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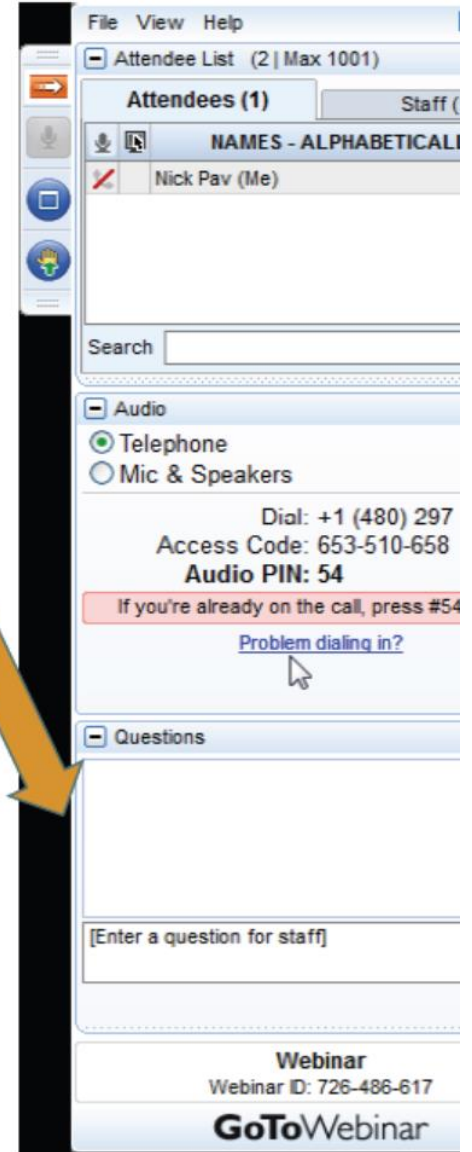
OCTOBER POLICY WEBINAR

Building a Strong SSI Application for Transition Age Youth



Logistics

- Slides and supporting materials, including webinar recording, will be available at <https://kids-alliance.org/resources/>
- All attendees are muted during webinar.
- Please submit questions using the “Questions” function on your GoToWebinar dashboard.
- Email Ines Rosales at i.rosales@kids-alliance.org if you experience technical difficulties.



The screenshot displays the GoToWebinar interface. At the top, there is a menu with 'File', 'View', and 'Help'. Below this is the 'Attendee List (2 | Max 1001)' section, which includes a sub-section for 'Attendees (1)' and a 'Staff' section. The 'Attendees (1)' section shows a list of attendees, with 'Nick Pav (Me)' listed. Below the attendee list is a search bar. The 'Audio' section is expanded, showing 'Telephone' selected and 'Mic & Speakers' unselected. The audio settings include 'Dial: +1 (480) 297', 'Access Code: 653-510-658', and 'Audio PIN: 54'. A red banner below the audio settings reads 'If you're already on the call, press #54' and a link 'Problem dialing in?' is visible. The 'Questions' section is also expanded, showing a text input field with the placeholder '[Enter a question for staff]'. At the bottom of the interface, the 'Webinar' section displays 'Webinar ID: 726-486-617' and the 'GoToWebinar' logo. A large orange arrow points to the 'Questions' section.

Presenters

- Robert Argomaniz, Alliance for Children's Rights
- Angie Schwartz, Alliance for Children's Rights
- Tyler Press Sutherland, Legal Aid Foundation of Los Angeles



Training Overview

- What is SSI & Why Is It Critical for TAY with Special Needs?
- What is Required for SSI Eligibility?
- County Responsibilities to TAY: Screen for SSI Eligibility & Prepare SSI Applications
- SSI Application Process for Nonminor Dependents
- Contacts & Resources

*BUILDING A
STRONG SSI
APPLICATION*

What is SSI & Why Is It Critical for TAY with Special Needs?

***What is
Supplemental
Security
Income
("SSI")?***

SSI is a federal program that pays a monthly benefit and provides Medi-Cal to persons with qualifying disabilities.

Why Is SSI Vital for TAY Who Have Disabilities?

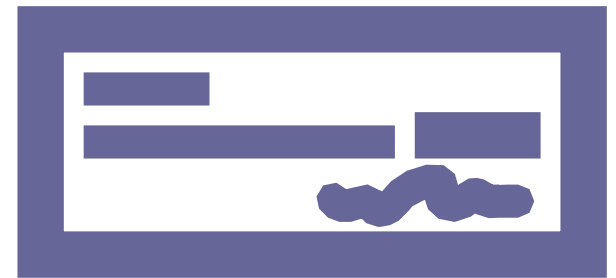
Provides:

- Monthly income
- Support as long as the disability, income and resources criteria are met (can be for life)
- Medi-Cal beyond age 26

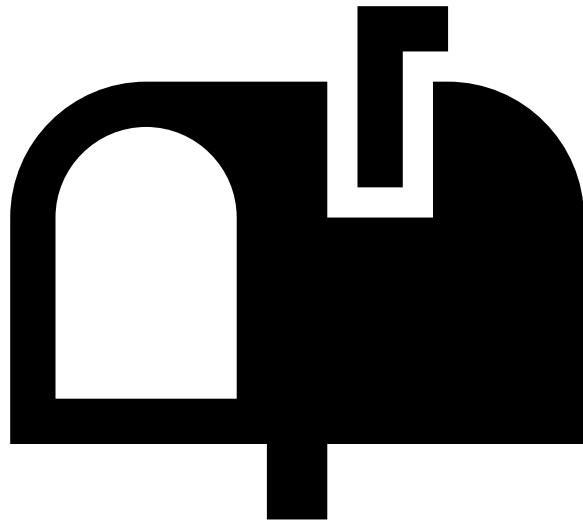
May qualify youth for:

- Permanent affordable housing
- Vocational training

Allows caregivers to continue care after youth exit foster care.



SSI/SSP Benefits



Medicaid + Cash Benefit

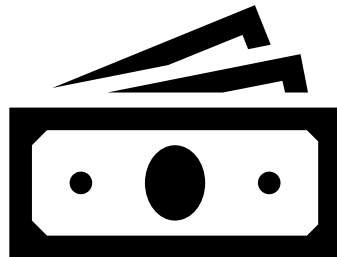
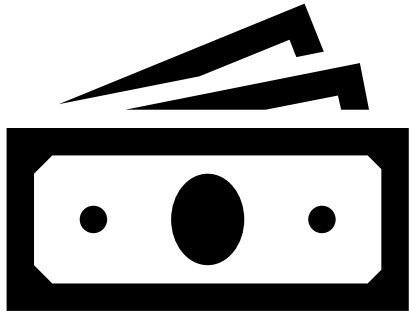
- Disabled child - \$848.15
- Disabled child in the home of another - \$590.67
- Independently living adult - \$943.72
- **Non-Medical Out of Home Care: \$1,206.37**

Children who are not living with their parents (applies to youth living with a foster parent, relative caregiver, or guardian) must complete the [SSP 22](#) to get the full benefit.

Caregiver can receive the higher of the two rates if a minor youth living with caregiver is eligible for foster care funding and SSI.

- Foster care funding will be a higher rate than SSI most of the time.

Foster Care Funding vs SSI



Representative Payee

- A legal guardian or caregiver can become payee by making a request with the local Social Security Office.
- **County should be the payee of last resort.**
 - “The county shall apply to be appointed representative payee on behalf of a child beneficiary in its custody when no other appropriate party is available to serve.”
- **Payee should be switched to minor youth’s caregiver** or other appropriate person who is managing youth’s finances when the minor youth exits care if County becomes payee.

Duty of Representative Payee

Representative payee must first use the SSI benefits for minor/NMD's current basic needs:

- food,
- clothing,
- housing,
- medical care, and
- personal comfort items.

After paying for needs, representative payee must save any money left for minor/NMD, preferably in a no-cost, interest-bearing maintenance account.

- ✓ **Funds SHOULD NOT be commingled with other funds (including representative payee's funds, e.g., allowance).**

May be asked how money was spent and saved:

- representative payee accounting report,
- annual representative payee accounting report,
- SSI redetermination of eligibility or request for a continuing disability review.


SSI Benefits for NMDs

- **NMDs cannot receive both the full amount of SSI and the full amount of federal foster care funding at same time.**
- If youth is approved for SSI but receives federal foster care in excess of SSI, county must maintain SSI eligibility by asking SSA to temporarily suspend SSI benefits.
- If NMD who is approved for SSI elects to receive SSI instead of foster care funding, county must assist youth in receiving direct payment.
- Once foster care funding ends at 21, SSI should be taken out of suspense and NMD should become payee so that NMD can receive SSI benefits when they exit care.

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What is Required for SSI Eligibility?

SSI Eligibility Requirements




Income

- Little or no income and little or no resources



Impairment

- A physical and/or mental impairment that:
 - has or will last 12 months or result in death; and
 - **limits functioning** (different meaning for adults versus children)



Citizenship

- U.S. Citizen (or certain categories of immigrants)

Functional Limitation Standard

Children

- Cannot function in an age appropriate manner

Adults

- Cannot work
 - “Work” means engaging in “substantial gainful activity”
 - How do you show you cannot work due to your disability?
 - Your impairment meets or equals a “listed impairment”; OR
 - Your impairment prevents you from returning to your past relevant work and from doing any type of work existing in significant numbers in the national economy

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County Responsibilities to TAY: Screen for SSI Eligibility & Prepare SSI Applications

Screen for SSI Eligibility & Submit SSI Application

Goal: Ensure that TAY with disabilities make a safe, supported transition out of foster care.



County Responsibilities

- **Screen** all youth who are in foster care and are between the ages of 16.5 and 17.5 years of age for a physical or mental disability using an “SSI Disability Screening Guide.”
- **Submit** an SSI application on behalf of those youth who are determined likely eligible for benefits.

Presumptive Disability

Allows for Faster SSI Approval and Temporary Funding During Assessment Process

Impairments that may warrant finding of presumptive disability/blindness:

- Amputation of leg; bed confinement or immobility without wheelchair; difficulty walking or using arms or hands due to stroke or spinal cord injury
- Deafness
- Blindness
- Cerebral Palsy or Muscular Dystrophy
- Down Syndrome or neurodevelopmental impairment preventing basic self-care
- ALS or end-stage renal disease requiring dialysis
- Prematurity with birth weight of < 1200 grams; or
- HIV/AIDS
- Terminal illness with < 6 months to live



Eligibility Screening

- All youth **must** be screened before age 17.5, even if they are going to remain in foster care until age 21.
- SSI Disability Screening Tool can be completed via the DCFS Referral Portal on LAKIDS.

What Happens If It's A Positive SSI Screen?

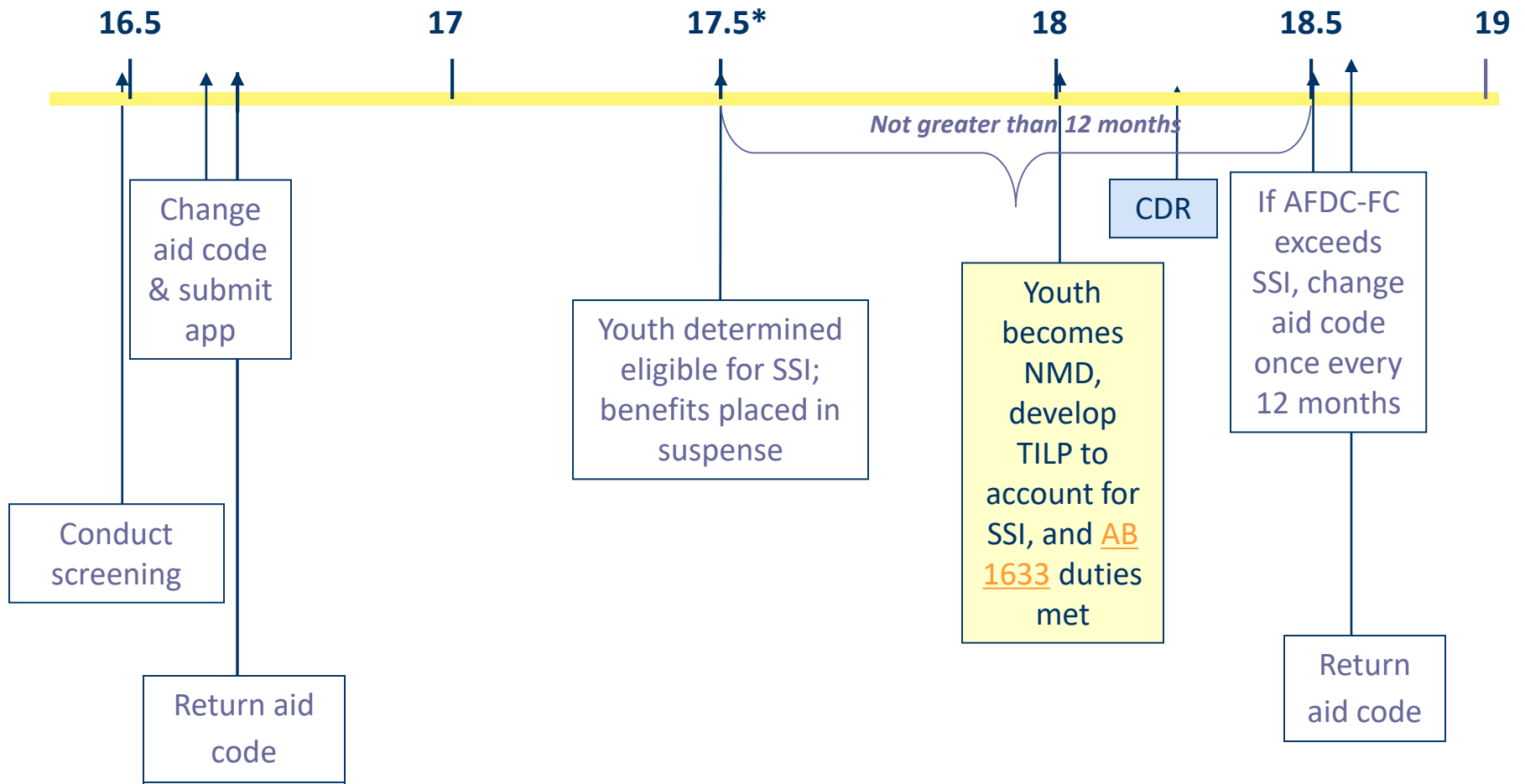
- Screening will automatically be emailed from DCFS Referral Portal to SSI Unit in-box if there are any “yes” answers on SSI Screening.
- SSI Unit and CSW will initiate SSI application process once SSI Unit receives positive screening/referral.



Why Is It Important to Complete SSI Determination Before Age 18?

- **Evidence used to establish SSI eligibility for a child helpful in establishing ongoing eligibility for a youth adult.**
- Ensuring SSI is in place at age 18 provides youth maximum flexibility and choice among benefits, services and supports.
- Because it can take SSA six months or longer to process SSI application, need to start process long before 18th birthday.
- **Even if a youth is determined to no longer meet disability criteria after turning 18, they can continue to receive SSI if:**
 - Youth is participating a vocational/employment program that will increase the likelihood of not needing SSI in future, or
 - Youth is continuing to participate in an IEP program at school.

Suggested SSI Application Timeline



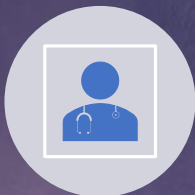
Eligibility Screening: Justin



Justin just turned 17 and is in 11th grade. He is in advanced classes and wants to go to a four-year university. He was diagnosed with anxiety last year, and now takes medication daily. Once in a while, he forgets to take his medication until his prospective legal guardian reminds him.



Justin has missed five days of school in the last two months because he has gotten very anxious in the morning before school. On those days, he always makes up the work and his grades have not suffered.



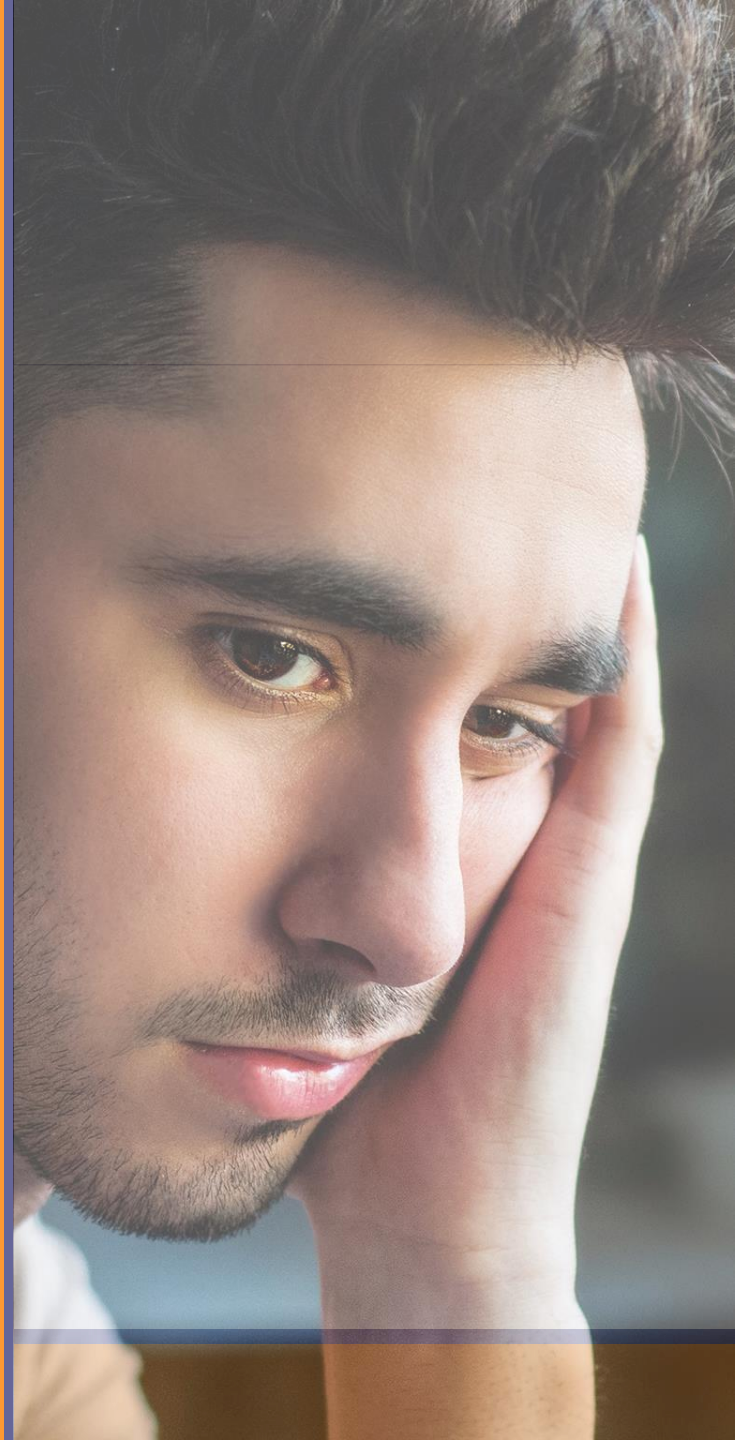
Justin has started seeing a therapist, but he says it is not helping him and does not want to continue.



Justin wants everyone to leave him alone so he can focus on getting good grades and going to college.

Bonus Question:

- Will the fact that Justin wants to attend college affect his SSI application?



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SSI Applications For Non-Minor Dependents (NMDs)

Overview of SSI Process: Step 1

Application

Should be submitted to SSA within 6 months of screening, or sooner as needed to ensure SSI is in place before youth exits care

Can take up to 6 months to receive decision

Almost always denied

Overview of SSI Process: Step 2

Reconsideration

60 days to request reconsideration after denial

Can take an additional 3-4 months to receive decision

Opportunity to submit new/additional evidence

Most are denied

Overview of SSI Process: Step 3

Administrative Hearing

60 days to
request hearing
after denial

Can take 6+
months

Youth may need
to testify before
administrative
judge

Best Practices for Preparing & Submitting Applications

- Use **existing, recent records** instead of relying exclusively on caregiver or NMD to provide information:
 - Medical and Mental Health Records
 - DCFS Health & Education Passport
 - Education Records
 - Special Education Evaluations & IEPs
 - Regional Center Evaluations & IPPs
 - Provider Contact Information
- When analyzing records and gathering information from NMD, **focus on how NMD's impairments impact their functioning.**
- Remember that you are the NMD's advocate and representative for purpose of seeking SSI benefits—**present information in a persuasive way.**

Submit early to ensure that NMD exits care with SSI benefits.

Track appeal deadlines and submit timely appeals.

- If appeal is not submitted timely, youth may need to restart process, losing time and retroactive benefits.
- **Do not decide to forego an appeal without consulting the youth.**
 - *Appeals decisions are the youth's to make.*

Best Practices for Preparing & Submitting Applications



Lack of medical or education records



Failure to engage treating provider to obtain necessary information



Lack of detail in SSI application forms regarding NMD's medical issues

Common Reasons Why SSI Applications Are Denied

Limitations due to disability

Delay in timely filing application or appeal

Caregiver and/or NMD are told to prepare and submit SSI application on their own instead of CSW & SSI Unit taking the lead in preparing and submitting application

Common Reasons Why SSI Applications Are Denied

Preparing the SSI Application: Gather Facts

Providers

Contact medical providers and Regional Center for recent records.

Notify providers that SSA may contact them as part of SSI application process

Records

Gather records from at least the last 12 months, and if possible, from last 24 months, to show extent of disability.

NMD

Ask caregiver, NMD, and the NMD's attorney if they have additional records.

School

Contact the NMD's school to gather report cards, IEPs, 504 plans, and disciplinary records.

Preparing the SSI Application: Prepare Forms

Key Facts

CSW uses medical records to create key facts summary which guides completing application forms

Include diagnoses, assessments, symptoms, functional limitations, hospitalizations, medications, and educational, mental health, developmental, and vocational services, and list of providers

Put information in chronological order

Include information on how impairments limit functioning

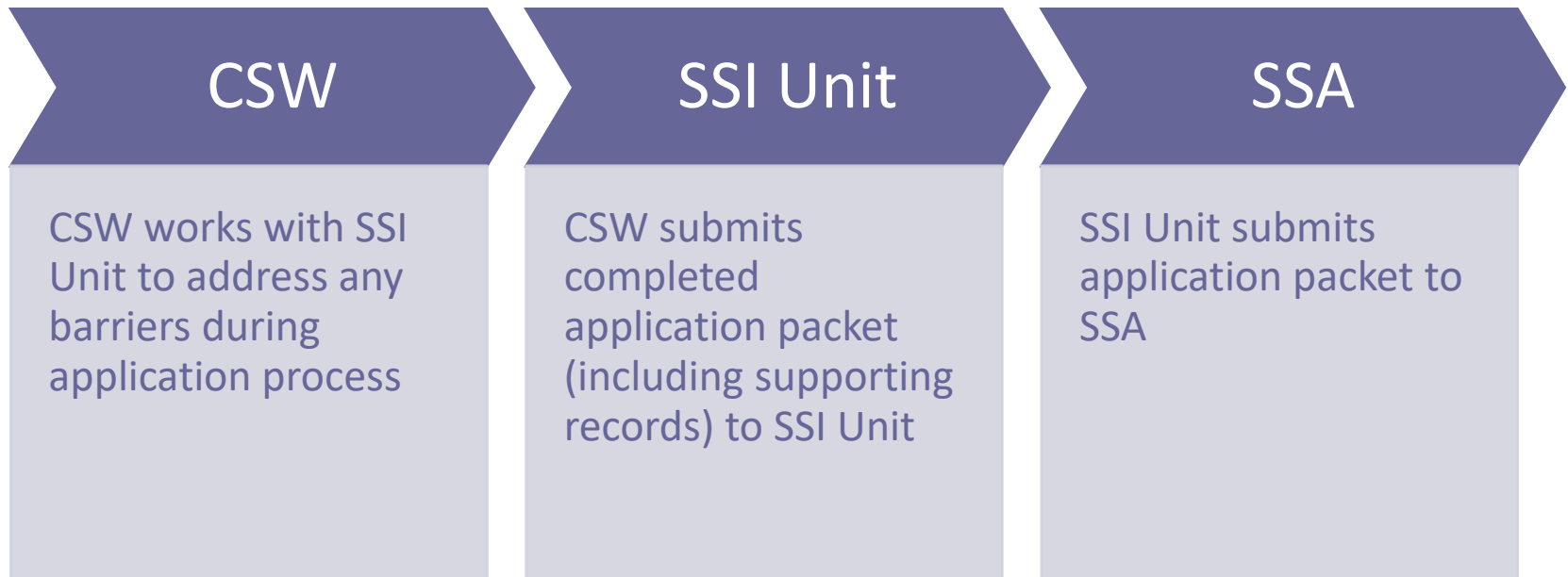
Forms

CSW completes application forms, with assistance from SSI Unit, NMD, caregiver, and providers

Signature

CSW obtains NMD's signature on certain forms

Preparing the SSI Application: Submission



- SSA-8000 (Application for SSI)
- SSA-3368 (Adult Disability Report)
- SSA-3373 (Adult Function Report)
- SSA-827 (Authorization to Disclose Information to SSA)
- SSA-1696 (Claimant's Appointment of Representative)
- SSA-3380 (Adult Third Party Function Report)
- SSA-8240 (Authorization for SSA to Obtain Wage/Employment Information)

SSI Application for NMDs

For date that NMD was unable to work, this is often the earliest diagnosis date, but could be earlier in some cases

If NMD lives in foster home or group home/STRTP, this is “non-institutional care”- skip Qs 24 through 36

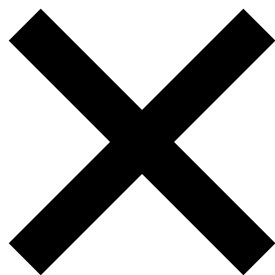
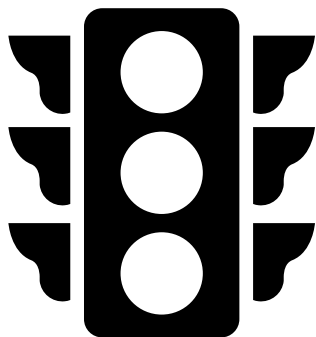
Contact NMD and caregiver to gather information about NMD’s assets, bank accounts, insurance policies, stocks, bonds, etc.

Confirm if NMD has employment history and if so, obtain wage and employer contact information

Note that foster care funding is not considered “income” for purposes of SSI

Have NMD sign under Question 63

Completing SSA-8000 (SSI Application)



SSA-8000: Pitfalls to Avoid

Important for ISM

- ✓ Indicate if client is homeless and put LA County.
- ✓ Unable to work due to illness/injuries/conditions? Check “Yes.”
- ✓ What are your illnesses/injuries/conditions?
 - Make sure these are diagnoses (i.e., pain is a symptom, not a diagnosis).
- ✓ Remarks: “This application was completed with the assistance of my appointed representative, Janice Jones.”
 - Supports cases where the client alleges having difficulty concentrating/writing, It is inconsistent that they’re able to complete such a complex form by themselves, so clarifying that the form was prepared with help bolsters their credibility.

****This is the most critical document
in the SSI application process.***

**Use the SSI
Listings to
complete the
section on
medical
condition and
symptoms**

Use Specific SSI Listings, ex: Bipolar disorder, listing 12.04

**Completing SSA-3368
(Adult Disability Report)**

Completing SSA-3368 (Adult Disability Report)

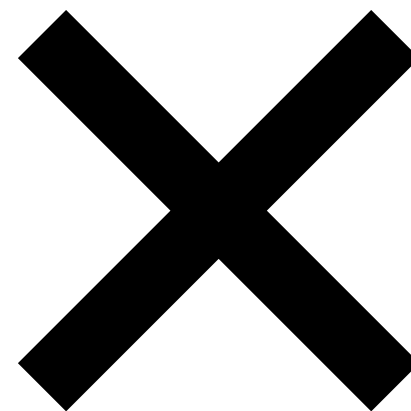
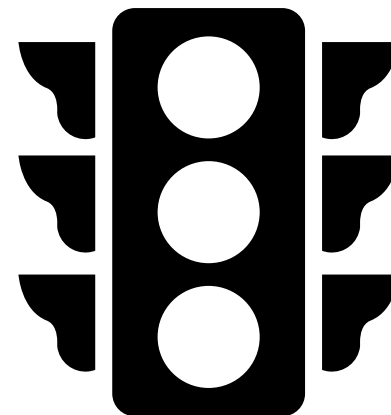
- **Section 3 (Medical Condition):** list all diagnoses, including emotional or learning problems, and describe associated pain and other symptoms.
- **Section 4 (Work Ability):** indicate whether NMD ever worked and their wages.
 - If NMD never worked or stopped working, explain why, e.g., is it because of medical conditions?
 - If NMD is working, explain whether their condition has impacted their ability to work and caused them to make changes to their work activity. (Answer 4A-4G.)
- **Section 5 (Education and Training):** include school and special education information.
- **Section 6 (Job History):** gather job history from NMD.
- **Section 7 (Medicines):** list current medications (both prescribed and over-the-counter), prescribing doctor, and what condition is being treated.
 - If NMD stopped taking a medication recently, note and explain why.

Completing SSA-3368 (Adult Disability Report)

- **Sections 8-9 (Medical treatment):** List all current providers, explaining what condition they are treating, treatment plan, and treatment dates. Also list hospitalizations (e.g., 5150 holds) and evaluations/tests.
- **Section 10 (Vocational Rehab/Employment):**
*Complete only if the NMD is already receiving SSI.
Leave blank if this is initial application.*
- **Section 11 (Remarks):** Use Section 11 to provide details that didn't fit in Section 3 regarding NMD's symptoms, treatment, how disability impacts their functioning and ability to work, and foster care and/or delinquency history.

SSA-3368 (Adult Disability Report): Pitfalls to Avoid

- ✓ Refer to SSI Listings and NMD's medical records when completing SSA-3368.
- ✓ Make every effort to link the NMD's conditions to the listings where possible.
- ✓ Don't rush through SSA-3368.
- ✓ Make sure the disability onset date is consistent with information in SSA-8000.



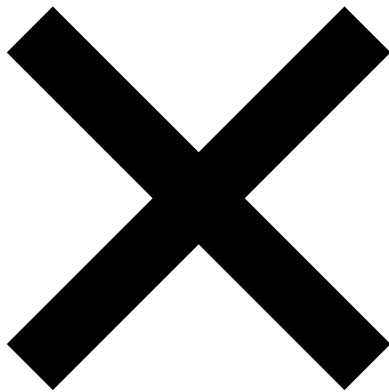
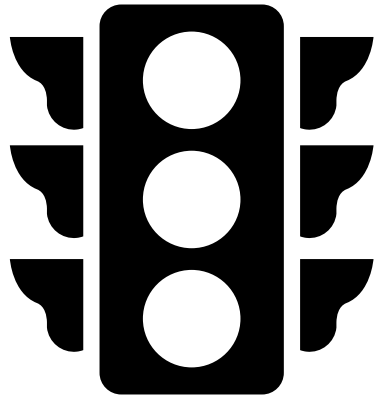
Completing SSA-3373 (Adult Function Report)

Key Functional Information to Gather:

- *Difficulty with activities of daily living?*
- *Difficulty caring for themselves, taking medication, grooming and hygiene, cooking, cleaning, managing money, shopping, maintaining a schedule, using public transit, driving?*
- *Difficulty maintaining social functioning with family, friends, peers, co-workers or authority figures?*
- *Difficulty maintaining concentration, persistence or pace?*

Completing SSA-3373 (Adult Function Report)

- **Section B:** Explain how NMD's disability limits or prevents them from working, describe relevant work experiences.
- **Section C:** Describe NMD's daily activities and their ability to manage self-care, budgeting, social activities.
- **Section D:** Explain how disability impacts physical, intellectual, and social abilities.
- **Section E:** Include additional details to expand on prior sections.
 - *Main goal: describe any limitations on NMD's ability to function in daily life.*



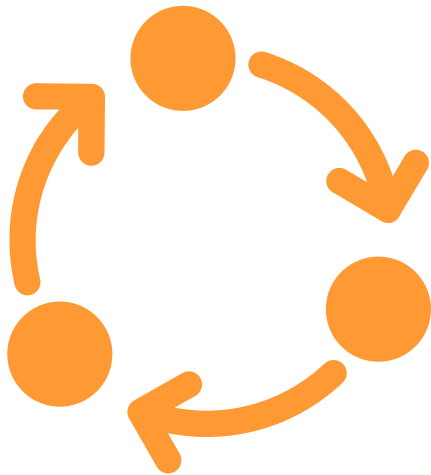
SSA-3373 (Adult Function Report): Pitfalls to Avoid

- ✓ Refer to the SSI Listings and the NMD's medical records when completing SSA-3373.
- ✓ Don't rush through SSA-3373.
- ✓ Accurately describe any limitations on functionality, e.g., it's okay to say "no hobbies" if that's accurate.

- SSA-827 authorizes DCFS to disclose to SSA the NMD's medical, mental health, educational, and Regional Center records.
- **Take time to explain to NMD (and caregiver, if appropriate) that SSA needs to review these records to assess NMD's ability to work and NMD's overall eligibility for SSI benefits.**
- NMD and DCFS representative should sign at the bottom of the form.

SSA-827 (Authorization to Disclose Information to SSA)

SSA-1696 (Claimant's Appointment of Representative)



- Explain to NMD that this authorizes DCFS to serve as NMD's authorized representative for purposes of SSI application process, including the right for SSA to communicate with DCFS regarding the SSI claim.
- NMD signs as "Claimant" and DCFS signs as "Representative."
 - Generally SSI Unit staff will sign this form as Representative and list their own contact information.
- **Section 5:** Indicate that representative is "a non-attorney eligible for direct payment."
- **Section 7:** Indicate that representative is waiving the right to a fee.

- Can be completed by anyone who has significant information about NMD's functional abilities (e.g., parent or other relative, current or former caregiver, social worker, mentor, teacher).
- Helps to provide a more complete picture of NMD's special needs, as some applicants may be reluctant/unable to fully describe their functional limitations.
- **Provide specific examples of how NMD's medical conditions limit their ability to work.**
 - *“NMD's anxiety and intellectual disability prevent him from being able to focus on a task or follow multi-step directions. Therefore, he's been unable to maintain a job for more than a few weeks.”*
- **Provide information about NMD's daily routine and self-care abilities.**

SSA-3380 (Adult Third Party Function Report)

SSA-3380 (Adult Third Party Function Report): Pitfalls to Avoid

- Third party may rush through the form and/or give incomplete answers.
- Schedule time with the third party to complete it together.
- Provide third party with SSI Listings and NMD's medical records prior to meeting to assist them with completing SSA-3380.
- Ask third party to be as complete as possible but not to guess if they don't know the answer to a question.



SSA-8240 (Authorization to Obtain Employment Information)

- Explain to NMD that SSA-8240 authorizes SSA to obtain information regarding NMD's employment history, including wages, from current and prior employers and payroll data providers.
- SSA reviews this information to assess whether NMD meets resource and income limits for SSI eligibility.
- **SSA-8240 form is required for the NMD to apply for both SSDI and SSI programs.**
 - Check "yes" for 5(b) and 5(c).
- Obtain NMD's signature.



SSI Application: Sammie

Sammie is 18 years old and working toward high school graduation. She loves animals and hopes to work at a zoo.

She has been diagnosed with bipolar disorder and intellectual disability. Sammie has been prescribed medication for these conditions but often fails to take it.

Sammie's conditions impact her interpersonal skills, ability to follow directions, and impulse control. Sammie lost several part-time jobs after a few weeks because she yelled at her supervisor or at a co-worker.

Sammie is resistant to answering application questions regarding her limitations. She wants additional financial support but worries that receiving SSI carries a stigma, and she does not perceive herself as having a disability.

Forms That May Be Needed After SSI Application Is Submitted

SSA-16 (Application for Disability Insurance Benefits)

- **Q. 9:** When do you believe your conditions became severe enough to prevent you from working?
 - *Make sure answer is consistent with SSA-3368 and SSA-8000*
- **Q. 21:** Are you still unable to work because of illnesses/injuries/conditions?
 - *Answer “Yes”*
- **Q. 22:** Are you illnesses/injuries/conditions related to your work in any way?
 - *If impairment wasn't caused by a workplace injury, answer “No”*

SSP-14 (Authorization for Reimbursement of Interim Assistance)

SSP-22 (Authorization for Nonmedical Out of Home Care)

Contacts & Resources

BUILDING A STRONG SSI APPLICATION FOR
TRANSITION AGE YOUTH

*DCFS SSI
Unit*

Email the SSI Unit at
SSIDisabilityScreen@dcfs.lacounty.gov

*DCFS SSI
Unit*

Contact Vickie Carletello in SSI Unit
at carlev@dcfs.lacounty.gov

*Alliance
for
Children's
Rights*

Contact Robert Argomaniz with
Alliance for Children's Rights at
r.argomaniz@kids-alliance.org

**Who Should
CSW Contact
With Questions
About SSI
Screening or
Application
Process?**

SSI Resources

SAMHSA SOAR initiative:

<https://soarworks.prainc.com/content/library-home>

SSA Bluebook of Listings:

<https://www.ssa.gov/disability/professionals/bluebook/AdultListings.htm>

SSA Program Operations Manual System (POMS) Regarding SSI and Foster Youth:

<https://secure.ssa.gov/apps10/poms.nsf/lnx/0500601011!opendocument>

Disability Benefit 101:

https://ca.db101.org/ca/programs/income_support/ssi/program2.htm

SSA What You Need to Know About Your Supplemental Security Income (SSI) When You Turn 18:

<https://www.ssa.gov/pubs/EN-05-11005.pdf>

Thank You



- PowerPoint slides, webinar recording and supplemental materials will be posted at <https://allianceforchildrensrights.org/resources/>