

Do I Meet the Financial Requirements?

If your child lives with you and you do not receive SSI, then Social Security will determine the amount of SSI your child is eligible for by looking at your income and resources.

- Social Security considers both earned and unearned income.
 - Earned income = wages, salaries, and tips
 - Unearned income = child support, public benefits, interest, etc.
 - Social Security considers resources. These are things that you own, like houses, cars, and cash.
 - You can have up to \$2,000 in resources if one parent lives at home, and \$3,000 if both parents live at home.
- ★ **If you are not sure whether your child is financially eligible, you should apply.**

Things to Keep in Mind

- ▶ **DO NOT BE DISCOURAGED IF YOUR CHILD'S APPLICATION IS DENIED.**
 - ▶ You can appeal the denial.
- ▶ Many times a claim that is denied initially is approved at the "Reconsideration" or at the Administrative Law Judge level.
- ▶ Appeal on time (usually this means within 60 days). If you miss a deadline, Social Security will not hear your case.

Legal Services of Greater Miami, Inc.

Main Office

3000 Biscayne Boulevard
Suite 500
Miami, Florida 33137
Telephone: (305) 576-0080
TTD: (305) 573-1578

South Dade

10720 Caribbean Boulevard
Suite 400
Miami, Florida 33189
Telephone: (305) 232-9680
TTD: (786) 242-0207

Key West

1111 12 Street
Suite 203
Key West, FL 33040
Telephone: (305)292-3566
TTD:(305)292-9772



Passionately Committed to Equal Justice

www.lsgmi.org

Children's Disability

Supplemental Security Income Applying and Appealing



Legal Services of Greater Miami, Inc.
3000 Biscayne Boulevard, Suite 500
Miami, FL 33137

**Supported in part by funding from:
McDermott, Will, and Emery, LLP
and
Ratzan & Rubio, P.A.**

What is SSI?

- “Supplemental Security Income”
- It is a federal cash assistance program.
- Blind or disabled children in families with limited income can receive up to \$637 a month (2008 rate), depending on family income and resources.
- A child who qualifies for SSI is also eligible for Medicaid (free medical care).
- Your child will automatically get Medicaid if they are approved for SSI.
- Even if they are not approved for SSI, your child may still be eligible for Medicaid. Therefore, you should also apply for Medicaid at the Florida Department of Children and Families.

How Do I Apply for SSI For My Child?

- Visit or call your local Social Security Office.
- You can also call the Social Security Hotline at 1-800-772-1213.
- Be sure to fully complete the application.
- A Social Security worker can help you complete the application.

What Does Social Security Need?

- Social Security needs a complete medical history of your child. You can provide much of this information.
- Be prepared to provide:
 - Proof of your child’s age
 - Your child’s social security number
 - Information about your family’s income and resources
 - Medical records and school records
 - The names and addresses of those who have treated your child.

★Always keep a copy of everything you give to Social Security.

What Happens After I Complete the Application?

- Social Security will review it to see if your child is eligible for benefits.
- To be eligible your child must be blind or disabled.
- It can take 6 months or more for Social Security to review your child’s application, but if he/she is found to be eligible they may receive benefits back to the date of application.
- Social Security will send you a letter when a decision has been made.
- If Social Security tells you that your child is not eligible, you have a right to appeal.

How Do I Appeal

- Ask for “reconsideration”. The application will be reviewed again, and you can submit new evidence. You have 60 days from the date on the denial notice to ask for reconsideration.
- If SSI is denied again after reconsideration, the next step is to ask for a hearing with an Administrative Law Judge. You have 60 days from the date of the notice denying reconsideration, to ask for a hearing.
- Legal Services of Greater Miami, Inc. can help with your appeal after reconsideration has been denied and after you requested a hearing. Be sure to come to our office as soon as you request a hearing. We may not be able to help if you wait until you have a hearing date.
- If the Administrative Law Judge denies your appeal, you have 60 days to appeal to the Appeals Council.
- Finally, if you are unsuccessful at the Appeals Council level, you have another 60 days to appeal to Federal Court.

How Do I Prepare My Child’s Appeal?

1. **Make a List of All of Your Child’s Doctors.** The list should include the names, addresses, and telephone numbers of all of your child’s medical and mental health service providers.
2. **Collect Your Child’s Medical and Mental Health Records.** Ask the doctor and/or hospital for these records. The records should have the names of all of the medications your child takes, and the dates and reasons for hospital stays.
3. **Collect School Records.** Ask your child’s teachers, nurses, daycare, or preschool workers for short written reports about your child’s activities and limitations.
4. **Get Short Written Reports or Letters** from other people who see your child on a regular basis. Information from family and friends is very helpful to describe what your child can and cannot do.
5. **Keep a Diary.** Begin now to keep a diary of your child’s daily activities, medications, pain, and other experiences that you see, including side effects from medications.

What Happens After My Child Begins to Receive Benefits?

- Your child’s case may be reviewed by SSA every 3 years and when he/she turns 18.
- If your family’s and/or your child’s financial information changes. The benefit amount may increase, decrease, or stop. You must report any changes to Social Security within 10 days.
- If your child is receiving benefits, and the amount changes, you should appeal within 10 days of notice if you disagree with the change. In most cases, your child will continue to receive benefits at the prior level until the appeal is decided.
- If you win your appeal your child may receive a lump sum award of back benefits.

Usually this money must be kept in a bank account for your child. SSA has strict rules on what the money can be used for. Check with your SSA worker before spending any of the money.