

Quick Guide to Supplemental Security Income

If you have been diagnosed with cancer and are undergoing treatment, you may find that you are no longer able to work and earn a living the same way that you were before your diagnosis. Disability insurance may provide you with some income if you are unable to work because of your medical condition. Disability insurance benefits are offered by the federal government, some state governments, or through a private insurance company.

This Quick Guide covers one of the two federal, long-term disability benefit programs: Supplemental Security Income (SSI). SSI is administered by the Social Security Administration (SSA).

How to Qualify: SSI provides monthly financial assistance to individuals who have: 1) a disability, or are age 65 or older, 2) low income, and 3) low resources.

Disability

The SSA has a very strict definition of disability. You must:

- Have a disability that has lasted, or is expected to last, for at least one year or to result in death;
- Be unable to do work that you did before because of your medical condition; **and**
- Be unable to adjust to other work because of your medical condition.

SSA uses this process to see if you qualify for disability benefits:

1. Are you working, and your earnings average more than \$1,350 a month (in 2022)?
If yes, you will not be deemed disabled for SSDI. If no, proceed to step 2.
2. Is your medical condition "severe"?
If yes, proceed to step 3. If no, you will not be deemed disabled.
3. Is your medical condition found in the list of disabling conditions/impairments?
If yes, then you are deemed disabled. If no, then the SSA will look at the severity of the conditions. If the SSA deems the condition severe enough, you are deemed disabled. If the SSA does not deem the condition severe enough, proceed to step 4.
4. Can you do the work you did previously?
If yes, you will not be deemed disabled. If no, proceed to step 5.
5. Can you do any other type of work?
If yes, you will not be deemed disabled. If no, you will be deemed disabled.



Income

In general, the more countable income you have, the less your SSI benefit will be. If your countable income is over the limit, you will not receive SSI benefits. Income is anything you receive, cash or in-kind, that can be used to meet needs for food and shelter. This includes:

- Earned income: wages
- Unearned income: money you receive from other sources, including Social Security, workers' compensation, unemployment benefits, state disability payments, cash from friends or relatives
- In-kind support and maintenance: food and/or shelter that someone else pays for

- SSA *does not* count the following as income for SSI:
 - The first \$20 of most income received in a month
 - The first \$65 of earnings, and then one-half of earnings over \$65 in a month
 - Income tax refunds; scholarships; and loans
 - Value of food stamps or energy assistance
 - Expenses paid directly by someone else, for things other than food/shelter (phone bill, medical bill, etc.)
 - Food/shelter provided by nonprofit agency or HUB subsidy



Resources

In addition to your income, SSA also looks at the value of your resources (e.g., your assets). The countable resource limit is \$2,000 for an individual and \$3,000 for a couple. If your resources exceed the limit at the beginning of a month, you are not eligible for SSI benefits that month. Examples of non-countable resources:

- The home that you live in and the land it is on
- Household goods and personal property
- Burial plot; and burial funds/life insurance up to \$1,500
- One vehicle, regardless of value, if you or a member of your household use it for transportation
- Income tax refunds, which are excluded from resources for 12 months after receipt
- SSA back payments and retroactive payments, which are excluded from resources for 9 months
- Earned Income Tax Credit and Child Tax Credit, which are excluded from resources for 9 months



If you transfer your resources to another person for less than fair market value, you could be ineligible for SSI benefits for up to 36 months.

How Your SSI Benefit is Calculated:

Step 1: SSA subtracts any non-countable income from your total gross income. The remaining amount is your "countable income."

Step 2: SSA subtracts your "countable income" from the SSI federal benefit rate, to get your monthly SSI benefit amount:

1) Your Total Income	2) SSI federal benefit
<u>- Your non-countable income</u>	<u>- Your countable income</u>
= Your countable income	= Your SSI federal benefit

You will be eligible for benefits beginning the first full month after SSA decides your disability began.

In 2022, the maximum monthly SSI federal benefit is \$841 for an individual and \$1,261 for a couple, who live independently.

States automatically provide Medicaid eligibility to people eligible for SSI benefits, except for these states: CT, HI, IL, MN, MO, ND, NH, OK, VA.

State Supplemental SSI Payments

Some states add money to your federal SSI payments. Arizona, Mississippi, North Dakota, and West Virginia do not offer supplemental payments. However, some states pay a supplement only when a person with a disability lives in a certain setting, such as an adult care home or nursing home. The amount of the state supplement ranges from about \$10 to \$400, depending on the state.

These states have supplements that are managed by the Social Security Administration:

If your state is not on this list, this means they administer their own supplemental payment program, and you have to file a supplemental application with the state agency.

*Amounts for 2022 have not been released to date, but will likely be increased.

How to Apply:

Before starting your application, make sure you have all the information and documents needed to apply, including:

- Social Security number;
- Birth certificate;
- Names, addresses and phone numbers of the doctors, caseworkers, and hospitals visited and dates of your visits;
- Names and dosage of all medications
- Medical records from doctors, therapists, hospitals, clinics, and caseworkers that you already have in your possession;
- Lab and test results;
- A summary of where you worked and the kind of work you did; &
- A copy of your most recent W-2 Form

State	Maximum Payment for Individual/Couple Based on Disability (2021)*
California	\$954.72/ \$1,598.14
Delaware	\$794/ \$1,191
Hawaii	\$794/ \$1,191
Iowa	\$794/ \$1,191
Michigan	\$794/ \$1,191
Montana	\$794/ \$1,191
Nevada	\$794/ \$1,191
New Jersey	\$825.25/ \$1,216.36
Pennsylvania	\$794/ \$1,191
Rhode Island	\$794/ \$1,191
Vermont	\$846.04/ \$1,289.88
Washington, D.C.	\$794/ \$1,191

Use this checklist: www.ssa.gov/hlp/radr/10/ovw001-checklist.pdf. You can apply for SSI online: www.ssa.gov/benefits/disability.

The approval process can be quick or it can take many months, so it is important not to delay applying. Once they have decided about your application, you will receive a letter in the mail. You can also check the status of your application online, using your mySocialSecurity account.

Speeding Up the Application Process

The SSA has 3 ways to speed up the application process.

- **Compassionate Allowances:** this is a list of medical conditions that are so serious that they would likely qualify someone for benefits, so SSA speeds up the first step in the application process. About 60 cancer diagnoses are on the list. For more information about Compassionate Allowances, visit www.ssa.gov/compassionateallowances.
- **TERI Cases:** individuals with a medical condition that is terminal (such as metastatic cancer) or who are receiving inpatient/home hospice care may also have faster processing times. When you apply, you should tell the Social Security Administration if you qualify as a TERI case.
- **Quick Disability Determination:** is a computer program that analyzes your application for factors that show a high probability you will be found to have a disability. Your case could be approved within 20 days of applying, if medical records are complete and your disability onset date can be quickly determined.

How to Appeal:

Many applications for SSI are initially denied. You must appeal in writing within 60 days of receiving the denial letter, and the SSA assumes that you received the denial letter 5 days after the date on the letter. Be sure to work with your health care team throughout all stages of the appeals process.

There are 4 levels of the appeal process:

1. Request for Reconsideration - A complete review of your claim by someone who did not take part in the first decision. These states skip this level: AL, AK, CA (LA North/LA West only), CO, LA, MI, MO, NH, NY, & PA
2. ALJ Hearing - The hearing will be conducted by an administrative law judge (ALJ), and is usually held within 75 miles of your home. It is usually in your best interests to attend the hearing, because the judge might ask you questions.
3. Review by Appeals Council - The Appeals Council may deny a request if it believes the ALJ hearing decision was correct.
4. Federal Court Review - If you disagree with the Appeals Council's decision, or if the Appeals Council decides not to review your case, you may file a lawsuit in federal district court.

For more information on the appeals process: <https://www.ssa.gov/ssi/text-appeals-ussi.htm>.



How to Hire an Attorney:

Social Security disability appeals attorneys work on a contingency fee, meaning they will take a case even if the individual does not have the money upfront to pay for the attorney's services. If the attorney wins an appeal, he or she will take a percentage of back payments an individual receives. Any fee charged by a representative must be approved in writing by the SSA. The SSA will not approve a fee that is more than 25% of back payments, up to a maximum of \$6,000. On November 30, 2022, the fee cap will be increased to \$7,200.

Attorneys are allowed to charge clients for other expenses, such as reimbursement for the cost of obtaining medical records, postage, or travel expenses. Make sure to understand what the attorney charges for these types of services, prior to signing a contract with the attorney.

If you have a complicated case that requires multiple hearings or an appeal to the Appeals Council or federal court, a lawyer can ask the SSA to be paid more than the \$6,000 limit. The SSA will review the fee petition and will approve it only if it is reasonable.

For information about hiring an SSDI appeals attorney, read our Quick Guide to Legal Assistance: [TriageCancer.org/QuickGuide-LegalAssistance](https://www.triagecancer.org/QuickGuide-LegalAssistance).

Other Benefits:

You may also qualify for food assistance through the Supplemental Nutrition Assistance Program (SNAP), if you qualify for SSI. You may also qualify for other programs and services offered by your local county health or human services office, including homemaker and chore services, child care, transportation, and home-delivered meals.

For more information on SSI, visit www.ssa.gov/pubs/EN-05-11000.pdf.

For general financial assistance resources, visit:
[TriageCancer.org/cancer-finances-financial-assistance](https://www.triagecancer.org/cancer-finances-financial-assistance).