SAIL SOUTHERN ADIRONDACK INDEPENDENT LIVING

Independent Living – Accessing Public Benefits and Supports Within the Community

Elizabeth Cox
Lead Independent Living Specialist

Deven Springer
Lead Facilitated Enroller

Meet Southern Adirondack Independent Living (SAIL)

SAIL serves Albany, Clinton, Columbia, Essex, Franklin, Fulton, Green, Hamilton, Herkimer, Montgomery, Oneida, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, and Washington counties.

SAIL Helps With:

Health Insurance - helps people fine affordable health care coverage.

Advocacy - helps people access programs and services.

Resources - helps people with information services related to disability and health.

Equipment - helps people with FREE assistive technology.

Transitions - helps people return to and stay in the community.

Social Security Disability and Supplemental Security Income – Understanding the Programs

Social Security Disability

- Was passed into law in July of 1956
- Eligibility is based on having a qualifying disability and sufficient work credits through own history
- The disability is expected to last over a full year and/or result in death

Supplemental Security Income

- Was an amendment to the Social Security law and was passed in 1972
- Eligibility is based on having a qualifying disability and having limited/no income and resources
- The disability is expected to last over a full year and/or result in death

How does Social Security Define Disability?

To meet the definition of disability,

- A person must not be able to engage in any Substantial Gainful Activity (SGA) because of a medically determinable physical and/or mental impairment(s)

The impairment(s) must

- Expected to result in death.
- Has lasted or is expected to last for a continuous period of at least 12 months.

Social Security Disability Insurance

- 40 work credits, over ten years to qualify
- In 2024, a credit is earned for every $1,730 a person earns per quarter. You must earn $6,920 to get the maximum four credits for the year
- Minimum benefit: $100
- Maximum benefit: $3,248 (2024)
- Benefits will begin after the sixth full month of disability. SSA will determine when the disability began
- Automatically qualifies for Medicare after a 24-month waiting period from when the disability is determined to begin

Supplemental Security Income

- A Social Security program for people who have a limited income and resources who are blind, aged 65 or older, or have a qualifying disability.
- Maximum benefit is $943 (2024) for a single person
- Maximum benefit for a married couple is $1,415 (2024)
- Must have limited resources: $2,000 for a single person, $3,000 for a married couple
- Examples of resources: cash, bank accounts, stocks, mutual funds, properties, life insurances, vehicles, deemed resources, etc.
- A person who receives SSI will also be qualified for other assistance programs such as Medicaid, SNAP, HEAP, etc.
- For those Aged 65+, there is not a disability determination, only a financial one

Knowing How to Spot the Differences

- Benefit amount
- Resource Limit
- Health Insurance
- Disbursement of Benefit

If you are ever in doubt, call the local SSA office. They will be able to tell you the type of benefits and how much they much they receive.

Other Benefit Programs to Know

Disabled Adult Child

- Disability begins before the age of 22, be unmarried, and at least age 18
- Parents must have sufficient work credits and be receiving either SSDI or Retirement, or passed away
- Follows SSDI rules for work incentives

Disabled Widows Benefits

- The person must be at least age 50, but not yet 60
- Have been married to the deceased spouse for more than 9 months immediately prior to the day they passed
- Be currently unmarried
- Not be entitled to an equal or higher benefit on their own record

New York State Supplement Program (SSP)

- New York State aids aged, blind, and disabled individuals who receive SSI.
- There is no application, when someone applies for SSI, they also apply for SSP
- Maximum benefit for one person is $87. Benefit will change depending upon living situation and marital status
- If a person is eligible for SSP, they will automatically be eligible for Medicaid.

Definition of Disability for a Child

To meet the definition of disability, the child must have:

- A physical or mental condition(s) that very seriously limit their daily activities; and

The medical conditions must

- Have lasted, or will expected to last for at least 12 months
- Or be expected to result in death

Childhood SSI Benefits

- A child under the age of 18 can get SSI if they meet Social Security's definition of disability for children AND have limited income and resources for both parent/guardian and the child
- No minimum age requirement, benefits can begin on their date of birth
- Can receive benefits up until they are 18, after that they would have to reapply
- Requires an additional phone interview after initial online filing

Limited income and resources

- The child must have less than $2,000 in resources
- SSA will determine how much a parent/guardian's income and resources will impact the child's benefits under a system called Deeming.
- Under deeming, deductions are allowed based upon family size and for those who are living in the home. After these deductions are made, the remaining income and resources are used to decide if the child meets the resource limit

How to Apply

- Call local Social Security office and request a phone appointment. Make sure to utilize the office locator tool on the SSA.gov website for an accurate location
- Call or stop into a local Independent Living Center and request an appointment for in person or over the phone
- For SSI only, request an appointment online utilizing the appointment request tool
- Contact Legal Aid Society or a lawyer

What information is going to be needed?

- All diagnosed Medical Conditions
- What doctors they currently see/or have recently seen relating to the conditions
- What hospitals they have been to (Inpatient stays, ER visits, Outpatient visits)
- What medications that are currently being taken
- Any related imaging or testing
- Employment history: previous fifteen years or five most recent jobs

Social Security Worksheet - A Guideline

Medical and Job Worksheet — Adult

Complete this worksheet to get ready for the appointment or when filing online. Please do **not** mail this worksheet to your local office. Did you know that you can start the application process online? Visit ***www.socialsecurity.gov/applyfordisability*** for more information!

This worksheet is not the application for Social Security disability benefits. You should bring this worksheet to your appointment or have it with you if your appointment is by telephone.

A. Medical Conditions

List all of the physical or mental conditions (including emotional or learning problems) that limit your ability to work. If you have cancer, please include the stage and type. List each condition separately.

Conditions	
1.	
2.	
3.	
4.	
5.	

B. If you are not working, when did you stop working?_____

C. Height without shoes: _____ feet _____ inches **Weight without shoes:** _____ pounds

D. Medical Sources

Please list any doctors, hospitals, clinics, therapists, or emergency rooms you have visited because of your conditions.

Name	Address	Phone Number (with area code)	Date First Seen or Admission Date	Date Last Seen or Discharge Date

Name	Address	Phone Number (with area code)	Date First Seen or Admission Date	Date Last Seen or Discharge Date

E. Medicines

Please list any medicines you take and why you take them. If prescribed, please provide the doctor's name.

Name of Medicine	Why You Take It	Prescribed By

F. Medical Tests

Please list any medical tests you had or are going to have in the future.

Name of Test	Provider Who Sent You	Date(s)

Name of Test	Provider Who Sent You	Date(s)

G. Job History

List the jobs (up to 5) that you have had in the 15 years before you became unable to work because of your physical or mental conditions. List your most recent job first.

Job Title	Type of Business	Dates Worked		Hours	Days	Rate of Pay	
(e.g. cook)	*(e.g. restaurant)*	From Mo/Yr	To Mo/Yr	Per Day	Per Week	Amount	Frequency

Bring this worksheet to your appointment or have it with you if your appointment is by telephone. Do not delay filing your application, even if you do not have all of the information. We will help you get any missing information.

Vulnerable Population Application Program

VPAP is a specific application process to assist those in at-risk populations:

- Aged
- Homeless
- Veterans
- Re-Entering the Community from Recent Incarceration
- Limited English Proficiency
- People with mental health conditions
- Children who fit any of these categories

Not an expedited process, but the applications are processed in a different way.

So, you've applied. Now what?

- Application process will take an estimated 4 – 6 months, but could be longer
- Social Security will be in touch throughout the process
- Expect phone Calls to review the application
- Adult Function and Job History Reports to be completed and returned
- Appointments with Independent Medical Examiners at IMA Disability Services

Important! If any notices are received late or close to the due date, make sure to call the NYS OTDA case worker. Extensions can be given but must be requested

Denials and Appeals

- If someone is denied, they can file for Reconsideration. This updates the application and puts it in front of another NYS OTDA case worker to reconsider
- Denials can be for Medical and Non-Medical Reasons
- An applicant will have 60 days to file the Reconsideration
- If the Application is denied a second time, the application will have to file an Appeal and go in front of an Administrative Law Judge. A referral to a lawyer will be made at this time

County based Medicaid for the Aged, Blind, and Disabled Population

What is ABD Medicaid, also known as Non-MAGI Medicaid?

- Medicaid provides healthcare coverage for people with low incomes, children, people who are aged (65 or older), blind, and/or disabled, and other New York residents who are eligible.
- ABD Medicaid is processed and administered by your Local Department of Social Services and In New York City the LDSS is the New York City Human Resources Administration (NYC HRA)

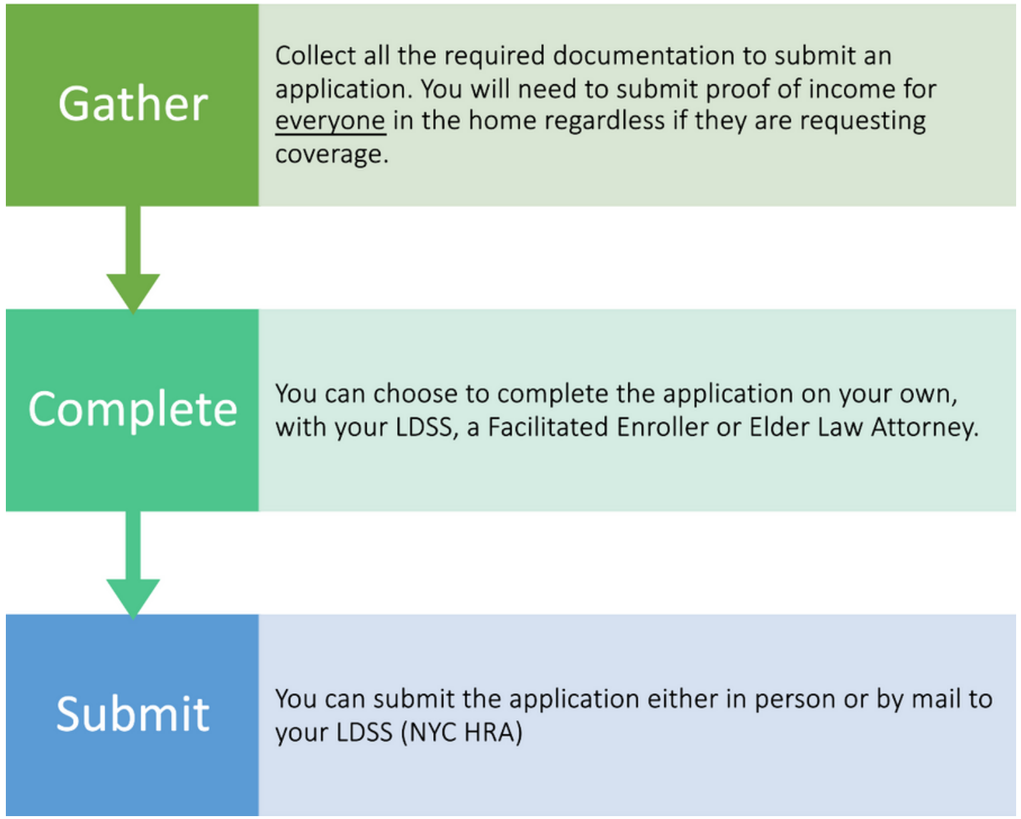
Who can assist with completing the application?

Local County Department of Social Services	Facilitated Enrollers	Elder Law Attorney
• NY Connects links callers with local offices by county • Statewide NY Connects phone # 800-342-9871	• Provide free education and assistance to New Yorkers who are aged, blind or disabled with enrolling in and using public health insurance programs	• Many opportunities for no cost consultation • Ask for experience with Community Medicaid

Facilitated Enrollers

Agency Name	Counties Served
Actions for Older Persons	Chenango, Cortland Delaware, Otsego
ARISE	Onondaga, Oswego, Madison
Coordinated Care Services, Inc.	Monroe, Livingston
Directions in Independent Living	Cattaraugus Allegany
Finger Lakes Community Health (FLCH)	Cayuga, Chemung, Ontario, Schuyler, Seneca, Steuben, Wayne, Yates
Healthy Capitol District Initiative (HCDI)	Albany, Rensselaer, Saratoga, Schenectady & Schoharie
Independent Living Center Hudson Valley (ILCHV)	Columbia, Greene
Independent Living , Inc. (IL)	Orange, Ulster, Dutchess, Sullivan, and Putnam
Maximizing Independent Living Choices (MILC)	Franklin, St. Lawarence, Jefferson, and Lewis
Southern Adirondack Independent Living Center (SAIL)	Clinton, Essex, Fulton, Hamilton, Herkimer, Montgomery, Oneida, Warren, Washington
Southwestern Independent Living Center (SILC)	Chautauqua
Southern Tier Independence Center (STIC)	Broome, Tioga, Tompkins
Western New York Independent Living (WNYIL)	Erie, Niagara, Genesee, Orleans Wyoming

What is the application process?



Documentation Checklist

Document Needed	Items Counted (provide ALL that apply to you)	For office use only, do not write in
Social Security Number	__Social Security card	
Photo Id	__License __Passport __School ID __Government Id	
Residence	__Current Rent Receipt __Current Utility bill __Non-window envelope post marked within the past month	
Age	__Birth Certificate __Baptismal Certificate __Census Records	
Citizenship	__Birth Certificate __Baptismal Certificate __Census Records	
Current Income	__Last 6 paystubs	
Social Security Income	__Current Award Letter __Current Benefit Statement __Official Correspondence from Social Security Administration	
Pension	__Verification of Gross and Net amounts	
Veterans Benefits ***Must apply for veterans benefits if a veteran****	__Current award letter __Current Benefit check __Official Correspondence from Veterans administration	
Home and Non-homestead property	__Deeds	
Health insurance	__Insurance cards AND proof of premium	
Bank accounts	__Last 3 Month statement for EACH account ***IF APPLYING FOR NURSING HOME CARE PLEASE BRING THE LAST 60 MONTHS (5 YEARS) OF BANK STATEMENTS FOR OPENED AND CLOSED ACCOUNTS***	
Trust funds and annuities	__Trust agreement and Schedule A ***IF APPLYING FOR NURSING HOME CARE PLEASE BRING THE LAST 60 MONTHS (5 YEARS) OF TRANSACTIONS***	
Life Insurance	__Insurance policy __Current statement showing both Cash and Face Value	
Income tax	__Income tax returns for the last 5 years ***ONLY IF APPLYING FOR NURSING HOME CARE***	
Safe Deposit Box	__Statement of Contents	
Funeral arrangements and burial plots	__Burial Agreements and Burial Plot Receipts	
Medical Expenses	__Paid or unpaid medical and prescription bills from the last 3 months	
Other Documents if Applicable	__Power of Attorney __Health care proxy __Legal Guardianship papers __Military discharge paperwork DD214 __Marriage Certificate __Water Bill __Kelly Blue Book Value For Vehicles	

What is the eligibility criteria?

Single Individual living in Community	• Can retain a monthly income of $1,677 (increase from $934 in 2022) and $30,182 of non-exempt assets (increase from $16, 800 in 2022).
Couples living at Home	• Can retain a monthly income of $2,268 (increase from $1,367 in 2022) and $40,821 of non-exempt assets (increase from $24,600 in 2022).

What does Medicaid cover?

- Community coverage
- Community coverage with long term care
- Nursing home coverage

What does Medicaid cover: Community Coverage

Community Medicaid is standard health insurance and covers most healthcare such as doctor visits, hospital visits, lab tests, and prescription drugs. Most people in the aged, disabled, and blind category also have Medicare.

What does Medicaid cover: Community-based long-term care

- Adult day health care
- Limited licensed home care
- Private duty nursing
- Hospice in the community
- Hospice residence program community
- Assisted living program
- Certified Home Health Agency services
- Residential treatment facility care
- Personal emergency response services
- Personal care services
- Managed long term-care in the community
- Waiver programs

What does Medicaid cover?

SNF Medicaid

Medical Coverage for a Skilled Nursing Facility if the individual is institutionalized.

Medicaid Buy-In Program for Working People with Disabilities

This program offers Medicaid coverage to people with disabilities who are working and earning more than the allowable limits for regular Medicaid, the opportunity to retain their healthcare coverage through Medicaid. This program allows working people with disabilities to earn more income without the risk of losing vital health care coverage.

Qualifications:

- Be a resident of New York State;
- Be at least 16 years of age (coverage up to 65 years of age);
- Have a disability as defined by the Social Security Administration;
- Be engaged in paid work (includes part–time and full–time work);
- Have a gross income that may be as high as $73,932 for an individual and $99,636 for a couple; and
- Have non–exempt resources that do not exceed the Medicaid resource limit of $30,182 for a one–person household and $40,821 for a two–person household.

How do you meet eligibility criteria?

If you received a NOD (notice of decision) from your LDSS and it was determined that you were over income or over resources, there is still options to obtain Medicaid!

- Excess income program
- Submitting spend-down directly to the county
- Creating a Special Needs Trust (SNT)
- Purchasing and submitting receipts for approved Medically necessary items

How do you meet eligibility criteria?

Excess Income Program

If your monthly income is over the Medicaid level, you may still be able to get help with your medical bills. The amount your income is over the Medicaid level is called excess income. It is like a deductible. If you are eligible for Medicaid except for having excess income and you can show that you have medical bills equal to your excess income in a particular month, Medicaid will pay your additional medical bills beyond that for the rest of that month. This includes outpatient care, doctor and dental visits, lab tests, prescription drugs, and long-term care in the community such as home care and assisted living.

How do you meet eligibility criteria?

Purchasing and submitting receipts for approved Medically necessary items. Some items include:

- Vitamins
- Antacids
- Aspirin
- Cough/cold medicines
- Enemas
- Nasal sprays/drops
- Eye drops
- Anti-diarrhea meds
- Anti-vertigo
- Smoking Cessation
- Hydrocortisone
- Contraceptives
- Lexatives
- Walking cane (1/year)
- Dietary Supplement Drinks
- Blood Pressure Cuff
- Pregnancy Test
- Chiropractic Services
- Denture Adhesive
- Lifeline Necklace Monthly Payment
- Band-Aids
- After Bite
- RID
- Ace Bandages
- Mederma
- Hearing Aid Batteries
- Baby Wipes (Bedridden Patients)
- Podiatry Goods (Only w/ Dr. Note)
- Bladder ControlProducts

How do you meet eligibility criteria?

Submitting spend-down directly to the county

- You may submit your spend-down or "excess income" directly to your LDSS. This would essentially be like paying your premium to have active medical coverage.

Creating a Special Needs Trust

- A special needs trust is a legal arrangement that provides access to funding to someone who is physically or mentally disabled or chronically ill.
- This trust allows for the additional financial support of an individual without potentially jeopardizing the benefits provided by public assistance programs.
- Public assistance programs like Social Security and Medicaid have certain income and asset restrictions and trust funding is not counted toward these qualifications.

The Ticket to Work Program

Ticket to Work is a program that provides people who are on SSDI and/or SSI protections to be able to attempt, maintain, and advance employment.

A Ticket can be assigned to either an Employment Network or VR Agency for Assistance in finding employment and other supports.

ACCES-VR
80 Wolf Road
Suite 200, 2nd Floor
Albany, NY 12205

Social Security Disability and Working

- The Trial Work Period is a 60-month rolling period-of-time where a person who receives SSDI can work and have certain protections
- A Trial Work Month is entered when earnings are over $1,110 (2024) a month. A person has 9 Trial Work Months in their lifetime.
- In the Trial Work Months, a person can work and earn as much as they want and maintain their benefits

SSDI and Work Continued

- SGA is the figure that Social Security used to determine work ability and activity.
- SGA can be figured as a monetary amount, $1,550 (2024), or as an amount of time spent working, 80 hours per month for those who are self-employed.
- After the 9 Trial Work Months are used, the Extended Period of Eligibility starts, wherein as along as earnings are below Substantial Gainful Activity (SGA), the person will be able to work and keep their benefits.
- After the Trial Work Period and Extended Period of Eligibility ends, the protections do not go away if someone chooses to work full time.
- Medicare Part A will continue for 93 months, and the 5-year Expedited Reinstatement Period will begin.

Special Rules for Workers who are Blind

- SGA is $2,590 (2024) a month
- If someone is Self-employed, the time spent working and managing the business is not evaluated if net profits are under SGA
- For people who are blind and age 55+, if earnings exceed SGA the benefits are paused, not terminated

Supplemental Security Income and Working

- Earnings directly impact SSI payments
- If earnings exceed the SSI payments, the benefit will stop until earnings drop below limits
- For wages, the first $85 earned (gross wages) is not counted
- After that, for every two dollars that is earned, the SSI benefit will be reduced by a dollar
- Earnings will impact the third month after earning, i.e., income earned in October will impact SSI benefit in December

Example of working and SSI

Someone works and earns $900 a month, and their only other income is SSI, which they receive the maximum benefit of $914

$900	$943
- $85	-$407.50
$815 / 2 = $407.50	$535.50 (Reduced benefit)

New monthly total income: $1,435.50

How to Maximize your earnings

Plan to Achieve Self Support (PASS)

A plan that either an Employment Network, Vocational Rehabilitation, or ILS will help set up. The plan can help get items, services, or skills someone will need to reach work goals. The goal is to reduce dependence on disability or stop receiving all together.

- Short term savings, i.e., working over the summer and putting money away for the following school semester
- Not a savings account for vehicles
- SSI Beneficiaries only

How to Maximize your earnings

Achieving a Better Life Experience (ABLE) Account

A tax-advantaged savings account for people who became disabled before age 26. Money in an ABLE account (up to 100,000) does not count as a resource. Money is utilized for qualified disability expenses, such as education, housing, assistive devices, etc.

How to Maximize your earnings

Student Earned Income Exclusion

If a student is under the age of 22, receives SSI, and goes to school/attends a training program, SSA does not county all earnings up to $2,290 (2024) a month ($9,230 a year) when calculating SSI payments

How to Maximize your earnings

Impairment-Related Work Expenses (IRWE's)

- Deductible costs for items or services that are needed for someone to be able to work due to their disability.
- The items/services need to be related to their ability to work
- The item/service cannot be reimbursable through another program (i.e., health insurance)
- The cost is reasonable.

How to Keep the Programs Working for You

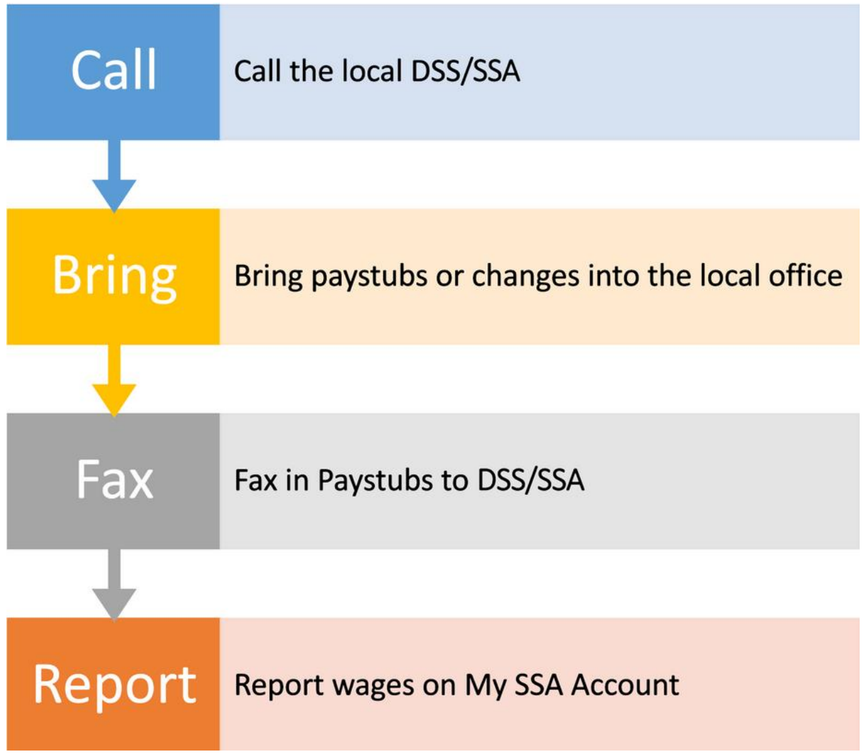
Keeping the county updated

Staying connected with your Facilitated Enroller

Regularly reporting changes to Social Security

Staying connected with your Independent Living Specialist

How to Report and Update Changes



Citations

- Health.NY.gov
- SSA.gov
- Disability Benefits Publication No. 05-10029
- Supplemental Security Income No. 05-11000
- What you Need to Know When You Get Social Security Disability Benefits No. 05-10153
- What you Need to Know When You Get Supplemental Security Income No. 11011
- Working While Disabled: How We Can Help No. 05-10095
- Your Ticket to Work No. 05-10061
- A Guide for Representative Payees No. 05-10076
- The Red Book No. 64-030
- SSA 2024 COLA Updates

SAIL SOUTHERN ADIRONDACK INDEPENDENT LIVING

QUESTIONS?

Thank you for joining us!

Elizabeth Cox
Lead Independent Living Specialist
518-792-3537 ext. 1135
ElizabethC@SAILHelps.org

Deven Springer
Lead Facilitated Enroller
Wilton Office Manager
518-792-3537 ext. 1745
Devens@SAILHelps.org

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SOUTHERN ADIRONDACK INDEPENDENT LIVING

THANK YOU!

SCAN HERE TO LEARN MORE!