

## Additional Questions from Social Security Insurance (SSI)/ Social Security Disability Insurance (SSDI) Webinars

1. If I work, how often I have to report the Social Security office?  
**-If you receive SSI, you should report your earnings every month, no later than the 10<sup>th</sup> day of the following month (for some reporting options, it should be by the 6<sup>th</sup> day of the following month). If you receive Social Security Disability Insurance (SSDI), you don't need to report every month, but you may, if you choose. A document providing specific instructions for reporting is attached. Note that the methods you may use to report a specific job or business the first time are different from the methods you may use for reporting in subsequent months.**
2. If a Representative Payee is able to save \$1,000 of a disabled person's SSI money in an ABLE account for the disabled person in 2022, does the Representative Payee need to report the \$1,000 savings in the SSA's Annual Representative Payee Report?  
**-Yes. It's not a problem to save some of the SSI money, so long as the person's basic needs (especially shelter and food) have been met first.**
3. If you receive SSI and you get a paid internship just for a couple of months, how you should handle this with respect to the SSI?  
**-You should report the earnings each month, and the methods you may use to report are different for the first time you report a job or paid internship than for subsequent months (see attached reporting instructions).**
4. My understanding is that the rep payee bank account is different from a typical bank account with special rules. Can you go over this. Also, is the rep payee account considering an asset for the SSI recipient?  
**-You are correct! A rep. payee bank account is considered an asset for the SSI recipient, and only for the SSI recipient. It is set up in such a way that it is clear the account funds belong to the SSI recipient, but they don't have direct access to the funds – only the rep. payee does. The account should be titled “[Name of SSI Recipient] by [Name of Representative Payee], representative payee”. This shows that the account belongs to the SSI recipient, with the rep. payee acting as a fiduciary (financial agent). The account should NOT be a joint account. You can find much information about rep. payees at [www.socialsecurity.gov/payee](http://www.socialsecurity.gov/payee).**
5. I understand that you need to keep the bank account under \$2000 in order to qualify for full DDA benefits. Is there a grace period of days if the

account is not under \$2000 because perhaps some of their payments have not been processed in a timely manner. **-To clarify - to qualify for DDA-funded services, a person must be enrolled in Medicaid (Medical Assistance) in any of several ways. Most of those ways - called Medicaid "eligibility groups" - have a resource (asset) limit of \$2,000. However, one eligibility group that is compatible with DDA-funded services is the Employed Individuals with Disabilities (EID) Program (slides 35 – 36 in the Social Security Disability and Work PowerPoint), and that has a resource limit of \$10,000 for an unmarried person. Now to answer your question – there is no grace period for the \$2,000 (or, for EID, \$10,000) resource limit. This means a person's bank accounts should stay comfortably below \$2,000 (or \$10,000) at the start of each month, considering some checks/debits issued on the account may not be cashed in a timely way. If the person has an ABL account, they can transfer funds into it to help keep their regular bank account balances well below the limit.**

6. My son does not have a "Representative Payee." He receives his SSI benefits directly and we assist him in managing his money. My son did however execute a Certificate of Appointment of Representative (SSA 1696) some years ago so that we can speak on his behalf with SSA with regard to his benefit rights. In a recent SSI "redetermination interview" the SSA examiner told us that we did not have the right to speak on his behalf unless we were Representative Payees. There is no limitation in the SSA 1696 that limits the authority of his "representatives" (us). How can they deny my son's right to be represented to protect his benefits on an ongoing basis?

**-It appears that the Social Security representative you dealt with made an error. A Representative (appointed using the SSA 1696 form) does have authorization to speak on the individual's behalf. I would recommend calling them again and, if they still provide the same information, ask to speak with a supervisor or manager. That said, the Appointment of Representative form is usually used to appoint a representative to assist with applications, while a representative payee usually assists a person with continuing issues with their benefits, so some Social Security workers may assume that only a representative payee is authorized to assist with issues like redetermination interviews.**

7. If a person is determined to be "disabled" to qualify for SSI and the disability began at birth (or at least before reaching age 22) why must there be a second examination process in order to establish the same disability for SSDI or CBD/DAC?

**-It used to be the case that if a person received SSI and then applied for SSDI or CDB/DAC, they did not need a new medical determination. That changed because Social Security changed the medical disability criteria**

**for a large number of disabilities. So, if a person had their most recent medical review before the medical criteria changed for the person's disability, they would need a new medical review that used the new medical criteria.**

8. In the Phoebe example, what if there is inconvenient public transportation (maybe multiple transfers, inconvenient route, etc.) available. Will the taxi still be allowed as an expense to work?

**-Generally, if public transportation is available and a person is able to use it, then alternative transportation is not allowed as an impairment related work expense (IRWE). However, I have seen situations in which Social Security has allowed taxis as an IRWE without determining whether public transportation was available and the individual was able to use it. So, it could go either way, depending on which Social Security worker is making the decision.**

9. Can you claim money for a job coach if some agency is paying for the coach???

**-If an agency is paying for job coaching, it cannot be used as an impairment related work expense (IRWE), but it may be used as a "special condition" – a different allowable deduction for SGA purposes (see slides 25 – 29 in the Social Security Disability and Work PowerPoint).**

10. In the Phoebe example, is it just the employer who decides her productivity?

**-Yes, using the Work Activity Questionnaire (SSA-3033) form - <https://www.ssa.gov/forms/ssa-3033.pdf>.**

11. On SSDI, isn't it true that even if there is no financial constraint on assets, funds carried over from earnings 1 month that take you over the \$2k in assets we spoke about for SSI, will count as income for SSDI purposes in the next month and will compromise their eligibility?

**-No**

12. When a parent is eligible to get Medicare at 65, will disabled adult child also get Medicare at that same time?

**-No. The disabled adult child would need to have been entitled to CDB/DAC (or SSDI) for 2 years to be eligible for Medicare.**

13. Is there any gap in benefits when disabled adult child becomes eligible to get CDB from SSI?

**-No**

14. I am also interested to know about who decides the person's productivity?  
I know my son doesn't have the productivity level but don't know how or who should let SS know about it.

**-See answer to #6. Social Security is supposed to send the SSA-3033 form to the employer to complete, but I recommend that a benefits counselor or other person be proactive and solicit the employer to complete the form.**