



Benefits Law Center
Social Security Advocacy

BLC presents: Navigating Social Security and BLC Basics

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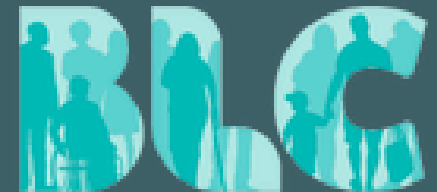
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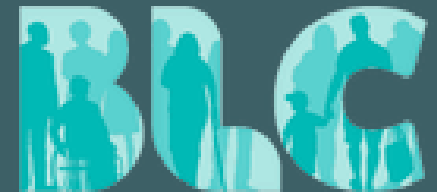
Today's Agenda

- What is SSA
- State of SSA: 2024
- What Are Social Security Benefits
- Common Social Security Problems/Cases
- What can an advocate do?
- Services We Provide
- How We Can Support You
- Questions



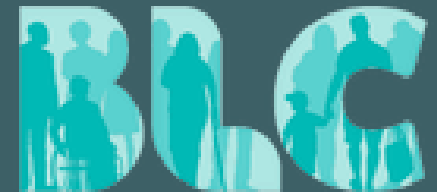
The Social Security Administration

- FDR signed the Social Security Act in 1935.
 - Created the Social Security Board.
- In 1946, it was renamed the Social Security Administration
- In 1950s agricultural workers and domestic workers became eligible for benefits.
- SSA was granted independent agency status in 1995.
- 60,000 employees, 10 regional offices, and 1,230 field offices.
- While it is the most effective anti-poverty program, there are clear inequities built into these programs from the start that have a lasting multi-generational impact.



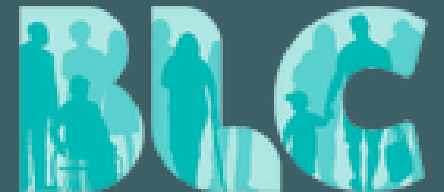
What Does SSA Do?

- Social Security is the federal government financial safety net.
- Disability, retirement, and survivors benefits.
- Administer Social Security Numbers/Social Security cards.



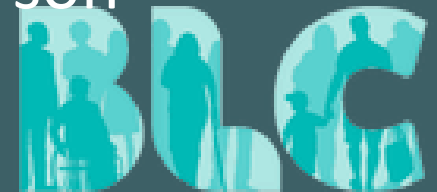
SSA 2024

- Local SSA Field Offices have been open since April 2022. Wait times are long and it's best to go early in the morning to avoid long delays.
- Hearings Office. There is an option to appear by telephone and Teams, OR you can wait to appear in person (longer wait time for hearing).
- SSA Is relying heavily on their website to process appeals.



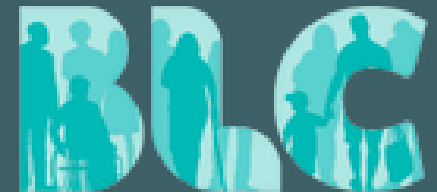
Types of Non-Disability Benefits

- **Social Security Retirement** – based on an individual’s work history
- **Old-Age Supplemental Security Income (SSI)** – based on age (over the age of 65) and financial requirements (income and resource limits).
- **Spousal Benefits** – retirement benefits on spouse’s records if you are over the age of 62 and your spouse is receiving benefits
 - **Up to ½ of your spouse’s benefit amount**
- **Survivor’s Benefits** – for family members of deceased person qualified for benefits.



Types of Disability Benefits

- **Supplemental Security Income (SSI)** – individuals who meet income and resource limits and medical eligibility requirements (no work history required)
- **Social Security Disability Insurance** – for individuals who have earned enough work credits and meet medical eligibility requirements (work history required)
- **Disabled Adult Child Benefits** – for adult children who became disabled before 22 years old and have a parent who is receiving retirement or disability benefits



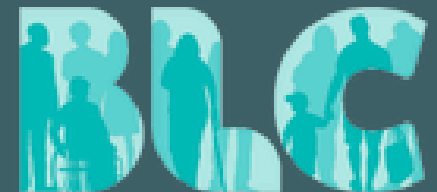
Who Qualifies for SSI (Supplemental Social Security Income)

Who Qualifies for SSDI (Social Security Disability Insurance)

SSI	SSDI
Age 65 or older, blind, or meets Social Security’s definition of “disabled”	Meets Social Security’s definition of “disabled”
Has limited resources (less than \$2000)	Sufficient Work Credits (based on total yearly wages, up to 4 credits each year) 2020: \$1410 = 1 Work Credit
Has limited income	Age 31 and older - Must have earned 40 work credits, 20 of which earned in the last 10 years (worked any 5 of the last 10 years)
Noncitizens must meet special requirements to qualify (not undocumented, qualified “alien”; AND special criteria.)	

How much is the benefit?

- **SSI:** 2024 Federal SSI Benefit Rate - \$943 for an individual, and \$1,415 for an eligible individual and eligible spouse.
- **SSDI:** Based on past earnings.



Social Security Problems

Eligibility or Entitlement Cases – helping someone who needs to apply for benefits or appeal a notice denying their application for benefits.

Post-Entitlement Cases – helping someone who already receives benefits when SSA has told them that their benefits might be reduced or stopped.

- Overpayment Notice
- Threat of Termination or Cessation
- Continuing Disability Review



Social Security Problems- Post-Entitlement Cases

Overpayment

Written Notice. We paid you \$xxx too much in monthly benefits...” Written notice, amount, and why.

- If the client disagrees read the appeal rights and appeal accordingly.
 - Disagree with the fact or amount: Reconsideration (SSA Form 541 or online)
 - Disagree that it was my fault AND I cannot afford to repay: Waiver (SSA Form 632)
- If the client does not disagree, set up a repayment plan.

Termination or Cessation “We believe you are no longer eligible for benefits because...”

Reasons Why:

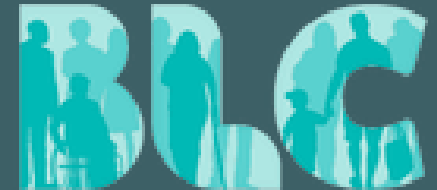
SSI: Work, Income, resources, no longer disabled, out of the country for too long, incarcerated for longer than one calendar month

SSDI: Work, no longer disabled, incarcerated (convicted AND confined for more than 30 days)

What to do: Read and follow appeal information in the notice.

Continuing Disability Review

Every 2-7 years, every person who receives disability benefits will have their disability reviewed by SSA to ensure benefits are going only to those who qualify. Depending on the application process, this can be traumatic. Respond to all communication, and return all forms completed.

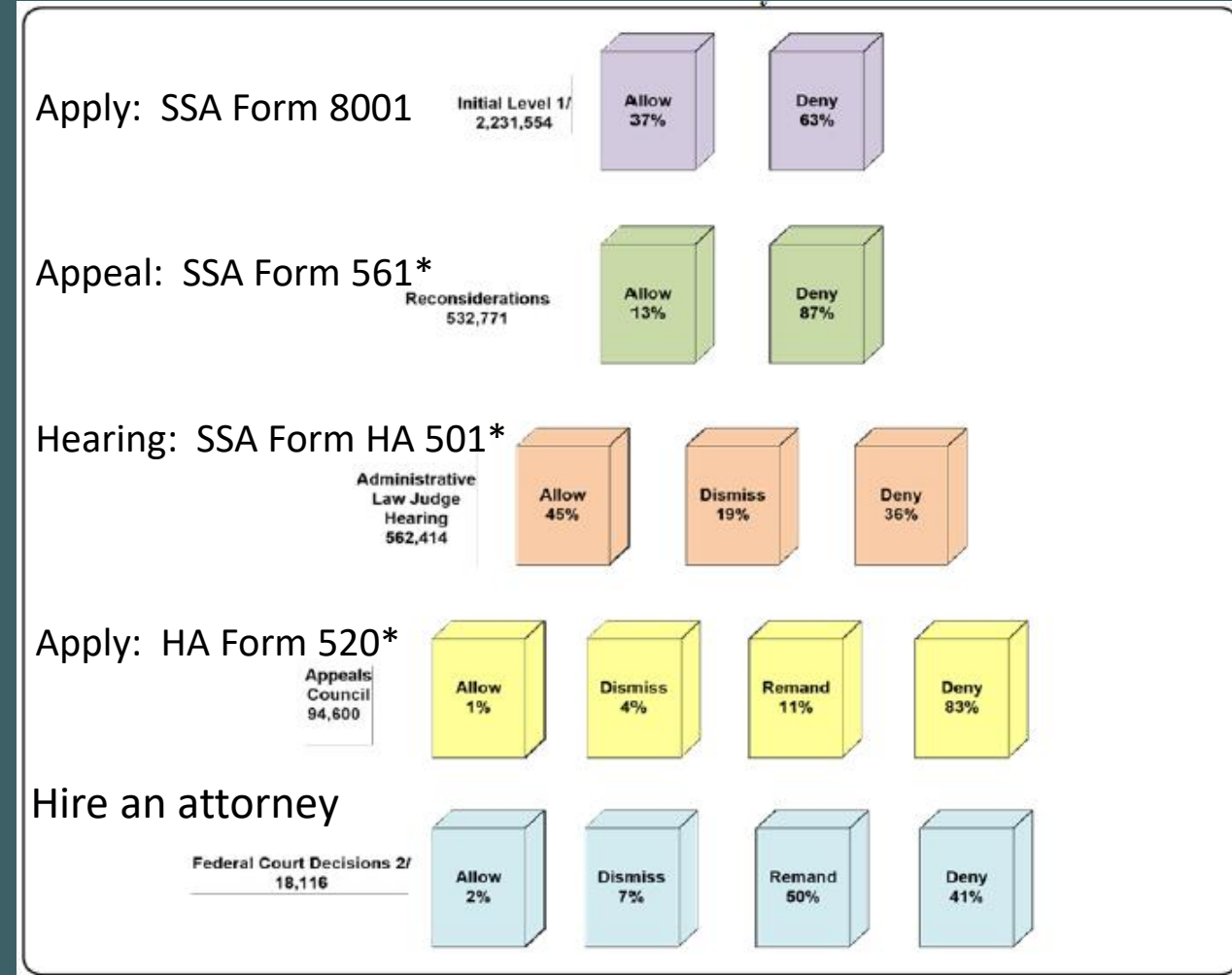


Social Security Problems- Eligibility or Entitlement Cases

Apply and appeal online ssa.gov

- Inability to engage in any **substantial gainful activity** because of a **medically determinable physical or mental impairment** which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months, and results in **not being able to perform past work or any work** in the national economy.
- Disability for Social Security purposes is specifically tied to an individual's ability to work.
- This is the legal definition- it is not meant to define an individual's value to our families or our communities.

***Appeal Language in some cases:** I disagree because I believe I am disabled under Social Security rules.



Prepared by: SSA, ODPMI (Office of Disability Program Management Information). 2019 stats.

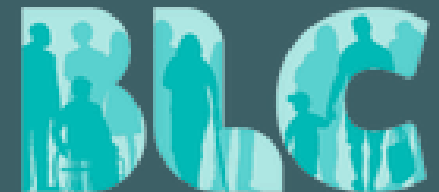
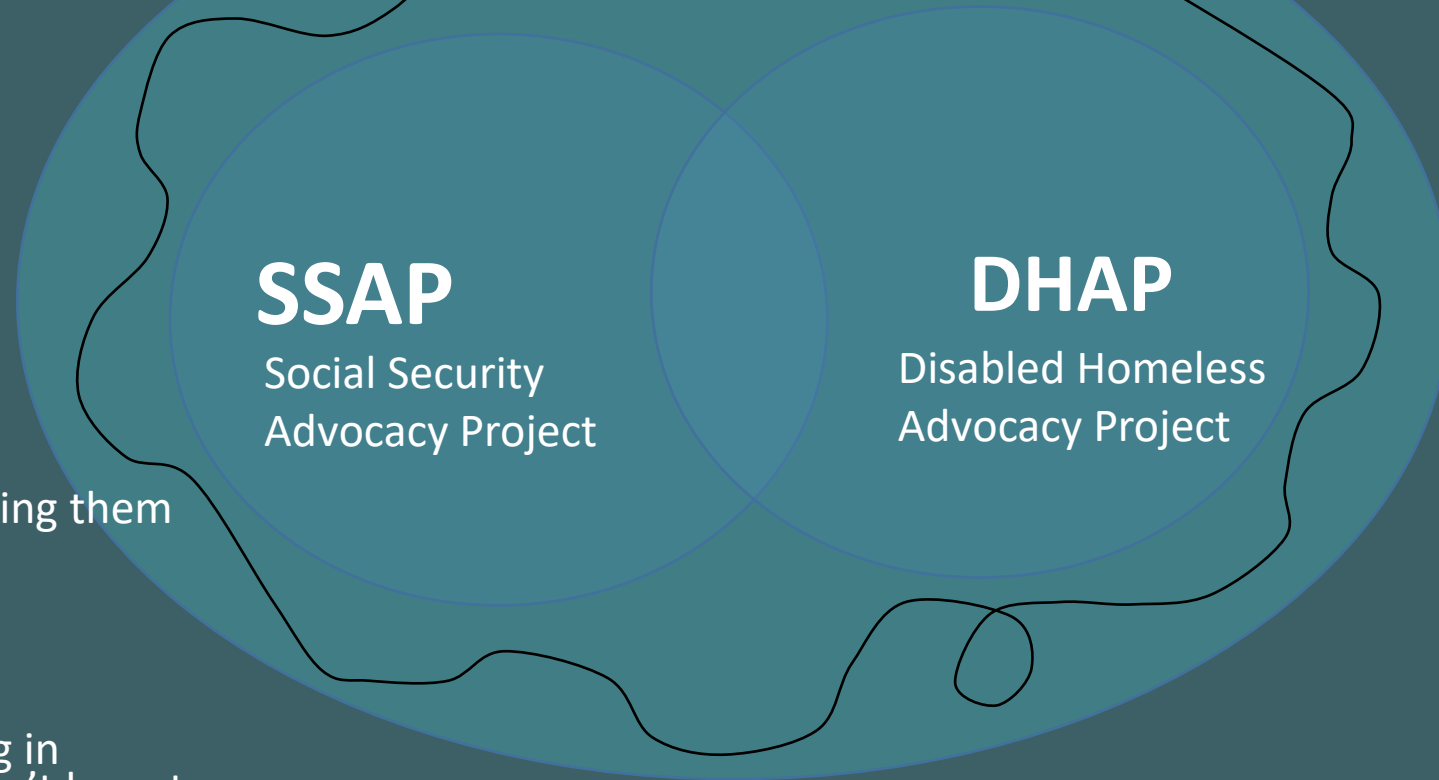
Services BLC Provides

Level Of Service:

- Advice and council
- Brief Service
- Full Representation

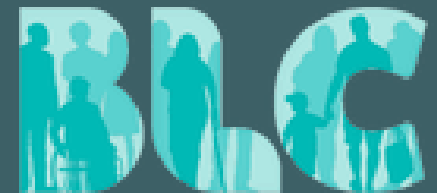
Types Of Service:

- Teaching clients how benefits work and counseling them on how to make decisions about their benefits
- Completing paperwork
- Tracking deadlines
- Using decades of relationship building to staying in constant communication with SSA, so clients don't have to.
- Application and appeal assistance
- Crafting written and oral arguments that make the difference
- Collecting medical, financial, and other evidence to support the case and client.



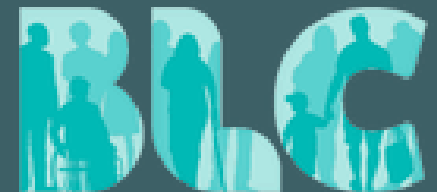
Barriers to SSA Benefits

- Homelessness/houselessness/living outside (mail).
- Physical impairments (F.O.)
- Mental and cognitive impairments
- Transportation
- Access to technology
- Limited English proficiency
- Social support



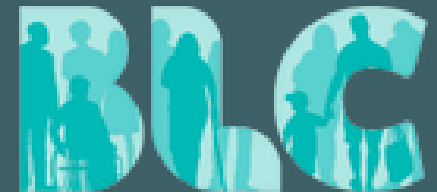
How BLC Makes a Difference

- Compassionate and trusting relationship building
- Referrals to case management services, housing assistance, medical providers, food banks, etc.
- Justice Bus
- Community outreach locations
- Interpreter Service services in every language



How We Can Help You

- Trainings
- Answering Specific Questions
- Referrals
- Formal Partnerships (+/- the Justice Bus)
- Call us!



Questions!

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