

Social Security Disability Benefits

Supplemental Security Income and
Social Security Disability Insurance

WHAT YOU NEED TO KNOW



Maryland Center for Developmental Disabilities
at Kennedy Krieger Institute

What are SSI and SSDI?

Supplemental Security Income (SSI) provides you or your child with money to cover basics like food, clothing and housing if you are 65 or older or have a disability. Minors living with disabilities are eligible to apply for SSI.

Social Security Disability Insurance (SSDI) pays benefits to you and certain members of your family if you have a disability, have worked enough years to qualify and have paid Social Security taxes.

Program eligibility rules differ somewhat for each type of recipient. People with qualifying disabilities, income and assets who meet other eligibility criteria receive monthly payments based on current income or, in some cases, the income of a spouse or parent, and payments fall as income rises.

Who qualifies for SSI?

Children and adults from birth to age 64

Adults applying for SSI must demonstrate that their disability prevents them from participating in “substantial gainful activity”—work that would produce earnings of more than a certain amount per month. That amount can be found on the Social Security Administration (SSA) website.



Children with disabilities under age 18

Children who qualify for SSI must have a disability and, in most cases, must live in a household with low income and few assets. To be considered for this benefit, a child must have a physical or mental impairment that results in marked and severe functional limitations that are expected to either last for at least 12 consecutive months or result in death.

Most child recipients—three-quarters of recipients between the ages of 5 and 17 and one-third of those under the age

of 5—qualify because of a mental disorder. Children with disabilities normally require more support than other children, and SSI payments help parents and other caregivers pay for disability-related expenses and help compensate for the lower wages that parents might earn because of the demands of caring for a child with disabilities. In all, 1.3 million children with disabilities are SSI recipients, or about one in 60 of those under the age of 18.

Adults ages 65 and older

People ages 65 and older can qualify for SSI based on low income and assets alone. They need not have a disability.

Who qualifies for SSDI?

To be eligible for SSDI benefits, you must:

- Be unable to work because you have a medical condition that is expected to last at least one year or result in death,
- Have a long-term disability that meets the SSA's definition of a disability, and
- Be younger than the full retirement age (65).

If you qualify for disability benefits, certain members of your family may be eligible to receive benefits based on your work record.



When should I apply?

Apply as soon as possible so you do not lose benefits. The SSA cannot pay benefits for time periods earlier than the effective date of your application. If you are approved or initially denied and approved later, you will receive retroactive benefits to the date of your application, not the onset of your disability. There are no age qualifications for SSI, so do not hesitate to apply for minors.



How do I apply?

There are a few ways to apply:

- Visit the SSA's website to start the disability application process online.
- Call the SSA at 1-800-772-1213 (or TTY at 1-800-325-0778 if you are d/Deaf* or hard of hearing) to make an appointment to apply for SSI/SSDI. If you are d/Deaf or hard of hearing, the SSA will take your Telecommunications Relay Service (TRS)-assisted calls at 1-800-772-1213. Tell the agent you want to set up an appointment to apply for benefits. The SSA will schedule it and determine whether it will take place over the phone or in person.
- Call your local SSA office to schedule a telephone appointment to file for SSI benefits.

For assistance with applying or appealing, contact Project HEAL (Health, Education, Advocacy, and Law) at **443-923-4414** or visit Project HEAL's website at **[KennedyKrieger.org/ProjectHEAL](https://www.KennedyKrieger.org/ProjectHEAL)** to complete an online intake form.

*Kennedy Krieger Institute recognizes that the word "deaf" can refer to both a condition and a culture. Kennedy Krieger spells the word as "d/Deaf" to be inclusive of both hearing status and cultural identity.

What will I need?

Initially, you will need to provide medical documentation regarding your disability and documentation showing your assets and income. The SSA can help you get these documents if you sign a release allowing them to access your records. They may also request additional exams or tests for determination purposes. The SSA will pay for any additional exams or tests and make the appointment for you.

If you are appealing a denial of benefits, Project HEAL can help you access records you might need to prove your disability makes you eligible for benefits. Project HEAL can also assist you in preparation for the hearing and offer representation throughout the appeal process.

What if I apply and am denied?

If your initial application is denied, you have 60 days to appeal to the local SSA office, and a new panel at Disability Determination Services (DDS) will review your application for reconsideration. This can take up to 90 days.

If your reconsideration is denied, you have 60 days to file for an appeal to the Office of Disability Adjudication and Review (ODAR) for a hearing with an administrative law judge (ALJ).

If the ALJ denies your claim, you have 60 days to file an appeal with the Social Security Appeals Council.



How soon will I start getting my benefits?

The SSI/SSDI application process can take eight months to four years, depending on the length of the review process and whether or how many times you appeal a decision denying your claims. Because the process is lengthy, applicants may apply for Temporary Cash Assistance (TCA). If or when you do get approved for SSI/SSDI benefits, they will be retroactive to the time of filing.

What are my rights?

You have the right to receive help from Social Security.

The SSA will complete the application forms for you based on information you provide, and will help you obtain the documents you need to show that you meet the SSI eligibility requirements. In some cases, the SSA will pay for exams or tests.

You have the right to a representative.

You may appoint someone as your representative to help you with your SSI claim and go with you to your appointment(s) with the SSA.



You have the right to receive written notifications.

The SSA must notify you in writing of any decision about your SSI eligibility or change in benefit amount. The SSA will also send copies of all notices to your representative, if you have one. Each notice about your eligibility or change in benefit amount will explain your appeal rights.

You have the right to examine your file.

You or your appointed representative may request and examine, or obtain a copy of, the information in your case file.

You have the right to appeal.

You may appeal most determinations the SSA makes about your eligibility for SSI/SSDI or changes to your benefit amount.

What is Project HEAL?

Project HEAL (Health, Education, Advocacy, and Law) is a community-based program of the Maryland Center for Developmental Disabilities at Kennedy Krieger Institute and is Maryland's only comprehensive medical-legal partnership. Project HEAL's attorneys collaborate with Kennedy Krieger's staff members and trainees to provide advocacy and civil legal services (e.g., representation and limited representation) for children with intellectual and developmental disabilities who receive clinical services at Kennedy Krieger, and their families, regardless of their immigration status.

Note: Project HEAL provides representation at the appeal level for a below-market, flat-fee percentage of any back pay of benefits awarded by the SSA. You will not be responsible for payment if you are not awarded benefits. This one-time payment will be paid directly by the SSA to Project HEAL.

How can Project HEAL help?

Resources

Project HEAL can help connect you with resources about SSI/SSDI and how to apply for benefits. Additionally, we can help guide you in applying for temporary aid such as TCA while you're waiting for the SSA's decision.

Application

In some cases, Project HEAL will be able to help you complete and submit your application and help you monitor your status with the SSA.

Appeals

If you have applied for SSI/SSDI and are in the process of an appeal, Project HEAL can help you prepare for the hearing, supplement your application and represent you at the hearing.

Representation

Project HEAL can also file with the SSA to act as your representative throughout the entire SSI/SSDI process, depending on your needs.





CONTACT INFORMATION

Project HEAL at Kennedy Krieger Institute

For more information or to complete a phone intake, please call **443-923-4414**.

Fax: **443-923-4417**

Visit **KennedyKrieger.org/ProjectHEAL** to complete an online intake form.

Location

716 North Broadway, Office 105
Baltimore, MD 21205

Your support helps us pursue all that's possible for those we serve. Visit **KennedyKrieger.org/SupportProjectHEAL** to make a donation.

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