SSI/SSD Application Overview

- Mellani says....... 
  - Ready 
  - Set 
  - Go!
<table>
<thead>
<tr>
<th>Our Message in a Nut Shell</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HUGE</strong> missing piece in social services; it’s foundational to self sufficiency for a person with severe disabilities</td>
</tr>
<tr>
<td>When we prevail, our clients become consumers again. Money goes back in to local economy</td>
</tr>
<tr>
<td>Stable housing options open up (money for rent)</td>
</tr>
<tr>
<td>Proper medical attention (Medicaid insurance)</td>
</tr>
</tbody>
</table>
What is Social Security Disability?

- **Social Security Trust Fund**
  - Retirement Benefits
  - Survivors Benefits
  - Disability insurance (**SSD**)

- Medical Insurance Component:
  - Medicare

FICA taxes
What is Supplemental Security Income?

- **Absolute basic needs**
  - Food
  - Shelter (SSI) = $735/mth.
  - Clothing

- Must not have any assets equaling over $2,000/mth.
  - Exemptions = House, a Car, Household items

- Medical Insurance component:
  - Medicaid
Program Origins: Code 42 of the CFR’s

- Social Security Act; Retirement (1935)
- Social Security Disability Insurance (1956)
- Medicare and Medicaid (1965)
- Supplemental Security Income (1976)
  - Only 41 years ago!
Social Security disability programs

- NON-MEDICAL SSA FIELD OFFICES (FO)
- MEDICAL STATE AGENCY (DDS)

- Federal employees work in FOs, regional offices (ROs), Judges at hearings and appeals

- State Agencies (DDS’s) make disability determinations for these federal programs with federal oversight
Levels of Administrative Review and Federal Review

- Initial Decision
- Reconsideration Appeal
- Hearings Appeal
- Appeals Council Appeal (Falls Church, VA)
- Federal District Court (often remanded back to the SSA’s Administrative Review process above)
- US Ninth Circuit Court of Appeals
- US Supreme Court
- Post-eligibility Continuing Disability Review
Why we need to learn this

- Poor public understanding of SSA’s criteria
- The more we know the more we can help SSA make an appropriate decision
- Help identify the cases that are falling through the cracks in the social services systems
- Provide more help to claimants with forms
- Help dispel the myths out there
Barriers for the homeless applicants

- Many folks DO NOT want to go into an SSA office
- Limited to no medical records
- No regular access to healthcare
- No physical address and telephone
- Problems reporting changes to SSA/DDS
- Substance abuse
- Legal involvement
- Dangerous and unhealthy environment
- No place to keep important paperwork
- Inability to follow-through
Why we need to learn this

The Community Connection
Medicaid and SSI/SSD benefits assistance help more than just the recipient!

- Dept. of Corrections & Jails
- Families of the disabled
- Disabled citizen becomes a consumer
- All SSA/DDS Offices
- All Medical Providers
- Mental Health Providers
- A & D Treatment Centers
- State Medicaid Programs
- Shelters
- Homeless Veterans
- Child Support
- TANF
- Legal Aids
- Housing Programs
- Dept. of Corrections & Jails
- Families of the disabled
- Disabled citizen becomes a consumer
- All SSA/DDS Offices
- All Medical Providers
- Mental Health Providers
- A & D Treatment Centers
- State Medicaid Programs
- Shelters
- Homeless Veterans
- Child Support
- TANF
- Legal Aids
- Housing Programs
SSA’s Definition of Disability is the most strict

- The 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**.
**Key SSA Terms & Criteria**

- **Substantial Gainful Activity** = Ability to earn $1,170/mth. In SSA terms

- **Medically Determined Impairment** = Current diagnosis is required

- **Disabled 12 months** = unable to make SGA ($1,170/mth.) for 12 consecutive months

- This all adds up to a very **severe illness or disease**
# Common misconceptions

- Decision is **all or nothing**, “not disabled” or “disabled”, **no partial disability**
  - “My medical records will show I am disabled”
  - “My doctor will make sure I get disability”
  - “I’ll need to hire an attorney to get benefits”
  - “It will take years to get my benefits”
  - “I can’t be working while I apply”

**Lack of support and preparation result in denials**

**Be prepared to strongly advocate for yourself or others in writing**
Disability Determination

- **Adjudication of Evidence**
  
  *The Sequential Evaluation*
  
  1. **Step 1** Are they performing SGA?
  2. **Step 2** Do they have a severe impairment?
  3. **Step 3** Do their impairments meets/equals a listing?
     - 3.5 DDS “rates” what they think the claimant can do
  4. **Step 4** Is there something in their past work that they can still do?
  5. **Step 5** Is there a job they can do in the national economy?
Making a thorough application

- **Collecting the evidence FIRST!**
  - You want to see what’s already in the records
  - Make written requests for **all** existing records as far back as you can go

- **Developing the evidence**
  - Become SSA’s eyes and ears by clearly describing impairments
  - Make it easy for them, they DO NOT ever see the claimant
  - Create a “**disability timeline**” for your use in the form of a written narrative report about how poorly the claimant functions day to day.

  - **Written testimony. Letters from friends and family**

Do all applications and appeals on-line at SSA.gov
Evidence

- Types of Evidence
  - Medical/Psychological Records (doctorate level)
  - Primary Care Providers’ opinion statements
  - State Consultative Examinations (not desirable)
  - “Lay” Reports (legal docs., friends, family, PO’s, anyone who knows something about the claimant’s disability)
  - Employer(s) statements (past and present)
  - Schools (IEPs, testing, observations)
  - Institutions (hospital, rehab, corrections)
  - Public Domain (Don’t forget to check the ‘Net!)
  - Direct Investigation (Fraud Unit)
What about Drug and alcohol use?

- **12.09 Drug Addiction and Alcoholism**
  
  SSA will not pay benefits if substance use is “Material” to the complete disability
  
  - If you took the drugs and alcohol away, would they still be severely disabled?
  - Have they reached a “Point of No Return” in their disease?
  - Verification of sobriety?
  - Will they need a payee?
Expedited case flags

- Terminally ill claimants: (TERI)
- Blindness
- Presumptive Disability **SSI** Claims
- Compassionate Allowances List: deadly diseases
- Wounded Warriors: Active duty Vets disabled after 9/11/2001
- 100% Service Connected disability for Veterans
- Homelessness: DDS and ODAR are not really expediting these as they should per their own rules
Let’s go on-line and look around

SSA.gov

The “Benefits” tab is where you file an on-line application or appeal

The “Blue Book” (Medical/Mental Health Disability Criteria)

Expedited Claims and Case Flags
  Terminally ill (TERI)
  Compassionate Allowances (CAL)
  Wounded Warriors and Service Connected Disability
  Blindness
SSI/SSD Application Overview

- Phew! We made it!

Thanks so much for joining me!