

Social Security Benefits

For people with disabilities

Agency Involved: Social Security Administration

Better known as SSA, this federal agency provides services for retirees, people who are blind, people with disabilities, and their survivors with disabilities. The program was designed as wage replacement (when wages are lost because of retirement, disability, or death) rather than welfare, and is funded by taxes on employers and workers based on each person's wages. The federal government administers the funds but does not contribute funds. [More history of the program is available on the SSA website.](#)

There are two SSA programs specifically for people with disabilities: **Title II** and **Title XVI** (also called SSI)

Summary

Title II

Title II is an entitlement program – people applying for it only have to prove they meet the requirements, whether they need the benefits or not (unlike Title XVI (SSI)). Employers and employees contribute to a system which provides replacement income in case the employee dies, retires, or experiences blindness or another disability. Although funding does not "run out" for a person, the size of their monthly benefit is based on how much and how long they have paid into the system.

Title II is also known as Old Age Survivors and Disability Insurance (OASDI). It includes SSDI (see below).

Title XVI (Supplemental Security Income or SSI)

Congress created the SSI program in 1972 to standardize and centralize supports for people in need because of blindness, age, or disability. With this move, a mixed collection of state-level programs was shifted to SSA control. It is funded through government income (taxes, fees, etc.)

Eligibility is based, in part, on proof of financial need. SSA then calculates benefits based on a standardized dollar amount called the Federal Benefit Rate (FBR). The FBR changes from time to time and is officially posted on the SSA website. Some states increase this rate with supplemental funds, called a "State Supplemental Payment". **Missouri does not have a state supplemental payment.**

More details available at:

<https://secure.ssa.gov/poms.nsf/lnx/0500810350>

<https://secure.ssa.gov/poms.nsf/lnx/0501401001>

Specific Benefits

Title II

Title II includes three programs (or "entitlements"):

- 1) **Social Security Disability Insurance (SSDI)** - for qualified workers with disabilities
- 2) **Childhood Disability Benefit** - for a person with a disability who is an "adult child" of an SSA Beneficiary
- 3) **Disabled Widow(er) Benefit (DWB)** – for a person with a disability whose spouse was a qualified worker, paid into the system, and has died.

SSDI and Disabled Widow(er) Benefits beneficiaries will receive cash benefits ("wage replacement") following a five month waiting period. Child Disability beneficiaries do not have to wait for the five months to get cash benefits.

All three programs provide Medicare Part A (at no cost) once a person has been receiving benefits for two years ("Medicare Qualifying Months"). At that time they also allow the person to purchase Medicare Parts B and D.

Title XVI (SSI)

SSI benefits are usually cash payments, with the amount based on the person's documented need and available funds. Benefits in Missouri may include Medicaid (based on the Missouri resource level).

Note: Missouri is a 209b state and has a much lower resource level than the SSI level set by congress.

More details available at:

<https://secure.ssa.gov/poms.nsf/lnx/0501715010>

<https://secure.ssa.gov/poms.nsf/lnx/0501715015>

<https://secure.ssa.gov/poms.nsf/lnx/0501715020>

Populations Served (eligibility)

Title II

Title II includes three programs (or "entitlements"):

- 1) **Social Security Disability Insurance (SSDI)** - for qualified workers with disabilities, based on their work history.
- 2) **Childhood Disability Benefit** - for a person with a disability who is an "adult child" of someone who is either receiving SSA retirement benefits or SSA disability benefits, or who is

dead. The benefits last until the person marries, qualifies for higher SSDI benefits based on their own earnings, or SSA determines they no longer have a disability.

- 3) **Disabled Widow(er) Benefit (DWB)** – for someone who
- Is 50 years old or older
 - Is the widow(er) of someone eligible for SSA benefits and did not remarry before turning 50
 - Has a disability which they acquired within 7 years of their spouses death

The DWB benefits last for life .

Title XVI (SSI)

SSI is for people who:

- Have a qualifying disability (including blindness)
- Are unable to perform Substantial Gainful Activity (work)
- Have little or no income or other resources (financial need)

More details available at:

<https://secure.ssa.gov/poms.nsf/lnx/0410115001>

<https://secure.ssa.gov/poms.nsf/lnx/0410110001>

Definition of Disability

For Title II and Title XVI eligibility, the person must have a medically determined physical or mental impairment(s) which

- 1) Prevents them from doing any substantial gainful activity (SGA) (in other words, work), and
- 2) Lasts for at least 12 months or is expected to result in death.

Deciding who has a disability significant enough to qualify can often be a difficult task. So SSA has set up "Disability Determination Units" (sometimes in collaboration with state vocational rehabilitation agencies) to make objective decisions about which disabilities qualify a person for benefits. These units rule on each application.

More details available at:

Disability definition: <https://secure.ssa.gov/poms.nsf/lnx/0400115015>,

Sequential Evaluation: <https://secure.ssa.gov/poms.nsf/lnx/0422001000>,

[SSA's Disability Evaluation "Blue Book"](#):

Criminal History

A criminal record does not affect a person's eligibility for any SSA disability benefits.

Substance Abuse

A person's substance abuse may count as a qualifying disability only if the SSA Disability Determination Unit decides it does. These units report their decision in a "Drug and Alcohol Abuse

Material Determination." This requires documentation from a medical professional stating the person has impairments because of the addiction and impairments would end if the person stopped abusing drugs and/or alcohol. Having the person say they are addicted is not sufficient for a Material Determination. If they have permanent impairments caused by the substance abuse (the impairments would continue even if the person stopped abusing drugs or alcohol), those impairments should be evaluated as independent qualifying disabilities.

If a person meets the other requirements for SSA Title II or Title XVI benefits, substance abuse does not disqualify them.

More details available at

<https://secure.ssa.gov/apps10/poms.nsf/lnx/0490070050#e>

<https://secure.ssa.gov/apps10/poms.nsf/lnx/0490070050>

Application Process

A person can apply for SSA Title II and Title XVI disability benefits online: <http://www.ssa.gov/applyfordisability/>

Insider Tips/Comments

The application process is very important. It is up to the individual applying for benefits to prove they have a disability which makes them eligible. SSA will then do a "Disability Determination" to decide if they are eligible.

It is useful for the person to keep a daily log of their activities for a few weeks before applying to show how their disability impacts daily activities. For example, if the person takes medication each morning which makes them groggy until 11:00 AM, they need to note that. If the person is unable to stand to wash dishes or take care of themselves in other ways, they need to note that. The person should include such examples in the application to help document the disability.

The SSA Disability Determination Units look for what the person can do in spite their impairments. They also look at employment options on a national level, not what is available in the person's local area. For example, if a person claims they can do laundry, SSA may decide they could work in a commercial laundry business, which means they can perform work ("substantial gainful activity") and is not eligible. If the person means they can only do laundry if someone helps them, they need to say that clearly.

There are trained SSA Benefits Planners who can help the person understand and estimate their possible benefits. Some are SSA employees and are called Work Incentive Liaisons (WILs, or "wills") or Area Work Incentives Coordinators (AWICs or "A-wicks"). Others work for state agencies or local service providers. It is not always easy to find out who in your local area is a trained, practicing SSA Benefits Planner, but it is worth asking around.

Typical Timeline

The disability determination is the thing which most commonly slows down processing an application for SSA disability benefits. If the application has not been completed accurately or completely, it can take up to three years. If it is filled out accurately and completely, it may only take a month.

Title II

SSDI and Disabled Widow(er) Benefits beneficiaries will have a five month waiting period before getting cash benefits ("wage replacement"). Child Disability Benefit recipients will start receiving cash benefits immediately.

All three programs provide an opportunity to purchase Medicare Parts B and D after 24 months ("Medicare Qualifying Months").

Title XVI

Each applicant has a "protected filing date" based on when they apply for benefits. If they are found eligible, no matter how long this takes, their payments will be back dated to start one month after the protected filing date.

Contact Information

Regional or National

- National SSA Site: <http://socialsecurity.gov>
- [Kansas City Regional PASS Cadre](#)
- [Kansas City SSA Regional Office](#)
- [Area Work Incentive Coordinators Region 7 \(MO, IA, NE, KS\)](#)

State

- [Work Incentive Liaison \(WIL\) contacts for each state](#)

Local

- [SSA's online search tool for local offices](#)

Web links for Independent research:

- SSA's main page: <http://www.socialsecurity.gov/>
- SSA's on-line disability application: <http://www.socialsecurity.gov/pgm/disability.htm>
- [SSA's Policy discussing "Material Determination" for Drug and Alcohol Abuse claimants:](#)
- [SSA's Policies discussing Sequential Evaluation](#)

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