

What is the Age 18 Redetermination of Benefits?

The law requires children who receive SSI to have their medical eligibility for SSI reviewed at the age of 18. This is known as the Age 18 Medical Redetermination Review. SSA's guidelines for adult eligibility will apply. Some children will not be eligible for Adult SSI even though their medical condition and ability to function have not changed.

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What is SSI?

Supplemental Security Income (SSI) is provided through the Social Security Administration (SSA) to children and adults who meet the SSA's definition of disability and income eligibility guidelines.

SSA has different rules for eligibility for children under age 18 and for adults over age 18

- **Under age 18: (Children's SSI):** A child under age 18 may qualify for SSI if the child has a medically determined physical or mental impairment that causes marked and severe functional limitations expected to last for not less than 12 months. The SSA considers a child's parents' income and resources when determining whether the child meets financial eligibility for monthly benefits.

- **Over age 18: (Adult SSI):** A youth over age 18 is considered an adult by the SSA's rules. Adults qualify for SSI if they have a medically determined physical or mental impairment that prevents them from engaging in substantial gainful activity. In 2023, substantial gainful activity means working and earning more than \$1470 per month. At age 18, some young adults will qualify for SSI benefits for the first time because their parents' income will no longer be counted or "deemed" to them.



NATIVE AMERICAN
DISABILITY LAW CENTER

SSI For Youth Who Want To Work

Protection and Advocacy
for Native Americans with
Disabilities

What are SSI Employment Supports?

SSI employment supports offer ways for beneficiaries to continue receiving SSI checks and/or Medicaid coverage while they work. Some employment supports help beneficiaries by limiting the impact of work earnings and other income on SSI payments. Other supports help beneficiaries by covering special expenses related to their employment. Some SSI employment supports include:

- ▶ **General Income Exclusion (GIE)** When calculating SSI payments, the SSA does not count the first \$20 a beneficiary receives in a month. This amount is first applied to any unearned income that is received by the beneficiary.
- ▶ **Earned Income Exclusion (EIE)** When calculating SSI payments, the SSA does not count the first \$65 in earnings in a month plus one-half of the remaining earnings
- ▶ **Student Earned Income Exclusion (SEIE)** If a student is under the age of 22 and regularly attending school, SSA in 2023 does not count up to \$2220 of earned income per month for a maximum of \$8950 per year when figuring a student's SSI check. The exclusion amount is adjusted each year based on the cost-of living. The student earned income exclusion is applied before the general income exclusion or the earned income exclusion.

▶ **Continued Payment under a Vocational Rehabilitation Program or Individual Education Plan (Section 301)** This allows youth upon reaching age 18 who do not meet the eligibility requirements under the adult rules to continue to receive Children's SSI beyond the age of 18 up to the age of 22 while they remain in school under an Individual Education Plan (IEP) or an appropriate Vocational Rehabilitation program that began before their 18th birthday. The benefits may continue until the participation in the program ends main in school under their 18th birthday. The benefits may continue until the participation in the program ends.

Impairment- Related Work Expense (IRWE)

IRWEs are out-of-pocket expenses incurred by SSI recipients for items and services related to their impairment that they need to be able to work. These expenses may be deducted from earnings when the SSA calculates SSI payments. Examples of IRWEs include: modifications to a vehicle needed to travel to work; attendant care services performed in a work setting; medical devices; home modifications needed to permit access to leave the home to go to work; routine drugs and medical services needed to control a disabling condition; and the cost of a service animal including food, licenses, and veterinary supplies.

Plan to Achieve Self-Support (PASS)

A PASS plan allows beneficiaries to set aside other income besides their SSI payment and/or resources for a certain period of time so they can pursue a work goal. A PASS plan must be approved by the SSA. It can allow money to be set aside for educational expenses; vocational training; starting a business; supported employment services including a job coach, attendant care, equipment and tools needed to work; and transportation. The income and resources set aside under this plan do not count when deciding SSI eligibility and payment amounts.

What can the Native American Disability Law Center (Law Center) do?

The Native American Disability Law Center (NADLC) provides legally based advocacy services to Native Americans with disabilities to protect, promote, and expand their rights.

Through a program called "Protection and Advocacy for Beneficiaries of Social Security" (PABSS), the Law Center advocates and attorneys provide Social Security beneficiaries free assistance to help them overcome barriers that are preventing them from working or from pursuing higher educational opportunities.