

**February 2011**

## Age 18 Benefits Check-up for Transition Age Youth A Guide for Students, Families and Professionals

**Instructions:** This check-up should be conducted in the year following the 17th birthday for students and young adults who are receiving SSA benefits based on disability. The purpose of the check-up is to identify and proactively plan for any benefits changes that may occur upon turning 18 years of age. A written summary of the results of this benefits check-up should be completed and sent to the student and family.

There will be different areas that need to be checked depending on the type of Social Security disability benefits the student receives. For this reason it is imperative that the beneficiary's current status be confirmed before conducting the check-up! Only work through the issues which are relevant for the individual student. For each relevant issue, the object is to develop a plan of action for preparing for or dealing with the anticipated change.

### **ISSUES FOR SSI RECIPIENTS**

1. Have you discussed the SSI age 18 re-determination process with the student and family? Do they understand if the youth's disability does not meet the medical standard for adults, the benefits will cease? If the child is at risk of losing SSI after the age 18 redetermination, have you discussed the possibility of continuing benefits under Section 301 provisions?
2. If the student's SSI benefits were reduced due to parent-to-child deeming, have you discussed the changes in how parental support is viewed by the SSA when the youth turns 18? Once the student turns 18, SSA will apply the in-kind support and maintenance (ISM) rules instead of parent-to-child deeming. Have you discussed the various options for paying for food and shelter and how each of these may affect the SSI benefit? Also, if a PASS is in place before the youth is 18, and that PASS uses parental deemed income to fund the occupational goal, the PASS may need to be amended because the income source has changed.
3. Have you checked to see if any other changes in unearned income are pending? For example, will there be changes in child support payments or arrangements? Any other increase or decreases expected in unearned income which need to be planned for?

4. Are there any potential resources that the student will have access to upon reaching the age of 18? Is there an inheritance, personal or real property, cash settlements or any other countable resources that could cause ineligibility to occur? If so, does the student have plans to use these future resources? Would using a PASS to achieve a future goal be appropriate for these funds?
5. Have you discussed the effect of earned income on the SSI check and Medicaid in detail?
6. Have you discussed the use of specific work incentives such as the Student Earned Income Exclusion (SEIE), Impairment Related Work Expense (IRWE), Blind Work Expense (BWE) or PASS?
7. Does the student have marriage plans in the near future? If so, have you discussed the affect of marriage upon SSI eligibility and payment amount caused by spouse-to-spouse deeming. If the prospective spouse is eligible for SSI benefits, have you explained the eligible couple rules? Does the youth understand the different asset limits for married couples? Did you explain that a spouse's income or resources could make the youth ineligible for Medicaid?
8. Has the student been working? Does the student have sufficient work credits to establish SSDI eligibility? If the student doesn't have enough credits yet, but may have in the next few years, have you explained the effect of receiving SSDI or other unearned income on SSI eligibility?

### **ISSUES FOR TITLE II BENEFICIARIES (INCLUDES SSDI, CDB, AND SOCIAL SECURITY CHILD'S BENEFITS)**

1. Is the student receiving a title II child's benefit? Are the student and family aware of when this benefit ends and how participation in secondary education effects continued eligibility? Have you discussed the effect of work on child's benefits?
2. If the student was unable to establish eligibility for SSI due to excess income and/or resources, have you checked to see if CDB eligibility may be possible? If a parent is retired, disabled or deceased, you should encourage the family to apply for CDB payments upon the 18th birthday.
3. Have you explained the process for transitioning from child's benefits to the Childhood Disability Benefit program? Have you discussed the application process for CDB? Have you described how treatment of earnings differs between child's benefits and Childhood Disability Benefits?
4. If a parent's Social Security status has recently changed and the child is applying for a new benefit as a Childhood Disability Beneficiary, does the student understand that state Medicaid agencies may be able to exclude all or part of the CDB benefit in order for Medicaid entitlement to continue even after the SSI is ceased?

5. Does the student have marriage plans in the near future? If so, have you discussed the affect of marriage upon CDB eligibility? Benefits only continue if the person marries someone else who receives a Social Security benefit. Benefit entitlement stops if the marriage is to someone who is receiving child's benefits not due to disability, or just SSI benefits.
6. Has the student been working? Does the student have sufficient work credits to establish SSDI eligibility? If the student doesn't have enough credits yet, have you explained the effect of accumulating work credits over time on disability benefit status?
7. Have you discussed potential Medicare eligibility to the student and family? If SSDI or CDB eligibility is a possibility, have you explained the 24 month Medicare qualifying period?
8. Have you explained the effects of earned income on the title II disability benefits? Does the student/family have a basic understanding of work incentives such as the Trial Work Period (TWP) and the Extended Period of Eligibility (EPE). Have you explained how SGA determinations are made?
9. Have you discussed the use of specific work incentives such as the Subsidy, Impairment Related Work Expense (IRWE), or PASS? Have you explained how these work incentives may affect an SGA determination and what is involved in having these work incentives approved by SSA?
10. Establishing eligibility for a title II disability benefit could affect the student's other public benefits. Have you checked to see whether a Medicaid waiver program is involved, or if the student plans to apply for food stamps, HUD rental subsidies, etc.? If so, have you discussed the impact of work on these benefits?

## **ISSUES FOR CONCURRENT BENEFICIARIES (SSI AND TITLE II BENEFITS)**

Go over ALL of the issues for BOTH SSI and title II benefits shown above. Remember when showing the impact of work, to check the title II benefits status FIRST. These benefits represent unearned income, so you need to understand what happens with them in order to understand how the SSI benefit will be affected.

Also, have you discussed a PASS? People who receive both benefits may be very good PASS candidates, since the Social Security benefit may be used to pay PASS expenses.

## **ISSUES FOR STUDENTS NOT YET RECEIVING SSA DISABILITY BENEFITS**

1. Has the student ever applied for SSI or Social Security disability benefits in the past? If so, what was the reason for denial? Does the student plan to reapply?
2. If the income or resources of the parents caused denial of SSI in the past, the student should consider re-applying immediately upon turning 18. Have you discussed the non-disability

eligibility criteria for SSI with the student and family? Are there any resource or income issues related to the student that need to be considered before an application for SSI is made?

## **ISSUES AFFECTING ALL STUDENTS WITH DISABILITIES REGARDLESS OF SSA BENEFIT TYPE OR STATUS**

1. Turning 18 means that SSA views the student as an adult. Have you discussed payee-ship with the student and family? Is legal guardianship an issue?
2. Do the student and the family members understand the SSA reporting requirements? If a parent plans to act as the representative payee, does the parent understand their responsibilities in this capacity? If the parent wants to be payee because the student isn't used to handling money, have you discussed ways to build the student's money skills so that the student may eventually become his or her own payee?
3. Have you reviewed events that must be reported, and how and when the reports should be made? Have you helped the youth and family members develop strategies for keeping receipts, keeping track of what benefits the youth receives and from whom, and when and to whom reports were made?
4. Is post-secondary education an option for the student? Have you discussed using a PASS to help fund this goal? Has the student initiated services with the state VR agency? Has the student considered using an Individualized Training Account (ITA) through the local One-Stop Career Center to help pay for training or education?
5. Have you discussed the Ticket to Work program with the student and family members? Once the student turns 18 and eligibility for cash benefits is established, he//she will be eligible for a Ticket. You will need to discuss what the ticket program is, what advantages ticket assignment provides and help with ticket assignment if needed.
6. Have you discussed long term asset development strategies with the student and family? Are there Individual Development Accounts available in the student's area? Is home ownership a goal? Is business ownership a possibility in the future? If the student receives means tested benefits (including Medicaid waiver services) make sure you explain the impact of countable assets on such benefits.
7. Has the student and family thought about health insurance coverage long term? If the parents provide private health insurance for the student, this coverage might end at 18. Have all Medicaid options been explored? If Medicare is an option in the near future, have the student and family thought about Medi-gap plans, or the Medicare Part D prescription drug coverage?