligible non-citizen; and
6. Have **applied** for benefits.

You must also apply for any other cash benefits you are eligible for, such as SSDI or a pension. Each of the bolded terms are explained below.

#### **Aged, Blind, Disabled**

- “Aged” simply means age 65 or older.
- “Blind” means that you are statutorily blind— you have a “central visual acuity of 20/200 or less in your better eye with the use of a correcting lens. An eye which has a limitation in the field of vision so that the widest diameter of the visual field subtends an angle no greater than 20 degrees is considered to have a central visual acuity of 20/200 or less.”
- “Disabled” means an “inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months.” The Social Security Administration uses a five-step process to decide if you are disabled.

**NOTE: There is a different definition of “disabled” for a child, someone under age 18. That definition is not covered here. You may learn more about requirements for children at <http://www.socialsecurity.gov/ssi/text-child-ussi.htm>.**

**1. Are you working?**

If you are working and your earnings average more than \$1,090 per month in 2015, the Social Security Administration generally will consider you engaged in “substantial gainful activity” and not disabled.

If you are not working, or your monthly earnings average the current amount or less, the New Hampshire Disability Determination Service then looks at your medical condition.

**2. Is your medical condition “severe”?**

For the New Hampshire Disability Determination Service to decide that you are disabled, your medical condition must significantly limit your ability to do basic work activities—such as walking, sitting and remembering—for at least one year. If your medical condition is not that severe, it will not consider you disabled. If your condition is that severe, the process goes on to step three.

**NOTE: You have the burden of proof of disability. Complete documentation of your medical condition in the application process is very important.**

**3. Is your medical condition on the List of Impairments?**

The New Hampshire Disability Determination Service has a List of Impairments that describes medical conditions that are considered so severe that they automatically mean that you are disabled as defined by law. If your condition (or combination of medical conditions) is not on this list, it looks to see if your condition is as severe as a condition that is on the list. If the severity of your medical condition meets or equals that of a listed impairment, it will decide that you are disabled. If the severity of your medical condition does not meet or equal a listed impairment, the process goes on to step four.

**4. Can you do the work you did before?**

At this step, the New Hampshire Disability Determination Service decides if your medical condition prevents you from being able to do the work you did before. If it does not, you are not disabled. If it does, the process goes on to step five.

**5. Can you do any other type of work?**

If you cannot do the work you did in the past, the New Hampshire Disability Determination Service looks to see if you would be able to do other work. It evaluates your medical condition, your age, education, past work experience and any skills you may have that could be used to do other work. If you cannot do other work, it will decide that you are disabled. If you can do other work, it will decide that you are not disabled.

**Countable Income**

“Income” means income that is earned, unearned, in-kind, and deemed. Examples of each are:

- Earned income—wages from employment or net earnings from self-employment;
- Unearned income— Social Security benefits, pensions, unemployment benefits, interest income, and cash from friends and relatives;
- In-kind income— food or shelter that you get for free or for less than fair market value; and
- Deemed income— part of the income of your ineligible spouse with whom you live; or your sponsor (if you are an alien).

Not all income is countable. Examples of income not counted are given in the box on the right. Other income that is not counted includes:

- The first \$65 of *earned* income plus one-half of the remaining *earned* income received in a month;
- The value of impairment–related work expenses for items or services that a disabled person needs in order to work;
- The value of work expenses that person who is blind incurs in order to work;
- Income set aside under a Plan to Achieve Self–Support (PASS);
- Grants, scholarships, fellowships or gifts used for tuition and educational expenses; and
- Up to \$1,780 per month to a maximum of \$7,180 per year in *earned* income for a student under age 22.

To be eligible for SSI, your *countable* income must be at or below the program income limits, as shown in the table on the right.

**EXAMPLES OF INCOME NOT COUNTED**

- First \$20 of most income received in a month
- Value of food stamps
- Income tax refunds
- Home energy assistance
- State or local assistance based on need
- Small amounts of income received irregularly or infrequently
- Interest or dividends earned on countable resources or resources excluded under other Federal laws
- Food or shelter based on need provided by nonprofit agencies
- Loans to you (cash or in–kind) that you have to repay
- Money someone else spends to pay your expenses for items other than food or shelter (for example, someone pays your telephone or medical bills)
- Disaster assistance

SSI INCOME LIMITS (2015)	
Individual whose income is only from wages	\$1551
Individual whose income is not from wages	\$753
Couple whose income is only from wages	\$2,285
Couple whose income is not from wages	\$1,120

**Countable Resources**

Resources are things you own. Examples are: cash, bank accounts, stocks, U.S. savings bonds, land, life insurance, personal property, vehicles, and anything else you own that could be exchanged for cash and used for food or shelter. Resources may also include *deemed* resources, part of the resources owned by your spouse or your sponsor (if you are an alien).

Not all resources are *countable*. Some examples of resources not counted are given in the box on the right. Some other resources that are not counted are:

- Property essential to self-support;
- Resources for an approved plan for achieving self-support (PASS); and
- Money saved in an Individual Development Account (IDA).

To be eligible for SSI the total value of your countable resources may not exceed \$2,000 (or \$3,000 if you have an eligible spouse).

**EXAMPLES OF RESOURCES NOT COUNTED**

- The home you live in and the land it is on
- Household goods and personal effects
- Your wedding and engagement rings
- Burial spaces for you or your immediate family
- Burial funds for you and your spouse, each valued at \$1,500 or less
- Life insurance policies with a combined face value of \$1,500 or less
- One vehicle, regardless of value, if used for transportation for you or a member of your household
- Retroactive SSI or Social Security benefits for up to nine months after you receive them (including payments received in installments)
- Grants, scholarships, fellowships, or gifts set aside to pay educational expenses for 9 months after receipt
- Disability or special needs trusts that meet federal requirements

**Application**

Call the Social Security Administration at 1-800-772-1213 (or TTY 1-800-325-0778 if you are deaf or hard of hearing) and make an appointment to apply for SSI benefits. You cannot apply for SSI online.

**For more information on SSI eligibility see the Social Security website at:**  
[http://socialsecurity.gov/pgm/links\\_ssi.htm](http://socialsecurity.gov/pgm/links_ssi.htm)

**WHAT ARE THE SSI BENEFITS?**

The SSI benefit is a monthly cash payment and the amount varies with your living arrangement. Maximum benefits in are shown in the table below.

Living arrangement:	Maximum Benefit	
• If you live alone or pay your share of food and housing costs	Individual	\$733
	Couple	\$1,100
• If you live in the household of another	Individual	\$488.67
	Couple	\$733.33

Generally, the more "countable income" you have, the less your SSI benefit will be. The benefit calculation is a two steps process.

<p><b>Step 1:</b> Subtract any income that is not counted from your total income. The remaining amount is your "countable income".</p> <p>1) Your Total Income  <u>-Your income that we do not count</u>                  Your countable income</p>	<p><b>Step 2:</b> Subtract your "countable income" from the SSI Federal benefit rate. The result is your monthly SSI benefit.</p> <p>2) SSI Federal benefit rate  <u>-Your countable income</u>                  Your SSI Federal benefit</p>
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Here are two examples from the Social Security Administration.

**EXAMPLE 1 – SSI Federal Benefit with UNEARNED income**  
 Total monthly income = \$300 (Social Security Disability Insurance Benefit)

1) \$300 (Social Security benefit)	2) \$733 (SSI Federal benefit rate)
<u>-20</u> (Not counted)	<u>-280</u> (Countable income)
= \$280 (Countable income)	= \$453 (SSI Federal benefit)

**EXAMPLE 2 – SSI Federal Benefit with EARNED income**  
 Total monthly income = \$317 (Gross wages from employment)

1) \$317 (Gross wages)	2) \$733 (SSI Federal benefit rate)
<u>-20</u> (Not counted)	<u>-116</u> (Countable income)
\$297	= \$617 (SSI Federal benefit)
<u>-65</u> (Not counted)	
\$232	
<u>÷ 2</u> (Divided by ½)	
= \$116 (Countable income)	

Notice that while the incomes in both examples are about the same amount, the SSI benefit is significantly greater in the second. Earned income, from employment, is treated much more favorably. Total of income and SSI benefit for the person in Example 1 is \$753 (\$300 + \$453) and in Example 2 is \$934 (\$317 + \$617). Clearly, there is an advantage to employment.

For more information on the SSI benefit see the Social Security website at:  
[http://socialsecurity.gov/pgm/links\\_ssi.htm](http://socialsecurity.gov/pgm/links_ssi.htm).

**WHAT ARE THE SSI WORK INCENTIVE PROGRAMS?**

**Impairment Related Work Expenses**

Social Security deducts the cost of impairment-related expenses that you need in order to work from your earnings when it calculates whether you are performing substantial gainful activity and when it calculates your benefit amount. Examples of impairment-related expenses include costs for wheelchairs, certain transportation, and specialized work-related equipment.

**Blind Work Expenses**

If you are blind, Social Security excludes the portion of your earned income that you use to meet the expenses of working. They exclude this amount in the eligibility determination and in the benefit calculation. Expenses need not be related to blindness and include earned income used to pay income taxes, meals consumed during work hours, transportation costs, or guide dog expenses.

**Earned Income Exclusion**

As discussed in the explanation of income, Social Security does not count the first \$65 of the *earned* income you receive in a month, plus one-half of the remaining *earned* income. In other words, they count less than one-half of *earned* income when they determine eligibility or calculate your SSI benefit amount.

**Student Earned Income Exclusion**

If you are under age 22 and regularly attend school, Social Security does not count up to \$1,780 (2015) of *earned* income per month when they calculate your SSI benefit amount. The maximum yearly exclusion is \$7,180 (2015). Social Security applies the student earned income exclusion before the general income exclusion or the earned income exclusion.

“Regularly attending school” means that you take one or more academic courses and attend classes:

- In a college or university for at least 8 hours a week; or
- In grades 7-12 for at least 12 hours a week; or
- In a training course to prepare for employment for at least 12 hours a week (15 hours a week if the course involves shop practice); or
- For less time than indicated above for reasons beyond your control, such as illness.

There are also home schooling allowances if you are instructed in grades 7-12.

**Plan to Achieve Self-Support (PASS)**

A Plan to Achieve Self-support is a plan to help people with disabilities return to work. A PASS allows you to set aside money or other property to pay for items or services you need to achieve a specific work goal. The money you set aside is not counted.

You determine what training, items, or services you need to reach your work goal. It may include the cost of supplies for a business start-up, school expenses, equipment and tools, transportation, or uniform requests. With a PASS, you save for these costs.

To set up a PASS, you:

- Decide on a work goal and determine the items and services you need to achieve that goal;
- Get the 15-page PASS form from your local Social Security office, online at <http://www.ssa.gov/online/ssa-545.html> or from any of the help sites listed in the box on the right;
- If your goal is self-employment, you must prepare a business plan; and
- Bring or mail your completed form to the Social Security office for review.

A Social Security specialist reviews your PASS, ensures the plan and costs are reasonable, and notifies you of its decision. If changes are needed, the PASS expert will discuss it with you and give you the opportunity to make the changes. You also may appeal a denial.

**GETTING HELP TO SET UP A PASS**

*It is often helpful and recommended that you get assistance to set up a PASS.* You can get help to set up a PASS from:

- A vocational rehabilitation counselor;
- An organization that helps people with disabilities;
- A Benefits Specialist or A Protection and Advocacy organizations who have contracts with the Social Security Administration;
- An Employment Network involved in the Ticket to Work program;
- The local Social Security office; or
- Anyone else who would like to help you.

For more information about PASS, see the Social Security website at:  
<http://www.ssa.gov/disabilityresearch/wi/pass.htm>.

**NOTE: PASS is also excluded income under the Food Stamp Program and the Medicaid program.**

### ***Expedited Reinstatement***

If your SSI benefits ended because you worked and had earnings, you may request that your benefits start again without having to complete a new application. While Social Security determines whether you are eligible for benefits again, you may receive *provisional (temporary) benefits* for up to 6 months.

You are eligible for expedited reinstatement if you:

- Stopped receiving benefits because of earnings from work;
- Are unable to work or perform substantial gainful activity;
- Are disabled because of an impairment(s) that is the same as or related to the impairment(s) that allowed you to get benefits earlier; and
- Make the request within 5 years from the month your benefits ended.

Provisional benefits include a cash benefit and Medicare coverage. They usually do not have to be paid back if Social Security later finds you not eligible. Provisional payments are paid for up to six months, but will end sooner if you: are notified of an eligibility decision; engage in substantial gainful activity; or reach full retirement age.

For more information on SSI work incentives, see the Social Security Work Incentives website at  
<http://www.ssa.gov/disabilityresearch/wi/generalinfo.htm>.

## WHAT ARE MY RIGHTS IF I DISAGREE WITH A SSI ELIGIBILITY DETERMINATION MADE BY THE SOCIAL SECURITY ADMINISTRATION?

You have the right to appeal a decision made by the Social Security Administration that you do not agree with. Generally, there are four levels in the appeal process. When the Social Security Administration sends you a decision letter, they will include information on which process is available to you and how to proceed.

1. **Reconsideration.** A complete review of your claim by someone who did not take part in the first decision. The review includes all information submitted in your original claim and anything new you wish to submit. This is usually a “desk” review and you generally do not need to be present.
2. **Hearing by an administrative law judge.** If you disagree with the reconsideration, you may ask for a hearing and you may have someone represent you at the hearing. An administrative law judge is the hearing officer and is someone who had no part in your case prior to the hearing. You may be asked to submit more information and you may review all information held by the Social Security Administration before the hearing. You may also bring witnesses to the hearing and you, or your representative, may question any witnesses brought in by the Social Security Administration.
3. **Review by the Appeals Council.** If you disagree with the hearing decision, you may ask for review by the Social Security Appeals Council, which is located in the Washington, D.C. area. The Council may deny a request for review if it believes the hearing decision was correct. If the Council accepts your case, it may review the case or it may return it to the administrative law judge for further review.
4. **Federal Court review.** If you disagree with the decision of the Appeals Council or if the Council decides not to review your case, you may file a lawsuit in federal district court.

For more information on SSI appeals, see the Social Security Hearings and Appeals Process website at:  
<http://www.ssa.gov/appeals/index.html>

**New Hampshire Social Security Offices**

70 Commercial St. Suite 100 Concord, NH 03301-5005	34 Mechanic St. Keene, NH 03431	177 Main St. Littleton, NH 03561
2 Wall St. Suite 301 Manchester, NH 03101	175 Amherst St. Suite 2 Nashua, NH 03064	80 Daniel St Federal Bldg., Room 200 Portsmouth, NH 03802

**New Hampshire Disability Determination Services**

Medical decisions are made by the New Hampshire Disability Determination Service at:

**Division of Adult Learning and Rehab  
Disability Determination Services  
21 South Fruit St., Suite 30  
Concord, NH 03301**

**New Hampshire Office of Disability Adjudication and Review**

Social Security decisions which are appealed to the Office of Disability Adjudication and Review for a decision before an Administrative Law Judge are held in the:

**Office of Disability Adjudication and Review  
1750 Elm Street, Suite 303  
Manchester, NH 03104**