The Full Benefit, Too
A Consumer-Friendly, Self-Help Guide to Understanding SSI Appeals
for Adults with Intellectual and/or Developmental Disabilities (I/DD)

Providing free legal services to those who need them most.

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The Full Benefit, Too has been prepared by staff of the Family Caregiver Project at Bet Tzedek Legal Services, a service that protects the legal rights of caregivers and their loved ones.

Bet Tzedek’s Family Caregiver Project provides legal planning and advice to persons needing home care as well as their families. The project staff represents clients in state court and administrative hearings and makes frequent presentations on legal issues concerning caregivers.
This book is designed to assist adults with Intellectual and/or Developmental Disabilities (I/DDs) and their caregivers to better understand and access the government benefits to which they are entitled. One of these benefits is Supplemental Security Income (SSI) which provides cash support to people with disabilities who earn little to no income.

I/DDs are long-term conditions which delay mental, cognitive, and/or physical development, impact day-to-day-functioning, and usually last a lifetime. Many I/DDs can dramatically impair a person’s ability to perform daily activities and to live a fully independent life.

The resulting financial effects can, sometimes, be overwhelming to an individual or a family. Receiving SSI because of a disability does not mean the person with disabilities will never be capable of working or living independently—only that he or she is not yet capable of doing so at the present time. The good news is that SSI benefits can help alleviate this financial strain and provide people with I/DDs enough support to allow them time and financial security to work towards achieving maximum independence in their lives.
CHAPTER 1
INTRODUCTION TO SUPPLEMENTAL SECURITY INCOME (SSI)
What is Supplemental Security Income (SSI)?
Supplemental Security Income, or SSI, is a federal benefit program run by the Social Security Administration (SSA). It pays monthly cash benefits to adults who are blind, disabled or over 65, and have limited income and resources. Children with disabilities may also qualify for SSI.

The SSI maximum monthly payment, in 2019, is $771 a month for an individual or $1,157 a month for a couple. Most states offer supplemental payments. In California, in 2019, the state supplement amount is $160.72.

How do I qualify for SSI?
To qualify for SSI, you must have limited income and few assets. Social Security requires SSI recipients to have less than $2,000 in assets for a single person, and $3,000 for a couple.

Is SSI the Same as “Social Security Disability Insurance,” or SSDI?
SSI is different from Social Security Disability Insurance (SSDI). SSDI is a program that pays benefits to disabled adults who have worked and paid payroll taxes for a specific period of time. So, eligibility is based on disability and employment history for SSDI, instead of disability and income and resource levels for SSI.

You may be able to receive both SSDI and SSI if you are an adult with an I/DD who has a work history. If you have an I/DD adult child who just turned 18 and does not have many years of work experience, he or she will probably not qualify for SSDI on his or her own. However, they may qualify for SSDI as a qualified dependent adult. For more information on the rules, please refer to the following Social Security Administration publication: www.ssa.gov/pubs/EN-05-10026.pdf.
| **SSI**  
| **DEPENDS ON DISABILITY, INCOME AND RESOURCE LEVEL** | **SSDI**  
| **DEPENDS ON WORK HISTORY, NOT ON INCOME OR RESOURCE LEVEL** |
| Title 16 of the Social Security Act | Title 2 of the Social Security Act |
| Depends on a person’s income level and resources. A person cannot have more than $2,000 in income and $2,000 in resources in order to qualify for SSI. | Depends on work history, not income or resources. You can have high income and resources and still qualify. |
| Only the person who applies for SSI can receive SSI payments. | Other people related to the person receiving SSDI can get benefits too. |
| Eligible for Medicaid | Eligible for Medicare |
CHAPTER 2
HOW DO I APPLY FOR SSI?
How Do I Qualify For SSI?
You may qualify for monthly SSI payments if you are both 1) categorically eligible and 2) financially eligible.

1) To be categorically eligible, you must be:
   • Aged 65 or older, and/or
   • Blind, and/or
   • Disabled

2) To be financially eligible, you must have:
   • Limited income, and
   • Limited resources

Terms like “disabled,” “blind,” and “limited income and resources” may seem easy to understand, but are legal terminology used by the SSA, and might not mean what you normally think they mean.

1. Categorical Eligibility
To be categorically eligible, you do not have to fit ALL categories, just one. If you’re aged, blind, or disabled, you are categorically eligible and will be able to receive SSI as long as you meet the financial eligibility requirements.

To qualify because of a disability, you must have a condition that prevents you from performing “Substantial Gainful Activity (SGA).” Your disability must have lasted or be expected to last at least 12 months or result in death, and your condition must meet or equal the SSA’s Listing of Impairments. See www.ssa.gov/disability/professionals/bluebook/AdultListings.htm for more information.

ELIGIBILITY FOR SSI
To show an adult with I/DDs qualifies for SSI must prove:
1) Categorical Eligibility
   • Age 65 or older or
   • Blind or
   • Disabled
     • Not doing Substantial Gainful Activity (SGA)
     • Disability meets or equals a listing

2) Financial Eligibility
   • “Countable Income” below a certain level
   • “Countable Resources” below a certain level

Substantial Gainful Activity (SGA)
SGA means work activity that brings in a certain amount of money per month. In 2019, that amount is $1,220 per month. If you earn more than this amount of money monthly, you are working at the SGA level and will not be eligible for benefits. This doesn’t mean Social Security thinks you don’t have a disability, it just means you failed to meet their legal definition of disabled.

“Meets or Equals a Listing”
Social Security maintains a list of disabling medical conditions that automatically qualify you as disabled. If your condition doesn’t exactly meet the criteria in a listing, but it’s close, you might be able to convince Social Security that your condition is “medically equivalent” to the listing. If you do, you’ll be granted disability benefits.
Below are a few examples of the adult listings for some common I/DDs.

AUTISM: To qualify for SSI on the basis of Autism, you must satisfy both A and B:

A Medical documentation of both of the following:
- Qualitative deficits in verbal communication, nonverbal communication, and social interaction; and
- Significantly restricted, repetitive patterns of behavior, interests, or activities.

and

B Extreme limitation of one, or marked limitation of two, of the following areas of mental functioning:
- Understand, remember, or apply information.
- Interact with others.
- Concentrate, persist, or maintain pace.
- Adapt or manage oneself.

CEREBRAL PALSY: To qualify for SSI on the basis of Cerebral Palsy, you must satisfy A, B, or C:

A Disorganization of motor function in two extremities, resulting in an extreme limitation in the ability to stand up from a seated position, balance while standing or walking, or use the upper extremities.

or

B Marked limitation in physical functioning, and in one of the following:
- Understanding, remembering or applying information;
- Interacting with others;
- Concentrating, persisting, or maintaining pace;
- Adapting or managing oneself.

or

C Significant interference in communication due to speech, hearing, or visual deficit.

Sample Categorical Eligibility

Andrew is a 24-year-old autistic man who has never worked and isn’t currently working. Is he categorically eligible for SSI on the basis of a disability?

ANSWER: Maybe. Can you think of why the answer isn’t a straight up “yes”? We know that to have categorical eligibility based on a disability, the applicant must a) not be currently performing SGA, and b) have a disability that meets a listing. Andrew has never worked—this means he isn’t performing SGA right now—and isn’t currently working, so he has no money coming in that would disqualify him on this factor. But, just because Andrew has a medical diagnosis of autism doesn’t mean he will meet the autism disability listings that will qualify him for SSI. Andrew or Andrew’s advocate will have to show that he meets the listing for autism.
2. Financial Eligibility

After meeting categorical eligibility, you must also meet financial eligibility to get SSI benefits. To be eligible, you must have countable income and countable resources below a certain level.

Countable Income
Your income must be low. Income includes things like wages or money you earn from working, or money you receive from other sources such as gifts from friends, Social Security, or free food or shelter. If it cannot be used to get food or shelter, it’s not considered income for SSI eligibility purposes.

Social Security does not count all income toward the SSI limit. Examples of non-countable income are the first $20 of most kinds of income you receive in a month, part of your wages, SNAP (food stamps), tax refunds, public benefits based on need, and loans that you have to repay. In addition, Social Security allows you to deduct any Impairment Related Work Expenses (IRWEs). IRWEs are the cost of certain items that a person with disabilities needs in order to work.

The basic rule is that you cannot have more countable income than the SSI payment level that matches your living arrangement. To get your total countable income, add countable earned income + countable unearned income.

Unearned income is income you do not earn (such as gifts, inheritances, in-kind support and maintenance—when you receive food and shelter free of charge). Earned income is any income you earn.

Sample Categorical Eligibility

David is a 65-year-old man with severe Downs syndrome. Does he meet categorical eligibility for SSI?

**Answer:** Yes! David qualifies for SSI. The answer is a straightforward “yes” because David is 65, and therefore is categorically eligible under the Aged category. He does not have to additionally prove his disability to qualify, because to be categorically eligible, he only has to fall under one category of aged, blind, or disabled.
Instructions for calculating a person’s total countable income:

1. Find all your sources of income and add them.

2. Subtract any income that’s “excludable” income (like IRWEs) because they fall on the list of excludable income items.

3. Sort the income that remains after you’ve subtracted the excludable income items into “earned income” or “unearned income” categories.

4. Apply the appropriate formulas for earned income and unearned income (these formulas are complicated and beyond the scope of this manual, but more information can be found here www.ssa.gov/ssi/text-income-usssi.htm.

5. Add the earned income and unearned income amounts together, and that is your total countable income which the SSA will look at when figuring out if you’re eligible for SSI or determining to pay you.

Income is counted by the SSA every month. The income that a person has in one month affects whether the person is eligible to get benefits that month.

In general, the income limit for SSI is the federal benefit rate (FBR), which is $771 per month for an individual and $1,157 per month for a couple in 2019. Remember, though, that not all income is countable, and so you can earn more than $771 per month and still qualify for SSI. The SSI income limits are strict and complicated, and it is very important to speak with an advocate right away if you have questions about how to calculate your total countable income.

Countable Resources

To qualify for SSI, you must have very few resources. A person can have up to $2,000 in countable resources and a married couple can have up to $3,000 in countable resources to qualify for SSI.

Resources are cash or other liquid assets or any real or personal property that you (and your spouse, if any) own and could convert to cash to be used for your support and maintenance. Real property is land, including buildings or objects attached permanently to the land that can’t be moved. Personal property includes things such as cars, household goods, life insurance policies, jewelry, and tools.

But, just like “countable income,” it is only “countable resources” that matter. Some resources are not counted when determining whether a person has gone over the $2,000 (or $3,000 for a couple) amount limit. For example, you can own one home and one car without having the value of those items considered a resource that would put you over the resource limit to qualify for SSI.

Instructions for calculating a person’s total countable income are given below:

1. Find all your resources and add them together.
2. Subtract all resources considered excludable.

3. This is your countable resource level.

Resources are counted once a month at the beginning of the first day of the month. The SSI resource limits are strict and complicated, so you should speak with an advocate right away if you have questions about which resources are counted.

**Limited Conservatorships and Representative Payees**

If you are a parent or conservator of an adult with I/DDs, one option to consider is becoming a Representative Payee. A representative payee must spend the disability benefits appropriately for the disabled person’s needs, must properly account for the money spent, and must report certain changes in the life or living situation of the disabled person (the “beneficiary”) to the SSA.

While the representative payee doesn’t have to be a conservator of the individual, the SSA will choose someone who knows the needs of the person with disabilities, such as a parent or family member.

If you are interested in becoming a representative payee, you must fill out a “Request to Be Selected as Payee” (SSA Form 11-BK) application at your local SSA office with an SSA agent. You will need to explain why you think the disabled person can’t manage their income and you will need to provide your own SSN. You may also need to complete an interview with an SSA representative.

**How Much SSI Will I Receive?**

**The Federal Benefit Rate (FBR) and State Supplementary Payment (SSP)**

SSI money comes from two places—the federal government and the state government. The federal government currently pays a maximum of $771.00 a month. Every year, this amount goes up a little to help people with SSI adjust for changes in cost of living.

Many states supplement the federal payments at varying levels. In California, in 2019, the
state supplement is $160.72 a month. So, in California you can receive a maximum of $931.72 a month.

**Why Does My Adult Disabled Child Receive Less Than the Maximum $931.72 Per Month?**

Just because you qualify for SSI doesn’t mean you will get the full $931.72 per month. Your payment depends on many factors, such as where you live and whether you pay your fair share of food and rent. So, adults with I/DDs often get a lower benefit rate because they live with their parents and do not pay for food and rent, or they pay for food and rent but not enough to be their fair share. This is called the “In-Kind Support and Maintenance” problem.

Parents of adults with I/DDs often don’t want to charge their disabled adult children for rent and food—they love them and want to protect them. This can cause trouble for the adult with I/DDs benefits.

SSI is meant to cover food and shelter, so if the SSI recipient is getting one or both of these from his or her parents without having to pay, benefit payments will be lower. And if the person was paid the full amount during months when they should have been paid less, they will owe the SSA money.

To avoid in-kind support and maintenance problems, an adult with I/DDs should use SSI money to pay his or her fair share of the market value rent and cover the cost of his or her food. “Fair share” means divided equally between the household members. “Shelter” means rent or mortgage plus utilities.

**How Do I Apply for SSI?**

You can apply online at [www.ssa.gov/benefits/disability](http://www.ssa.gov/benefits/disability). You can also apply in person at your local Social Security office or by calling toll free 1-800-772-1213. It is recommended you apply in person at your local SSA office and get written proof of your application and the date it was completed. You will be asked certain things when you apply, like your identity, age, marital status, citizenship status, income and resources, place of residence, and living arrangement.

**Medi-Cal**

In most states (including California), anyone receiving SSI automatically gets Medi-Cal.
CHAPTER 3
WHAT IS A DENIAL?
HOW DO I APPEAL?
What is a Denial?
Denials happen when a person applies for SSI but their application is denied because the SSA thinks the applicant lacks either categorical or financial eligibility—or both. You will receive a written notice, which should state the reason for the denial. Your written notice from the SSA has important information about deadlines and next steps.

After receiving a denial, you have one of two options: file an appeal within the 65-day deadline, or file a new application for SSI. One approach may be better than the other, depending on what caused the SSA to deny the application. It is best to consult an advocate or attorney on what to do next as soon as you receive a notice like this.

The deadlines to file the appeal paperwork are strict, so it’s important to meet them. At each stage, you have 60 days (plus 5 days for mailing) to file an appeal of a decision. You can apply for more time if you have “good cause.” Some reasons include:

- Poor English
- Cognitive or mental impairments that prevent understanding the notice or knowing about the need to file a timely appeal
- Serious illness (yours or an immediate family member’s)

Many, many applications are denied, so don’t be surprised if you are not approved for benefits right away. If you believe the SSA is wrong—that you are aged, or blind, or disabled, and/or financially eligible and you should be receiving benefits, you can choose to appeal the denial.

Four Levels of Appeals
You have four levels of appeal if your disability claim is denied by Social Security.

1. Request for Reconsideration
The first step to take after receiving notice of your denied claim is to contact your local Social Security field office and request reconsideration. A request for reconsideration simply tells the SSA that you’d like Disability Determination Services to take a look at your case again. It will be assigned to a different medical consultant and examiner than those involved in the initial evaluation of your case, and they will go through the same process they use to evaluate initial claims.

When filing a Request for Reconsideration (or any documents with the SSA), make an extra copy of your paperwork and take both copies to your local SSA field office. Submit one copy to the SSA agent you meet with and request a stamp on your personal copy for your records. If the denial was not because of disability but due to too much income or resources, you can choose to have your case “reconsidered” in the following ways:

i. a case review, where you submit additional evidence but don’t appear or call witnesses;

ii. an in-person informal conference, where you show up in person and a written summary becomes part of the case record;
iii. an in-person formal conference, where you show up in person and have additional documents included and witnesses called.

After the SSA has “reconsidered” your case, they will let you know whether your appeal has been denied again, or whether you have won and will begin to receive benefits. If you receive another denial, this does not mean the case is over—you can appeal the case again—this time in front of a judge.

2. Hearing Before an Administrative Law Judge (ALJ)

If you disagree with the decision made at the reconsideration level, you again have 65 days from the date of your denial to file a Request for Hearing. (Your reconsideration denial notice will list the forms to fill out to request a hearing.) The hearing takes place before an Administrative Law Judge (ALJ) and you will receive a Notice of Hearing approximately 30 days before the hearing date. At this step, the judge will reconsider your application, factoring in any new medical evidence or details in your application that may have been overlooked. The judge will ask you questions and may choose to have a Vocational and/or Medical Expert at your hearing.

The ALJ hearing is where having an attorney or advocate represent you can make the biggest difference in a case. At this hearing, you can present witnesses, and submit a brief, and other important documents. It is extremely important to present all issues at this hearing because you may not be able to raise them later in the process. The only downside to this step is the time it takes to get a hearing. In California, the average waiting time is between six and 18 months. Use this time to build your medical evidence by seeking additional full-scale evaluations, assemble other evidence, and find an attorney to represent you.

The ALJ hearing is your best opportunity to win the appeal because the judge will take a second look at your application. You also have the opportunity to appear in-person and plead your case. So, make the effort to include a brief, testimony, and any additional favorable evidence you can muster.
After the hearing, the judge will make a decision—sometimes you’ll know right then, and sometimes you will have to wait for the mailed written Notice of Decision.

3. Appeals Council Review
If you lose at the disability hearing, the third step is to ask the Appeals Council to review your case. The Appeals Council can accept or deny cases, but they don’t accept every case for review. Just because you file an appeal does not mean the outcome of your case will be any different. The Appeals Council will review the hearing decision to determine if it was rendered properly according to the law.

Whether or not to appeal to the Appeals Council is a tough decision, so be sure to ask a professional. Before 2011, you could file an appeal of an unfavorable decision to the Appeals Council and file a new application for SSI benefits with the SSA at the same time. However, you must now do one or the other. So, if you appeal to the Appeals Council, you have to wait for their decision before filing a new application for benefits—and it takes, on average, 345 days to receive a decision. Depending on the strength of your case, it may be better to get stronger evidence to support a new application for SSI.

4. Filing a Case in Federal Court
If you were denied by the Appeals Counsel, the last step is filing a lawsuit in a federal district court. Filing a case in federal court may only occur after the SSA administrative appeals process has been exhausted. At this stage, it is necessary to have an attorney represent you in court. The last chapter of this guide provides a list of lawyers and advocates who can help with an SSI case.
Flow chart of the four levels of appeal.

1. Request for Reconsideration

Case Review

In-Person Informal Conference

In-Person Formal Conference

Request for Reconsideration Denied

2. Hearing before Administrative Law Judge (ALJ)

Unfavorable Ruling from Hearing

Favorable Ruling from Hearing

Benefits Reinstated

3. Appeals Council Review

Appeals Council Accepts Case for Review

Appeal Granted

Benefits Reinstated

Appeal Denied

4. File Appeal in Federal Court

You May Choose to File New SSI Application

Appeals Council Declines to Review Case

You May Choose to File New SSI Application

Request for Reconsideration Approved
**Getting SSI Benefits After Winning a Denial Appeal**

If you win your denial appeal and are awarded SSI benefits, the payment you receive will be large and will begin from the date you first applied for benefits.

You will receive a notice of decision in the mail, and the SSA will meet with you to discuss your financial information to figure out your monthly benefit and back payment award, based on what you say at the meeting. Discuss what you will say with your attorney beforehand and have your financial information ready to present to the SSA at this meeting.

If SSI back payments are for more than three months of benefits, the money will be paid in six-month installments. The first two installments will be limited to three months’ worth of SSI benefits, and the third installment will bring up the balance. After this, you will receive monthly SSI payments on the first of each month directly into the bank account you set up to receive benefits.

You must spend down any lump sum award to below $2,000 in nine months. If you fail to do so, any money left over after the period passes can be considered countable resources, which may lead to an overpayment or a reduction in benefits. Figuring out how to spend down this money on time is complicated, and it is highly recommended that you speak with an attorney or advocate to get advice. The funds must be spent only on exempt resources and items bought solely for the benefit of the disabled recipient. Some general rules to follow include:

- Prioritize spending the back payment money on immediate needs such as clothing, tutoring, cell phone, medical care, food, shelter, etc.

- Spend money on things like household items, personal effects (computers, appliances, entertainment like movie tickets, personal hygiene like haircuts, etc.)—most anything tangible except things that are collectibles and worth money, as these will be counted against resources.

- Use the money to pay for SSI recipient expenses while on temporary vacation travel (i.e. food items, plane tickets, place to stay, etc.). If you do travel, keep in mind that if you are out of the country for more than 30 consecutive days, you become ineligible for SSI.

You must to be able to prove this spend down if the SSA audits you, so keep receipts and records of how you spent the money.
CHAPTER 4
TERMINATIONS
AND CONTINUING
DISABILITY
REVIEWS
What is a Termination?
While most people who are approved for SSI disability will continue to receive benefit checks for years to come, there are things that can cause your disability benefits to be terminated. The most common reason is having too much income, either through working or receiving it some other way. Terminations can also occur if your medical condition no longer meets the categorical disability listing. If your benefits are stopped, you have two options: you can file an appeal or let the termination go through and re-apply for benefits.

Two Types of Terminations

1. What is a Redetermination Review?
A redetermination is an evaluation of your income, resources, and living arrangements to be sure that you are still needy enough for SSI and that you are getting the correct payment. Redeterminations are done every one to six years. You can do them over the phone, in-person, or by mail. You will receive a Notice of Redetermination to let you know a review is coming up. Make sure you have all requested documents.

Redeterminations, unlike Continuing Disability Reviews (CDRs), which are discussed below, are not specific to the disability community—all SSI recipients go through a redetermination at some point.

2. What is a Continuing Disability Review (CDR)?
Continuing disability reviews (CDRs) are evaluations to determine whether you are still unable to work and therefore still considered disabled. If it is determined your medical

Sample Termination Problem
Alex, 19, has received SSI disability since he was diagnosed with autism at age 4. When he turned 18 he received a notice from the SSA to appear for a consultative medical exam with a doctor who neither he nor his parents knew. Alex and his parents went to the medical exam, where the doctor examined Alex for a few minutes. A few weeks later, Alex received a “Redetermination Notice” saying the SSA reviewed his case, acknowledges he has a medical diagnosis of autism but believes he is now able to work. His SSI benefits will stop in the following months.

This is a standard termination case known as a “redetermination” or “disability cessation” or “continuing disability review.” While the SSA knows Alex has a medical diagnosis of autism, they don’t think his Autism meets or equals the Autism Disability Listing. Thus, he no longer qualifies for SSI benefits under the category of “disabled.” So that his benefits don’t stop, it would be helpful for Alex to seek the help of an advocate or lawyer and file an appeal to prove his autism continues to meet a disability listing.
or mental condition has not improved, you will continue to get SSI benefits. If your condition has improved, your case is likely to be recommended for further review. The frequency of your CDRs will depend on the severity of your disability and the likelihood that your condition will improve (and sometimes your age). All child recipients have their cases reviewed when they turn 18. This is because many conditions which qualify children for SSI disability benefits do not qualify adults for similar benefits.

Age 18 redetermination usually happens in the first 12 months after you turn 18, although it can happen much later. It is a four-step process:

1. The local Social Security Field Office will send a notice that your case is being reviewed.

2. The SSA will ask you to go to the local SSA field office for an interview to determine the severity of your disability, and how it affects your ability to function. The SSA agent will ask you to sign some authorization forms so they can contact your doctors, other service providers or teachers who interact with you or help with your disability.

3. The Disability Determination Service (DDS) will review your case. DDS follows the Sequential Evaluation Process (the same process as detailed for denials in Chapter 3) to determine if your disability is severe enough to meet the adult disability listing.

4. DDS will mail the decision to you. It will let you know whether or not you were found eligible for SSI as an adult. If yes, you will continue to receive SSI payments without any break. If not, your benefits will stop. If you don’t agree with the decision, you can file an appeal. Attorneys and advocates are available to help you navigate the appeals process.

You can best prepare for an age 18 redetermination or CDR by providing the SSA with all your disability and medical records and any additional information that shows you meet the adult disability listing for your condition. You should respond promptly when the SSA asks for information.
My Benefits were Terminated. What Should I Do?
When SSA terminates your benefits, they must send you a notice of cessation. It is important to know that you have the right to appeal. Time is critical. You must file the appeal within 10 days (plus 5 days for mailing) of the date on the notice, to keep your benefits while the appeal is heard. If you don’t win the appeal, you must pay back the money you received from the date of the original determination. If your benefits were stopped, it may be helpful to speak to an experienced disability attorney or advocate. You can find a listing in Chapter 5 of this guide.

Will I Still Get Medi-Cal After an SSI Termination?
Medi-Cal pays for medical care for low income families. If you are on SSI, you are automatically eligible for Medi-Cal without a separate Medi-Cal application. Many families with adults with I/DDs may qualify for Medi-Cal this way.

If you lose your SSI benefits, Medi-Cal does not automatically terminate. Medi-Cal continues while the county looks for any possible way for you to continue to get Medi-Cal. This makes it very difficult to lose Medi-Cal.
CHAPTER 5
FIVE BEST PRACTICES FOR MANAGING YOUR BENEFITS
FIVE BEST PRACTICES FOR MANAGING YOUR BENEFITS

1. Read and Respond to SSA Notices
The SSA sends notices when there is something you need to know or do about your benefits claim, status, or amount. Many notices have important deadlines that may require your response or action by a certain date. If you don’t understand or can’t respond to a notice, contact your assigned SSA office with questions about the notice. You can also contact an advocate or attorney who can explain the letter and what you need to do to meet your responsibility.

2. Spend SSI Money in the Right Places
Make sure you spend SSI money in the right places. SSI is government money given to help you cover certain basic needs such as food, shelter, medical and dental care not covered by health insurance, and personal needs such as clothing. Keep track of your monthly expenses and keep all receipts for purchases, in case problems arise with your benefits in the future.

3. Report Changes in Your Information
When you are receiving SSI benefits, there are certain financial and legal changes you must report immediately to the SSA. The general rule is that you must report these changes within the first 10 days of the month following the month in which the change occurred. For example, if you change address in June (on any day in June, whether the 1st, 13th, or 27th), you must report this change (in a way that is provable) by the 10th of July at the latest, otherwise it will be deemed as un-reported and may impact your SSI benefits. Failure to report a change can result in a fine, penalty, or imprisonment.

You can notify the SSA by phone, mail, or in-person of changes. Reporting changes in person and on paper is highly recommended. If you go in-person, make an extra copy of your material or information and ask the SSA professional you meet with to stamp your copy for your records. Keep the ticket slip confirming your presence at the SSA on the day and time at which you reported. When reporting changes in-person, you should have the following information:
- Your name, or the name of the person for whom you are reporting the change;
- Your SSN, or the SSN of the person who gets SSI;
- The change being reported;
- The date the change happened.

4. Keep Good Records and Collect Evidence
No two SSI cases are the same, and legal claims are fought and won with evidence. You can protect yourself and prepare for any possible actions by the SSA by immediately seeking the help of an attorney or advocate, and keeping careful files of:
- Your SSA notices including the envelopes in which they were mailed;
- Medical evidence (evaluations, diagnoses, treatment dates, medications, and prescribed treatments by doctors, especially M.D.s or psychologists)
• Individualized Education Plans (IEPs);
• School records including teacher evaluations and behavioral reports;
• Receipts of purchases made using SSI money (and/or records of purchases made from the bank account where SSI funds are deposited).

A good practice is to organize these items into an “SSI Binder” by type of evidence and date. All these things will make a significant difference to the attorney or advocate arguing your case—even if you think some records are really old or irrelevant.

5. Use a Lawyer or Advocate Who Specializes in SSI Disability Cases

Statistics show that applicants who pursue the SSI appeal process with proper representation are more likely to receive disability benefits than applicants who choose to represent themselves. Essentially, there are two main categories of lawyers specializing in SSI—those in private practice, and those in legal aid. While there are many lawyers who handle Social Security and SSI cases, few have experience working with people with invisible disabilities. Make sure your lawyer has the experience needed to handle the complex disability claims process.

Once you find an attorney or representative, they will act on your behalf in resolving the matter with the SSA. If the time for your hearing arrives and you haven’t found an attorney yet, you can request a continuance.

When looking for a lawyer, bring your SSI notices and medical or other records (school records, IEPs) to the initial meeting. Many lawyers, whether legal aid or private practice, shy away from taking cases in which too little evidence exists. You can improve your chances of finding an attorney by being organized in your materials.

Whether or not you hire a lawyer to handle your SSI claim is up to you. It is a personal decision that only you can make. Fortunately, finding a qualified attorney or advocate doesn’t have to be an overwhelming process. Below is a list of such attorneys and advocates provided for your convenience. You can also always contact the following organization,
which deals with Social Security Claims generally:

- National Organization of Social Security Claimants’ Representatives (NOSSCR)
  560 Sylvan Avenue
  Englewood Cliffs, NJ, 07632
  800-431-2804

### SSI Disability Law Specialists

<table>
<thead>
<tr>
<th>Organization</th>
<th>Address</th>
<th>Telephone</th>
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<tbody>
<tr>
<td>American Bar Association</td>
<td>Children’s SSI Project CA</td>
<td>415-782-8969</td>
</tr>
<tr>
<td>Attorney Referral Service</td>
<td>P.O. Box 27076, San Diego, CA 92198</td>
<td>877-277-2771</td>
</tr>
<tr>
<td>Bet Tzedek Legal Services</td>
<td>3250 Wilshire Boulevard, 13th Floor Los Angeles, CA 90010</td>
<td>323-939-0506</td>
</tr>
<tr>
<td>California Rural Legal Assistance (CRLA)</td>
<td>1011 Pacific Street, Suite A San Luis Obispo, CA 92401</td>
<td>805-922-4563</td>
</tr>
<tr>
<td>California Rural Legal Assistance (CRLA)</td>
<td>2050 South Broadway, Suite G Santa Maria, CA 93454</td>
<td>805-922-4563</td>
</tr>
<tr>
<td>California Rural Legal Assistance (CRLA)</td>
<td>324 East Carrillo Street, Suite B Santa Barbara, CA 93101</td>
<td>805-963-5981</td>
</tr>
<tr>
<td>California Rural Legal Assistance (CRLA)</td>
<td>3350 Park Street, Paso Robles, CA 93446</td>
<td>805-239-3708</td>
</tr>
<tr>
<td>California Rural Legal Assistance (CRLA)</td>
<td>338 S. “A” Street, Oxnard, CA 93030</td>
<td>805-483-8083</td>
</tr>
<tr>
<td>California Rural Legal Assistance (CRLA)</td>
<td>601 High Street, Suite C, Delano, CA 93215</td>
<td>661-725-4350</td>
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<tr>
<td>California Rural Legal Assistance (CRLA)</td>
<td>117 South Lake Street, Madera, CA 93638</td>
<td>559-674-5671</td>
</tr>
<tr>
<td>Center for Health Care Rights</td>
<td>520 South Lafayette Park Place, Suite 214 Los Angeles, CA 90057</td>
<td>213-383-4519</td>
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<tr>
<td>Central California Legal Services</td>
<td>2115 Kern Street, Suite 1</td>
<td>559-570-1200</td>
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<tr>
<td>Fresno</td>
<td>Fresno, CA 93721</td>
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<tr>
<td>Central California Legal Services</td>
<td>1640 N Street, Suite 200</td>
<td>209-723-5466</td>
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<td>Merced</td>
<td>Merced, CA 95340</td>
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<tr>
<td>Central California Legal Services</td>
<td>208 West Main Street, Suite U-1</td>
<td>559-733-8770</td>
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<td>Visalia</td>
<td>Visalia, CA 93291</td>
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<tr>
<td>Centro La Familia</td>
<td>302 Fresno Street, Suite 102</td>
<td>559-237-2961</td>
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<td>Fresno, CA 93706</td>
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<tr>
<td>Commission on Human Concerns</td>
<td>621 Richmond Avenue</td>
<td>805-486-4725</td>
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<td></td>
<td>Oxnard, CA 93030</td>
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<tr>
<td>Commission on Human Concerns</td>
<td>946 East Thompson Boulevard</td>
<td>805-648-6088</td>
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<td>Ventura, CA 93001</td>
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<tr>
<td>Community Legal Services</td>
<td>11834 East Firestone Boulevard</td>
<td>562-864-9935</td>
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<td>Norwalk, CA 90650</td>
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<tr>
<td>Community Legal Services</td>
<td>725 West Rosecrans Avenue</td>
<td>310-638-6194</td>
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<td>Compton, CA 90222</td>
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<tr>
<td>Elder &amp; Health Law Clinic</td>
<td>University of the Pacific</td>
<td>916-340-6080</td>
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<td></td>
<td>McGeorge School of Law</td>
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<td></td>
<td>3200 5th Avenue, Sacramento, CA 95817</td>
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<tr>
<td>Greater Bakersfield Legal Assistance</td>
<td>615 California Avenue</td>
<td>661-325-5943</td>
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<td></td>
<td>Bakersfield, CA 93304</td>
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<tr>
<td>HIV &amp; AIDS Legal Services</td>
<td>3550 Wilshire Boulevard, Suite 750</td>
<td>213-201-1640</td>
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<td></td>
<td>Los Angeles, CA 90010</td>
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<tr>
<td>Inland County Legal Services</td>
<td>82632 C Highway 111</td>
<td>760-342-1592</td>
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<td>Indio</td>
<td>Indio, CA 92201</td>
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<tr>
<td>Inland County Legal Services</td>
<td>1040 Iowa Avenue, Suite 109</td>
<td>951-320-7500</td>
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<tr>
<td>Riverside</td>
<td>Riverside, CA 92507</td>
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<tr>
<td>Inland County Legal Services</td>
<td>715 North Arrowhead Avenue, Suite 113</td>
<td>909-884-8615</td>
</tr>
<tr>
<td>San Bernardino</td>
<td>San Bernardino, CA 92401</td>
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<tr>
<td>Inland County Legal Services Victorville</td>
<td>14196 Arnargosa Road, Suite K Victorville, CA 92392</td>
<td>760-241-7073</td>
</tr>
<tr>
<td>Inland County Legal Services Rancho Cucamonga</td>
<td>10601 Civic Center Drive, Suite 260 Cucamonga, CA 91730</td>
<td>800-977-4257</td>
</tr>
<tr>
<td>L.A. Center for Law &amp; Justice</td>
<td>1241 South Soto Street, Suite 102 Los Angeles, CA 90023</td>
<td>323-980-3510</td>
</tr>
<tr>
<td>Legal Aid Foundation of Los Angeles</td>
<td>110 Pine Avenue, Long Beach, CA 90802</td>
<td>800-399-4529</td>
</tr>
<tr>
<td>San Diego Volunteer Lawyer Program SDVLP</td>
<td>707 Broadway, Suite 1400 San Diego, CA 92101</td>
<td>619-235-5656</td>
</tr>
<tr>
<td>Redwood Legal Assistance Ukiah</td>
<td>P.O. Box 747, Ukiah, CA 95482</td>
<td>877-529-7700</td>
</tr>
<tr>
<td>Redwood Legal Assistance Eureka</td>
<td>P.O. Box 1017, Eureka, CA 95501</td>
<td>707-445-0866</td>
</tr>
<tr>
<td>Positive Resource Center Free/HIV Positive</td>
<td>785 Market Street, 10th Floor San Francisco, CA 94102</td>
<td>415-931-3070</td>
</tr>
<tr>
<td>Legal Services for Children</td>
<td>1254 Market Street, 3rd Floor San Francisco, CA 94102</td>
<td>415-863-3762</td>
</tr>
<tr>
<td>Legal Aid Society of San Mateo County</td>
<td>330 Twin Dolphin Drive, Suite 123 Redwood City, CA 94065</td>
<td>800-381-8898</td>
</tr>
<tr>
<td>Lawyer Referral Service San Mateo County</td>
<td>333 Bradford Street Redwood City, CA 94063</td>
<td>650-369-4149</td>
</tr>
<tr>
<td>Lawyer Referral Service San Francisco</td>
<td>465 California Street, Suite 1100 San Francisco, CA 94103</td>
<td>415-575-3500</td>
</tr>
<tr>
<td>Lawyer Referral Service La Raza Centro, SF, CA</td>
<td>474 Valencia Street San Francisco, CA 94103</td>
<td>415-575-3500</td>
</tr>
<tr>
<td>Independent Living Resources Center</td>
<td>649 Mission Street, 3rd Floor San Francisco, CA 94105</td>
<td>415-543-6222</td>
</tr>
<tr>
<td>Bay Area Legal Aid</td>
<td>50 Fell Street, 1st Floor San Francisco, CA 94102</td>
<td>415-982-1300</td>
</tr>
</tbody>
</table>
SOURCES, LITERATURE, AND ADDITIONAL RESOURCES
Chapter 1

  www.ssa.gov/ssi

• *The Social Security Act, Title XVI—Supplemental Security Income for the Aged, Blind, and Disabled*
  www.ssa.gov/OP_Home/ssact/ssact-toc.htm

• *Social Security Administration SSI Resource List—SSI Law and Regulations, 2018 Edition*
  www.ssa.gov/ssi/ssi-law-regs.htm
  www.ssa.gov/OP_Home/ssact/title16b/1613.htm

• *Public Benefits for People with Disabilities*, Disability Rights California
  www.disabilityrightsca.org/system/files/file-attachments/501401_0.pdf

• *Social Security Administration Code of Federal Regulations, Part 416—Supplemental Security Income for the Aged, Blind, and Disabled*
  www.ssa.gov/OP_Home/cfr20/416/416-0000.htm

• *SSA POMS*
  secure.ssa.gov/poms.nsf/home!readform

  www.justiceinaging.org/wp-content/uploads/2018/03/Supplemental-Security-Income-101.pdf?eType=EmailBlastContent&cId=a9d981f0-02b2-419c-a87c-5df970035546


• Clark, Molly, *Social Security Disability Benefits for Developmental Disabilities*, Hope Services
Chapter 2

  www.ssa.gov/ssi/text-eligibility-ussi.htm

- **Social Security Chapter 16 Handbook on Representative Payees**, Social Security Administration


- U.S. Department of Health and Human Services, *Poverty Guidelines*, available at
  aspe.hhs.gov/poverty-guidelines

- Social Security Administration, *Cost-of-Living Adjustment (COLA) Information*, available at
  www.ssa.gov/news/cola/

- Social Security Administration POMS, *General Information about State Supplementation*,
  SI 01401.001, available at
  secure.ssa.gov/poms.nsf/lnx/0501401001

- *SSI Applicants and Recipients: Not Knowing About In-Kind Support and Maintenance Can Cost You Money!*, Disability Rights California,

- *Ways to Apply for Social Security Benefits*, SSA,
  www.ssa.gov/forms/apply-for-benefits.html.


- Social Security Administration, Income Exclusions for SSI Program, available at
  ssa.gov/oact/cola/incomexcluded.html.

- Social Security Administration POMS, Impairment-Related Work Expenses (IRWE),
  SI 00820.540.
• **In-Kind Support and Maintenance**, 20 C.F.R. § 416.1130  
  www.ssa.gov/OP_Home/cfr20/416/416-1130.htm

• Social Security Administration POMS, Loans of In-Kind Support and Maintenance, SI 00835.482  
  secure.ssa.gov/poms.nsf/lnx/0500835482

• **Unearned Income**, 20 C.F.R. § 416.1124(c)(2)  
  www.ssa.gov/OP_Home/cfr20/416/416-1124.htm

• **Determination of Benefits**, 20 C.F.R. § 416.420  
  www.ssa.gov/OP_Home/cfr20/416/416-0420.htm

• 42 U.S.C. § 1382b(c); 20 C.F.R. § 416.1246; Social Security Administration POMS,  
  *What Is a Resource Transfer*, SI 01150.001.

**Chapter 3**

• See Appendix A for sample deadlines in a notice

  www.ssa.gov/ssi/text-appeals-ussi.htm

• See Appendix B for a sample denial notice

• Laurence, Bethany K., *Social Security Disability Denials: What a Denial Means*  
  www.disabilitysecrets.com/disability-denial.html

• **What You Need to Know When You Get Social Security Disability Benefits**, SSA  
  www.ssa.gov/pubs/10153.pdf

• **Your Right to Question a Decision Made on Your Supplemental Security Income (SSI) Claim**,  
  Publication 05-11008  

• Supplemental Security Income (SSI), Publication 05-11000  
Chapter 4

• See Appendix C for a sample Redetermination/Termination Notice.

• *Transition-Age Youth and Social Security—Age 18 Redetermination*, Disability Rights CA

• *Continuing Disability Reviews*, SSA
  www.ssa.gov/ssi/text-cdrs-ussi.htm

Chapter 5

• See Appendix D for a sample Notice of Overpayment

  www.ssa.gov/ssi/text-notices-ussi.htm

• *The Multidisciplinary Advocacy Needs of the Disabled: A Legal Perspective*, For an example of how a case can be won with strong medical evidence:
  www.semel.ucla.edu/autism/newsletter/fall-2016
If a person is self-employed, we consider the kind and value of his/her work, including his/her part in the management of the business, as well as income, to decide if the work is substantial.

**Information About Medicaid And Other Benefits**

Since you are not receiving Supplemental Security Income payments, you are not automatically eligible for medical assistance under the Medicaid program. However, if you need help with medical bills, you still may be eligible for medical assistance. Contact the county welfare department about the eligibility requirements of the State's medical assistance programs.

You may want to contact your local public assistance office to find out if you qualify for payments from them.

**If You Disagree With The Determination**

If you disagree with this determination, you have the right to request a hearing. We will review your case and consider any new facts you have. A person who has not seen your case before will look at it.

1. You have 60 days to ask for a hearing.
2. The 60 days start the day after you get this letter. We assume you got this letter 5 days after the date on it unless you show us that you did not get it within the 5-day period.
3. You must have a good reason for waiting more than 60 days to ask for a hearing.
4. You have to ask for a hearing in writing. We will ask you to sign a form HA-501-U2, called "Request for Hearing." You may contact one of our offices or call 1-800-772-1213 to request this form. Or you may complete this form online at [http://www.socialsecurity.gov/disability/appeal](http://www.socialsecurity.gov/disability/appeal). Contact one of our offices if you want help.

5. In addition, you should complete a "Disability Report - Appeal" to tell us about your medical condition since you filed your claim. You may contact one of our offices or call 1-800-772-1213 to request this form. Or, you may complete this report online after you complete the online Request for Hearing.

**How the Hearing Process Works**

After you request a hearing, an Administrative Law Judge (ALJ) will mail you a letter at least 20 days before your hearing to tell you its date, time and place. The letter will explain the law in your case and tell you what has to be decided. Since the ALJ will
Sample Denial Notice

SOCIAL SECURITY ADMINISTRATION
SUPPLEMENTAL SECURITY INCOME
Notice of Disapproved Claims

Telephone: (877) 319-0732
Date: DATE
Claim Number: NUMBER

NAME
STREET ADDRESS
CITY, STATE ZIPCODE

We are writing about your claim for Supplemental Security Income (SSI) payments. Based on a review of your health problems you do not qualify for benefits on this claim. This is because you are not disabled or blind under our rules.

The Decision on Your Case

The following report(s) were used to decide your claim:

NAME OF PERSON/AGENCY report received DATE
NAME OF PERSON/AGENCY report received DATE
NAME OF PERSON/AGENCY report received DATE
NAME OF PERSON/AGENCY report received DATE
NAME OF PERSON/AGENCY report received DATE

We have determined that your condition is not severe enough to keep you from working. We considered the medical and other information, your age, education, training, and work experience in determining how your condition affects your ability to work.

You said you are unable to work because of:

Attention Deficit Disorder; Intellectual Disability, Diagnosed by Regional Center; Attention Deficit Hyperactivity Disorder; Auditory Processing Disorder; Executive Function skills; Visual Spatial Deficit; Short Term and Long Term Memory Issues; Poor Ability to Manage and Understand Time and Money.

Though you may be anxious at times, your records show that you are able to think, communicate and act in your own interest. The evidence shows you are able to adjust to ordinary emotional stresses, as well as to do your usual activities and to remember and follow basic instructions. evidence we considered does not show that the condition causes

(SSA-L444)
Sample Termination Notice

SOCIAL SECURITY ADMINISTRATION
SUPPLEMENTAL SECURITY INCOME
Notice of Disability Cessation

Telephone: (877) 803-6308
Date:   DATE
Claim Number:   NUMBER

NAME for
NAME OF CLAIMANT
STREET ADDRESS
CITY, STATE ZIPCODE

IMPORTANT NOTICE—NAME OF CLAIMANT's SSI WILL STOP

Earlier we told you that we were reviewing NAME OF CLAIMANT's case to see if he is still disabled under our rules. After reviewing all the information carefully, we have decided that he no longer qualifies for Supplemental Security Income.

We urge you to read this entire letter. It includes important information about appeal rights and medical assistance. It also explains how you can continue to receive payments if you appeal.

The Decision On NAME OF CLAIMANT's Case

The medical evidences shows that NAME OF CLAIMANT's health has improved and he no longer meets the disability requirements in MONTH YEAR.

We used the following reports in making our initial decision:
NAME OF PERSON/AGENCY report received DATE

The last medical decision was on MONTH DAY, YEAR. The medical evidence at that time showed that the child required teacher guidance for most activities and had significant difficulties with attention, following multi-step instructions, maintaining an appropriate work pace, reading comprehension, and interpreting pragmatic language.

We used the following report(s) in making our current decision:
NAME OF PERSON/AGENCY report received DATE
NAME OF PERSON/AGENCY report received DATE

You said he is disabled because of:
Autism
Sample Overpayment Notice

Social Security Administration
Supplemental Security Income

Notice of Overpayment

NAME
STREET ADDRESS
CITY, STATE ZIPCODE

Social Security
3840 Crenshaw Blvd
Los Angeles, CA 90008
800-772-1213

Date: DATE
Social Security Number: NUMBER

We are writing to let you know we have paid you $AMOUNT too much in Supplemental Security Income (SSI) money. The overpayment happened in months between DATE 1 and DATE 2.

You could not get SSI since the value of your resources was more than the SSI limit. As a result you were overpaid in the months between DATE 1 and DATE 2. For (Enter Year) the limit on the value of the things you owned which we included as your resources was $ (Enter Resources Limit). Resources may include cash, money in bank accounts, stocks, bonds, land or housing other than your home, certain kinds of life insurance and some other things. Your Social Security office can tell you which things we include as resources.

You must pay us back unless we decide you shouldn't have to pay us back or we're wrong about the overpayment. If you think you shouldn't have to pay us back or you disagree with the decision about the overpayment, you can:

- Ask for a waiver,
- Ask for an appeal, or
- Do both.

This letter will tell you more about these things you can do.

Later in this letter we will give you a detailed explanation of your overpayment.

If We Don't Hear From You In The Next 30 Days

We plan to collect this overpayment from your SSI checks. We'll begin to withhold $AMOUNT in MONTH/YEAR until the overpayment is paid back. If you ask for a waiver or appeal in the next 30 days, we won't change your check until we decide your case.

If You Think You Shouldn't Have To Pay Us Back

You may not have to pay us back. Sometimes we can waive an overpayment, which means you won't have to pay us back. We can do this if both of the following are true.
Sample Notice of Hearing

SOCIAL SECURITY ADMINISTRATION

Refer To:
NAME OF CLAIMANT

Office of Hearings Operations
Suite 5300
501 W Ocean Blvd
Long Beach, CA 90802-9910
Tel: (855)532-0889 / Fax: (562)980-4131

DATE

NAME on behalf of
NAME OF CLAIMANT
STREET ADDRESS
CITY STATE ZIPCODE

NOTICE OF HEARING

Please bring this notice with you, and arrive at least 30 minutes prior to your hearing.

You may also review your file on the day of your hearing if you come in at least 60 minutes before the time set for your hearing. Please call us in advance if you will need more than 30 minutes to review your file.

I have scheduled your hearing for:

Day: DAY Date: MONTH DAY YEAR Time: TIME TIME ZONE

Room: NUMBER Address: STREET ADDRESS
ROOM NUMBER CITY, STATE ZIPCODE

It Is Important That You Attend Your Hearing

I have set aside this time for you to tell me about your case. If you do not attend the hearing and I do not find that you have a good reason, I may dismiss your request for hearing. I may do so without giving you further notice.

You may ask us if you want to appear by telephone. I will grant your request if I find that extraordinary circumstances prevent you from appearing in person or by video teleconferencing.

Suspect Social Security Fraud?
Please visit http://oig.ssa.gov/r or call the Inspector General's Fraud Hotline at 1-800-269-0271 (TTY 1-866-501-2101).
GLOSSARY
**Administrative Law Judge**  
A judge who decides the outcomes of the claims or disputes involving administrative law.

**Age 18 Redetermination**  
Children who are eligible for SSI benefits when they are under the age of 18 are required to have their eligibility re-evaluated when they reach 18.

**Appeal**  
Applying to a higher court for a reversal of the decision of a lower court.

**Appeals Council**  
The third step in the appeal process. Its purpose is not to evaluate the merits of a disability claim, but to determine if the administrative law judge who denied the claim made an error.

**Audit**  
An official inspection of an individual’s accounts, typically by an independent person.

**Beneficiary**  
The person who is receiving benefits from SSI.

**Blind**  
Central visual acuity of 20/200 or less in the better eye with best correction, or a limitation in the field of vision in the better eye so the widest diameter of the visual field subtends an angle of 20 degrees or less.

**Conservator**  
The guardian of a disabled individual.

**Continuing Disability Review (CDR)**  
Routine review done to make sure those receiving SSI benefits are still disabled and entitled to benefits.

**Countable Income**  
Anything that one receives during a calendar month which can be used to meet needs for food and shelter. It may be cash, food or shelter, or something one can use to get food and shelter.

**Countable Resources**  
Items owned that count toward the resource limit, which is $2,000 for an individual and $3,000 for a couple. These include cash, bank accounts, stocks, U.S. savings bonds, land, life insurance, personal property, vehicles, and anything else owned that could be changed into cash and used for food or shelter.

**Disability Cessation**  
When the SSA stops sending benefits unless the beneficiary successfully appeals the decision.

**Disability Determination Services (DDS)**  
State agencies that are funded by the U.S. federal government to make disability findings for the SSA.
Disabled
To be unable to work because of a medically determinable physical or mental impairment that is expected to result in death or is expected to last for at least 12 months.

FBR (Federal Benefit Rate)
Represents both the SSI income limit and the maximum federal monthly SSI payment. In 2019, the rate is $771 per month for individuals and $1,157 for couples.

I/DD (Intellectual and developmental disabilities)
Disorders that are usually present at birth and negatively affect the trajectory of the individual’s physical, intellectual, and/or emotional development.

IEPs (Individualized Education Plans)
A legal document that lays out the program of special education instruction, supports, and services a child needs to make progress in their education.

Invisible Disabilities
Disabilities not immediately apparent. People with visual or auditory disabilities who do not wear glasses or hearing aids, those with chronic illnesses who do not use mobility aids, or those with learning disabilities.

IRWEs (Impairment-Related Work Expenses)
Expenses for special disability-related items or services needed to work.

Limited Income and Resources
An individual’s earned income must not exceed $1,627 per month ($2,399 for a couple). Unearned income must not exceed $791 per month ($1,177 for a couple.) And resources must not be worth more than $2,000 as an individual, $3,000 as a couple.

Liquid Assets
Cash on hand or an asset that can be readily converted to cash.

Medi-Cal
California’s Medicaid health care program that pays for a variety of medical services for children and adults with limited income and resources.

Medicaid
Joint health care program funded primarily by the federal government and run at the state level. Assists low-income families/individuals to pay for doctors, hospitals, long-term medical, custodial care and more.

Medicare
The U.S. government health insurance program for Americans who are 65 years of age and older.

Notice of Decision
Notification and explanation of the outcome of a hearing before an administrative law judge.
Notice of Hearing
Notification of the date of a hearing. Often sent about a hearing to reconsider the ending of benefits.

Qualitative Deficits
Shortage of talent and ability.

Redetermination Review
An evaluation of one’s income, resources, and living arrangements to be sure the beneficiary still qualifies for the same amount of SSI.

Representative Payee
A parent or conservator of an adult with I/DDs in charge of disability benefits given to the beneficiary.

SGA (Substantial Gainful Activity)
The ability to earn more than a certain monthly amount at a job. In 2019 for blind individuals, this is $2,040 and $1,220 for non-blind individuals.

SNAP (Supplemental Nutrition Assistance Program)
Federal nutrition program that helps stretch food budgets and buy healthy food.

SSA (United States Social Security Administration)
An independent agency of the U.S. federal government that administers Social Security, a social insurance program consisting of retirement, disability, and survivors’ benefits.

SSDI (Social Security Disability Insurance)
A federal benefit program run by the Social Security Administration that pays benefits to disabled adults who have worked and paid payroll taxes for a specific period of time.

SSI (Supplemental Security Income)
A federal benefit program run by the Social Security Administration and pays monthly cash benefits to adults who are blind, disabled, or over 65, and have limited income and resources.

SSP (State Supplementary Payment)
Monthly cash payments offered by some states to supplement one’s federal payment.

Termination
When benefits are ended due to too much income or because medical condition no longer meets disability listing.

Vocational and/or Medical Expert
An expert called during an SSI hearing. Fields on which they testify include, but are not limited to, capacity to work, cost of labor replacement, and ability to perform activities of daily living.
OUR MISSION

In 1974, a small group of lawyers, rabbis, and community activists came together to assist aging, low-income residents who were being displaced from their homes as their neighborhoods gentrified. The group individually contributed $5 per month to rent a small storefront where, one night a week, they offered free legal assistance to the community. They named the organization Bet Tzedek—Hebrew for “House of Justice”—after a central precept of Jewish law and tradition: “Tzedek, tzedek, tirdof”—“Justice, justice you shall pursue.”

Through the decades, Bet Tzedek continued its work to close the justice gap for low-income community members, with a growing reputation and expertise in elder law, employment rights, and rapid response programs to meet emerging needs. Today, Bet Tzedek is an internationally recognized force in poverty law. Harnessing an award-winning pro bono model of service, Bet Tzedek has provided free, expert legal assistance to more than 500,000 people. Bet Tzedek’s mission is to provide free legal services to those who need them most, helping people of all communities and generations secure life’s necessities.
THE FULL BENEFIT, TOO
A User-Friendly Guide to Understanding SSI for Adults with Intellectual and/or Developmental Disabilities (I/DDS)

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