



What's So Great About Supplement Security Income & Medicare for Adults with Special Needs

This article is provided by SNA member Elizabeth Gray, CELA or McCandlish & Lillard in Fairfax, VA. Elizabeth focuses her practice on elder law and special needs law; trust, estate and guardianship disputes; and, wills, trusts and estates.

This is an overview of the fundamentals of public benefits law, particularly focusing on Social Security's need-based benefits and entitlement programs. This information can be invaluable for families navigating the complexities of securing financial support for their loved ones with special needs.

What are Need-Based Benefits?

Need-Based Benefits: These encompass programs such as Supplemental Security Income (SSI), Medicaid, food stamps, utility payment assistance, housing subsidies/vouchers, in-home support services, and attendant care (Medicaid Waivers). Eligibility for these programs hinges on demonstrating need based on disability and limited income and resources.

Supplemental Security Income (SSI): SSI, a federal income supplement program administered by the Social Security Administration, provides monthly cash payments to disabled individuals with minimal or no income to assist with basic needs like food* and shelter. Qualifying for SSI often entails automatic eligibility for Medicaid, with some states requiring separate applications for Medicaid.

**New rules from Social Security eliminated "food" from ISM (In-Kind Support & Maintenance). ISM, if paid for by a parent, lowers the amount of the SSI payment on a monthly basis. With this new rule, however, it is only shelter that will be used in calculating ISM for the SSI recipient.*

What Are Entitlement Programs?

Entitlement-Based Benefits: These include Social Security Retirement (SSR), Social Security Disability Income (SSDI), Childhood Disability Benefits (CDB), Medicare, and Special Education. Unlike need-based benefits, entitlement programs don't disqualify individuals based on unearned income or available resources.

Childhood Disability Benefits (CDB): Childhood Disability Benefits (CDB) is a Social Security Administration program providing cash assistance based on a disabled child's



parent's Social Security contributions. Qualifying for CDB does not affect the Social Security payments of the parent or their spouse. Importantly, individuals eligible for CDB can subsequently qualify for Medicare, a superior health insurance program compared to Medicaid.

The Difference

While SSI and SSD are both disability benefit programs administered by the Social Security Administration (SSA), they serve different purposes and have different eligibility criteria. SSD benefits are based on an individual's work history and contributions to the Social Security system, while SSI is a needs-based program designed to provide assistance to individuals with limited income and resources. Many individuals with special needs may not have substantial work histories or may not qualify for SSD benefits based on their own earnings, making SSI a vital source of financial support.

While SSI provides modest monthly benefits, it acts as a vital gateway to various support services, including Medicaid. Similarly, CDB not only offers financial assistance but also opens doors to Medicare coverage. Together, these programs ensure the long-term financial security and well-being of individuals with special needs.

Reasons To Apply For SSI

While the monthly benefit provided by SSI may indeed be modest, there are several reasons why it is still highly beneficial for individuals with special needs, especially when considering their long-term financial security and well-being. Here are some key points:

- **Asset Limitations and Income Restrictions:** SSI eligibility is contingent upon meeting strict asset and income limitations set by the SSA.
- **Protecting Eligibility for Other Programs:** By applying for SSI, individuals with special needs can also safeguard their eligibility for other critical programs and services, such as Supplemental Nutrition Assistance Program (SNAP), housing assistance, Medicaid Waivers, and vocational rehabilitation services. These programs can offer further assistance and opportunities for individuals to enhance their quality of life and independence.
- **Gateway to Other Benefits:** While SSI provides modest monthly benefits, it acts as a vital gateway to various support services, including Medicaid Waivers. Similarly, CDB not only offers financial assistance but also opens doors to Medicare coverage.



Together, these programs ensure the long-term financial security and well-being of individuals with special needs.

What's So Great About Medicare

Medicare offers comprehensive healthcare coverage, including hospital stays, doctor visits, and prescription medications. Upon receiving Medicare, individuals with special needs gain access to higher quality healthcare services and providers. And Medicaid complements Medicare by covering additional costs such as premiums, deductibles, and co-payments, thus reducing out-of-pocket expenses for the special needs individual.

About this Article: *We hope you find this article informative, but it is not legal advice. You should consult your own attorney, who can review your specific situation and account for variations in state law and local practices. Laws and regulations are constantly changing, so the longer it has been since an article was written, the greater the likelihood that the article might be out of date. SNA members focus on this complex, evolving area of law. To locate a member in your state, [visit Find an Attorney](#).*

Requirements for Reproducing this Article: *The above article may be reprinted only if it appears unmodified, including both the author description above the title and the “About this Article” paragraph immediately following the article, accompanied by the following statement: “Reprinted with permission of the Special Needs Alliance – www.specialneedsalliance.org.” The article may not be reproduced online. Instead, references to it should link to it on the SNA website.*