



Building a Strong SSI Application for Children in Foster Care

**GUIDE, SAMPLES, AND
FREQUENTLY ASKED QUESTIONS**

ALLIANCE
for **CHILDREN'S**
RIGHTS

Preparing the SSI Application for Children in Foster Care

Applicant Key Information Summary

Creating a key information summary helps organize information for the SSI application. Refer to the key information summary as you complete the forms.

[[DOWNLOAD SUMMARY TEMPLATE](#)] [[SAMPLE](#)]

Application Forms and Samples

Once you have created a key information summary for the applicant, use the below filled-out sample forms as a guide.

- SSA-1696 (Claimant's Appointment of a Representative)

[[SAMPLE FORM](#)] [[BLANK FORM](#)]

- SSA-8000-BK (Application for SSI)

[[SAMPLE FORM](#)] [[BLANK FORM](#)]

- SSA-3280-BK (Disability Report – Child)

[[SAMPLE FORM](#)] [[BLANK FORM](#)]

- SSA-3379-BK (Function Report Child Age 12 to 18th Birthday)

[[SAMPLE FORM](#)] [[BLANK FORM](#)]

- SSA-5665-BK (Teacher Questionnaire)

[[SAMPLE FORM](#)] [[BLANK FORM](#)]

Frequently Asked Questions

Supplemental Security Income – Social Security (SSI) Benefits

Q: Since children in foster care are not eligible for the full benefit of both foster care benefits and SSI payments does one have higher priority than another?

A: The answer depends on whether the child is receiving a federal or state foster care benefit. If the child receives a federal foster care benefit, federal foster care benefits are received first and SSI is offset by the amount of the federal foster care payment.

If the child is not federally eligible and receives state foster care payments, then SSI is received first and the state foster care payment is offset.

Q: If SSA determines that a child is eligible for SSI, is the child entitled to retroactive payments, including payments the month that federal foster care benefits were suspended to submit their application?

A: Yes. Benefits are paid all the way back to the date of application for any month they would have received an SSI payment.

Q: When should a caseworker flip a youth's foster care benefits to non-federal to avoid discontinuing the youth's SSI benefits?

A: SSI benefits will continue for the youth if the caseworker flips the foster care benefits at least once in any 12-month period. A common best practice is to look at when the last suspense period was and flip the benefits six months from that date. Caseworkers are encouraged to maintain a calendar reminder to ensure the benefits are continuously maintained.

Q: Can a child contact DCFS to ask if they are currently being funded by SSI and Kin-GAP?

A: Yes. It is the County's responsibility to inform children of their SSI benefits.

Q: Are SSI benefits available to incarcerated individuals?

A: No. SSI benefits would not be provided while the person is incarcerated. However, SSI benefits may be available if a foster youth is temporarily detained in a detention facility pending placement subject to a suitable placement order.

Q: How do SSI benefits affect AB 12 Extended Foster Care (EFC). Do those payments have to be suspended too?

A: Yes. Usually, EFC benefits are federal foster care benefits so the same offsetting rules apply, meaning that the SSI is going to be reduced to zero if the young person is receiving federal foster care benefits in excess of the SSI benefit. As described above, it is important to “flip” the foster care benefits from federal to non-federal once in a 12-month period to ensure that SSI benefits are not discontinued, so that nonminor dependents can transition seamlessly to SSI once they turn 21.

Q: Do survivor’s benefits apply to legal guardians who die?

A: No. Children cannot receive survivors benefits for a legal guardian who has died.

Q: Can a child receive both Retirement, Survivors, and Disability Insurance (RSDI) and SSI benefits?

A: Sometimes. It depends on the amount of the survivors benefits or retirement benefits— all are considered income to the child. It is not unusual for a child to receive a combination of benefits from SSA.

Q: Has the Social Security Administration’s (SSA’s) timeframe for approving SSI benefits been prolonged due to the pandemic? If so, what is the typical turnaround time for SSA to approve as a SSI beneficiary?

A: Social Security Administration has approved fewer cases since the pandemic and timeframes are prolonged, partially caused by some medical providers stopping in person exams. Additionally, in lower-income communities it is harder for claimants to access a computer or provide documents to Social Security. Finally, a large portion of SSI cases are approved at the reconsideration stage or the Administrative Law Judge (ALJ) hearing stage, both of which have been slowed down due to the pandemic. There is no “typical” turnaround time for SSA to approve a case: it ranges greatly from 30 days to two years.

SSI Applications

Q: When creating the SSI applications, do social workers need to provide the child’s Social Security number?

A: No, it is not necessary. A social worker can always go back and add the child’s Social Security number after the SSI application has been submitted.

Q: If a foster child meets a majority of the eligibility criteria, should the application still be postponed until they are age 16.5?

A: It depends. If the child is receiving federal foster care funds that will put the SSI benefits into suspense status, and if the child is likely to remain in foster care, then it is suggested to wait until they turn 16.5 years old. However, if the youth is likely to exit foster care and enter guardianship within the next 6 – 12 months then it is suggested to start the application before the child turns 16.5 years old to ensure the youth has benefits when they leave care.

Q: If a youth is waiting for adoption finalization, should an SSI application be made ASAP before it finalizes? The youth is currently 14 years old and the family is receiving AAP.

A: Children waiting for adoption finalization are not usually eligible for SSI benefits due to the deeming rule that counts the income and resources of the youth's soon-to-be adoptive parents.

Q: Are there any foster youth liaisons within SSA that can help with completing the application process?

A: Possibly. SSA offices are not required to have foster youth liaisons, but some counties have successfully coordinated with their local SSA office to identify a liaison within SSA to help streamline communication with the county and fast-track applications for youth who are at risk of exiting care without SSI benefits in place. We encourage you to contact the SSI/Title 16 supervisor at your local SSA office as a first step. Keep in mind that while SSA can help track applications and coordinate payments, it is the county's responsibility to screen youth for possible SSI eligibility and complete an application for those youth.