The Social Security Administration (SSA) administers two types of disability benefits, Disability Insurance (SSDI) and Supplemental Security Income (SSI). These benefits are available to people who are medically disabled and meet certain non-medical eligibility criteria. Disabled individuals can be eligible for SSDI, SSI, or a combination of both. These benefits also come with Medicare or Medicaid eligibility.

**What is SSA’s definition of disabled?**

Generally, SSA defines disability as the inability to perform any full-time work due to medically documented physical and/or mental health conditions, which are expected to last 12 months or result in death.

**How do I qualify for Supplemental Security Income (SSI)?**

SSI is a cash benefit for low income people (including children) regardless of work history. To qualify for SSI you must be disabled, have limited resources (less than $2,000 for individuals or $3,000 for couples), and extremely limited income. SSI recipients automatically receive Medicaid. There are no dependent benefits for SSI.

**Does my child qualify for SSI?**

SSI is available to children of families with limited resources and limited income who meet SSA’s childhood definition of disability. Generally, a child meets SSA’s definition of disability if they suffer from medically documented physical and/or mental health conditions that cause severe functional limitations and are expected to last 12 months or result in death.

**How do I qualify for Social Security Disability Insurance (SSDI)?**

SSDI is a cash benefit based on your work history. To qualify for SSDI you must be disabled and have sufficient work history. SSDI recipients receive Medicare after a 24-month waiting period. If you qualify for SSDI, your dependents may also qualify for SSA benefits. For purposes of SSDI, a “dependent” is:

- A spouse age 62 or older;
- A child up to age 18 if disabled or a full-time elementary or secondary school student;
- An adult child who became disabled before age 22;
- A divorced spouse, age 62 or older, who was married to you for at least 10 years;
- A person under age 62 who is caring for your child under age 16; and
- A person caring for your adult child who became disabled before age 22.

Find more information or apply for benefits, at: [www.ssa.gov](http://www.ssa.gov)

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**How do I qualify for Divorced Spouse’s benefits?**

If you are divorced and your marriage lasted at least 10 years, you can receive benefits on your ex-spouse’s earnings record if:

- You are unmarried and age 62 or older;
- Your ex-spouse is entitled to SSA retirement or disability benefits; and
- The benefit you would receive based on your own work history is less than the benefit you would receive based on your ex-spouse’s work history.

Your benefit as a divorced spouse is equal to one-half of your ex-spouse’s full retirement amount (or disability benefit) if you start receiving benefits at your full retirement age.

**How do I qualify for Survivor’s benefits?**

Surviving spouses and children of workers with enough work history at time of their death may be entitled to SSA benefits. The following survivors may qualify:

- A surviving spouse age 60 or older;
- A surviving spouse age 50 or older who is disabled;
- A divorced spouse age 60 or older who was married to the deceased worker for at least 10 years;
- A surviving spouse under age 60 and caring for a child who is under age 16, or for an adult child who became disabled before age 22;
- A child up to age 18 if disabled or a full-time elementary or secondary school student;
- An adult child who became disabled before age 22.
What if my application for SSA benefits is denied?

A person denied SSA benefits has 60 days to appeal. The first stage of appeal is called a Request for Reconsideration. To file a Request for Reconsideration (Form SSA-561) you can contact your local office or complete a Request for Reconsideration online at https://www.ssa.gov/benefits/disability/appeal.html

If your Request for Reconsideration is denied, you can appeal that decision within 60 days by filing a Request for Hearing by Administrative Law Judge (Form HA-501) at your local SSA office or online at the above web address.

What do I do if my benefits are suspended or reduced?

There are a variety of reasons why SSA may suspend or reduce your disability benefits. Some common reasons are increases in income, incarceration or hospitalization for more than 30 days, and failure to provide requested information. If you disagree with the suspension or reduction, you should immediately file a Request for Reconsideration. If your Request for Reconsideration is filed within 10 days of the notice of suspension or reduction you may be able to keep your benefits at their current levels until you finish your appeal.

However, if the suspension or reduction was correct but you believe that your benefits should no longer be suspended or reduced, you can request SSA reinstate your benefits without filing a new application. You can request reinstatement by contacting your local SSA office and explaining why your benefits should no longer be suspended or reduced. If you receive Supplemental Security Income (SSI) and your benefits are suspended for more than 12 months, your SSI will be terminated and you will have to file a new application to reestablish eligibility.

What do I do if I receive disability benefits, but SSA says I am no longer disabled?

SSA reviews disability claims on a periodic basis. This typically occurs when a child who receives SSI turns 18 or every 2-5 years depending on your medical conditions. This process is called an age-18 redetermination or a continuing disability review. If, after conducting this review, SSA determines you are no longer disabled you have a right to appeal through a Request for Reconsideration as discussed above. Additionally, if you appeal within 10 days of the notice informing you that your benefits are ending, you can choose to continue receiving benefits during your appeal.

Can my benefits be garnished for child support?

Social Security Disability Insurance (SSDI) and Retirement benefits can be withheld to pay child support and back child support (arrearages). SSI cannot be withheld for child support.

I received a notice of overpayment from SSA. What should I do now?

- **File an Appeal** – If you do not believe you were overpaid benefits you can file an appeal. If you appeal within 30 days of the notice of overpayment, SSA won’t begin collecting the money they say you owe until a there’s final decision. If you appeal within 30-60 days, SSA is allowed to begin recouping the money owed while a decision is being made.

- **Request a Waiver of Overpayment** – if you were overpaid but not at fault for causing the overpayment and cannot afford to repay the benefits you can ask SSA waive the overpayment. There is no deadline to request a waiver.

- **Amount of recoupment:** For SSDI or Retirement, SSA can withhold your entire benefit to collect on an overpayment. For SSI, SSA can withhold up to 10% of your monthly benefit. You can negotiate a payment plan to lower the amount taken until the overpayment is recouped.