

PROTECTING AND MAXIMIZING PUBLIC BENEFITS 2016

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SSDI & SSI

Social Security Disability Insurance (SSDI)

- Monthly cash benefit
- *Medicare*
- Not Means Tested

Supplemental Security Income (SSI)

- Monthly cash benefit
- *Medicaid*
- Means Tested



*More SSDI
information on
pages 62-64 of materials*

Can be eligible for both

*More SSI
information on
pages 20-57 of materials*

SSI Eligibility Requirements

- **Categorical:** Disability, 65+, Blindness
- **Alienage:** Ineligible except certain groups such as:
 - Citizens & aliens entering before 8/22/96
 - Aslyees and refugees
 - Veteran or on active duty in the armed services
- **Income Limits:**
 - \$733/mo. individual, \$1,100/mo. couple; first \$20 exempt
 - No COLA increase for SSI
- **Resources Limits:**
 - \$2,000 individual, \$3,000 couple; residence & other exemptions
- Who? No/ little work history

More information on pages 20-22 of materials

“SSI Income”

- SSI Income includes any Food, Shelter, or Cash
- As of 3/9/05, clothing is not “income.”
- A trust (or an individual) can give an SSI beneficiary **ANYTHING** without affecting eligibility, **EXCEPT:**
 - Food
 - Shelter
 - Cash
 - Other countable “resources”
- An SSI beneficiary can have “household goods” and “personal effects” without limit, provided they are in actual use

More information on pages 23-30 of materials

SSI Distribution Strategies

Special Needs Only	Provides only “special needs” (i.e. anything but cash, food or shelter) No reduction in benefits
Presumed Maximum Value	Provide food and shelter but no cash SSI is reduced by \$244.33/month regardless of actual cost of food & shelter
Business Arrangement	Sell food & shelter at fair market value No reduction of benefits
Rent Subsidy	Provide shelter only for \$264.33 /month No reduction of benefits

More information on pages 25-30 of materials

Trust Distributions

NO SPECIAL TREATMENT

The usual definition of “income” applies to trust distributions.

- Texas Medicaid Rules: *See* 1 TAC §358.336(3):

“If a trust is not counted as a resource, payments from the trust made to or for the benefit of the person may be counted as income only if the payments would ordinarily be counted as income in accordance with 20 CFR §416.1102.”

- SSI Medicaid Rules: *See* POMS SSI 01120.200E:

“Regular rules to determine when income is available apply.”

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Title search: Protecting and Maximizing Public Benefits 2016

Also available as part of the eCourse

[Special Needs Trusts Basics](#)

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