SSI for Youth Leaving Foster Care

A TOOLKIT FOR ADVOCATES
Dear Colleague,

The Social Security Administration (SSA) has a new policy to help foster youth access Supplemental Security Income (SSI) as they prepare to age out, be adopted, or return home. Youth leaving foster care are a particularly vulnerable population. Studies have confirmed what advocates in the field know from experience – that youth who age out of foster care are more likely to experience negative outcomes, including homelessness, unemployment, incarceration, and lack of access to health care. Families who have recently reunified with their children also face instability in income, housing, and employment. Many of these young people have disabilities that could qualify them for SSI, and that cash assistance can be a vital source of stability for them or for their families as they transition out of the foster care system. Yet too often, youth leave foster care without SSI benefits in place, and with no other source of income or support, placing them or their families at a high risk of becoming homeless while they wait for their SSI applications to be processed and approved.

Fortunately, SSA has a new policy that allows foster youth of any age to apply for SSI up to 6 months (180 days) before they leave care. As of August 1, 2016, foster youth can submit an application for SSI benefits 6 months before their expected discharge or reunification date, even if they do not yet meet the income eligibility requirements due to their foster care payments.

The policy provides an incredible opportunity, and we need your help to make it successful! Here’s what you can do to help:

- Use the new policy! Help foster youth apply for SSI 6 months before their expected discharge/reunification date.
- Share this toolkit! This toolkit includes several resources intended to spread the news about SSA’s policy and to assist in the application process – share it with your colleagues. The toolkit is also available online at www.jlc.org/SSI or www.clsphila.org/FosterCareSSI.
- Give us feedback! Tell us about any issues you encounter with the policy, as well as any success stories. We want SSA to see the benefit of the new policy, and so it’s important to be able to demonstrate the positive impact it has.

Sincerely,

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SSI FOR YOUTH LEAVING FOSTER CARE

How to Help Foster Youth Access Supplemental Security Income (SSI) as they Prepare to Age Out, be Adopted, or Return Home

What is SSI (and how can it help)?

Supplemental Security Income (SSI) is a federal needs-based program for children and adults with limited income and resources who are disabled, blind, or age 65 or older. Individuals who are eligible receive a monthly cash payment. The 2019 payment amount for an individual without any other income is $771.

SSI can provide a vital source of stability for disabled youth of any age who are transitioning out of the foster care system. In addition to providing cash assistance that can help pay for housing, SSI is a gateway to other resources for these youth and families, including Medicaid, food stamps, and housing programs.

Is your client eligible?

There are two main components to an SSI eligibility determination: disability and income.

Your client may have a qualifying disability if:

- He or she has a behavioral health condition, physical disability, and/or cognitive impairment; and
- That disability imposes limitations on functioning.

Income eligibility:

- Individuals must have very low income to be eligible.
- Federal foster care payments count as “income” for purposes of SSI, and so many youth are not income eligible while they are still in the foster care system.

Note that additional factors such as citizenship may also affect eligibility.

How to Apply:

- **Apply EARLY.** The Social Security Administration has a special policy that allows foster youth to apply for SSI up to 180 days (6 months) before they are expected to leave care.

- **Make sure the youth is getting any necessary treatments and has up-to-date evaluations.** Evidence of your client’s treatment history is highly relevant to the eligibility determination.

- **Get copies of medical and school records.** The SSA will send forms requesting these records once you apply, but the process is much faster if you submit them with the initial application.

- **Call SSA to schedule an application interview.** Once you have the documentation and are within 180 days of the discharge date, call the SSA at 1-800-772-1213 to schedule an application interview.

Have questions? Visit www.jlc.org/SSI or www.clsphila.org/FosterCareSSI for more info!
SSI APPLICATION TIMELINE

Ongoing
- Identify all impairments & symptoms
- Ensure treatment needs are being met

1 year out
- Begin collecting relevant evidence
- Think about: IEPs, 504 plans, VR plans
- For reunification cases, begin this process at the start of the case

9 months out
- Begin assembling application packet
- Obtain additional evaluations/questionnaires

6 months out
- Call SSA for an interview appointment: 1-800-772-1213
- Mail/drop off application packet

ASAP
- Attend interview appointment scheduled by SSA

DISCHARGE FROM FOSTER CARE
How to Apply for SSI

You can apply for SSI benefits in one of three ways:

1. **Telephone:** Call 1 (800) 772-1213 (between 7 a.m.-7 p.m. EDT) to schedule an appointment to apply for Social Security Benefits.

2. **In person:** You can also apply for Social Security Benefits by walking in to your local Social Security Office. You can use the Social Security Officer Locator to find the nearest office: [https://www.ssa.gov/locator](https://www.ssa.gov/locator)

3. **Online:** You cannot apply for SSI benefits online, but you can apply for other Social Security benefits at [www.ssa.gov](http://www.ssa.gov).

**Tips For Applying For Social Security Benefits If You Are Disabled:**
You do not need to bring anything with you to apply for Social Security Benefits, including photo identification.

However, if you have it, it is a good idea to bring the following with you:

- Photo Identification
- Names and contact information for any doctors you are seeing
- Names and contact information for any therapists, specialists, or other medical professionals you are seeing
- Names of any hospitals where you have received treatment
- Names of any medications you are taking and what they are for
- Names and contact information of any case manager who is assisting you
- Your address and phone numbers
- Be ready to explain how your physical or mental health problems make it difficult to do things in your life and at home

**Medical Records:** You do not need to bring medical records to the Social Security office, but if you have any, hand them in after making a copy. Do not give Social Security your ONLY copy of your medical records.

If your application is denied, you have 60 days to file an appeal.
Sample Demand Letter

If you think your client has experienced an inappropriate benefits denial based on excess income, use this model letter to call attention to the new SSA policy.
To Whom It May Concern:

____________________ attempted to file an application for SSI benefits on _______________.
(Name of SSI Applicant) (SSI Application Date)

The application was denied or the applicant was unable to file an application based on excess income because the applicant is in foster care. This determination violates the Social Security Administration’s policy allowing youth in foster care to apply for SSI benefits 180 days prior to discharge. Pursuant to POMS SI 00601.011 (effective 07/29/2016), youth of any age may apply for SSI benefits if the youth:

- lives in a foster care situation as defined in SI 00830.410.A.1;
- alleges blindness or disability;
- appears likely to meet all of the non-medical eligibility requirements when foster care payments terminate;
- expects the foster care payments to cease within 180 days of the application filing date; and
- is within 180 days of losing foster care eligibility.

The potential applicant currently lives in foster care, alleges blindness or disability, appears likely to meet all non-medical eligibility requirements after leaving care, and is expected to lose foster care eligibility and payments as of __________________, which is within 180 days of the application date. For additional information about this policy, please see EM-16024, “Supplemental Security Income (SSI) Applications for Disabled Youth Transitioning out of Foster Care.” Based on SSA’s current, legally-binding policy, kindly proceed with the disability determination in this case.

Sincerely,

____________________________________
(Print Name)

____________________________________
(Signature)
Additional Resources

Social Security Administration’s Benefit Eligibility Screening Tool
This tool helps you find out if your client could get benefits administered by the SSA, including SSI. [http://ssabest.benefits.gov/](http://ssabest.benefits.gov/)


- **SI 00601.011: Filing Supplemental Security Income (SSI) Applications for Disabled Youth Transitioning Out of Foster Care**
  This provision allows disabled foster youth to file an SSI application 180 days before expected discharge from foster care.

- **DI 25201.011: Making a Determination for Youth in Foster Care When the Application Effective Date Is On or After the Attainment of Age 18**
  This provision provides guidance on how eligibility determinations are made for foster youth applying for benefits after age 18.

- **SI 00830.410: Foster Care Payments**
  This provision describes how foster care payments affect income eligibility for SSI.

Additional SSA Resources

- **Spotlight on SSI Benefits for Disabled or Blind Youth in Foster Care**
  This resource describes the policy change and provides some basic information about the requirements for filing an SSI application.

- **SSA’s FAQ on SSI**
  In particular, see the final two questions about SSI and leaving foster care.

Other Helpful Information

- For additional information about SSI for foster youth, visit [www.jlc.org/SSI](http://www.jlc.org/SSI) or [www.clsphila.org/FosterCareSSI](http://www.clsphila.org/FosterCareSSI).

- For information about Homeless Advocacy Project’s SOAR Project in Philadelphia, visit: [http://homelessadvocacyproject.org/soar-project.html](http://homelessadvocacyproject.org/soar-project.html)

- For additional resources on transition planning for foster youth with disabilities, visit [http://jlc.org/current-initiatives/transition-adulthood/older-youth-disabilities](http://jlc.org/current-initiatives/transition-adulthood/older-youth-disabilities)