

at reconsideration, you have 60 days to ask for a hearing before an Administrative Law Judge. You also have the right to see your file. You have the right to bring someone to help you.

Although it is not required, it is a good idea to have someone to represent you at the Administrative Law Judge hearing. This can be a lawyer, paralegal, or friend.

If you lose the hearing, you have 60 days to file an appeal to the Appeals Council; if you lose that appeal, you have 60 days to file a lawsuit in federal court.



This brochure was produced by the South Carolina Appleseed Legal Justice Center. This brochure is for information only. If you think you need legal assistance, you may want to contact your local legal services program by calling Legal Assistance Telephone Intake Service for a referral at 744-9430 in Columbia or toll free at (888) 346-5592 from other places in the state.

SC Appleseed fights for low income South Carolinians to overcome social, economic and legal injustice.

To find out more about SC Appleseed, go to:

www.scjustice.org

Copyright retained by
South Carolina Appleseed Legal Justice Center.
For permission to reproduce this brochure contact
SC Appleseed
P.O. Box 7187
Columbia, SC 29202

Supplemental Security Income *and* Social Security FACTS



Supplemental Security Income and Social Security FACTS

What is Social Security?

Social Security (SS) is a program that helps aged, blind, and disabled persons and their spouses, children, or widow(er)s. It provides money and a chance to get low-cost health care. You pay part of your earnings into Social Security.

Can my family or I get Social Security?

It will depend on whether you have worked long enough to be covered. If you are covered, you will have to show proof of your age; that you are unable to do regular full-time work for at least a year for medical reasons; or that you should get support from someone on Social Security. Social Security can tell you if you are covered.

What is SSI?

SSI (Supplemental Security Income) is a program that helps aged, blind, and disabled persons. It provides money and pays for health care. You may be able to get SSI if you are Age 65 or older, blind, or Disabled. Disabled means (if you are over 18) that you can't do regular full-time work suitable for someone of your age, education and work experience for at least a year for a medical (mental or physical) reason. Children can also get SSI if their disability meets certain rules.

Should I apply for both SS and SSI?

When you apply, SSA will take an application for both SS and SSI. Many people can be eligible for both SS and SSI.

Can my family or I receive Social Security?

It depends on whether you have worked long

enough to be covered. Family members may also be able to draw off of retired or disabled workers.

Can I get SS or SSI if I am working?

It depends on how much you work and whether your work is considered A gainful activity. It is also possible to start work again after you receive SS or SSI, under a trial work period or SSI Work Incentive program.

Can I own property and receive SS or SSI?

You can own your own home and receive SS or SSI. If you own other property that you don't live in with a value over the SSI resource limit, you could still get Social Security, but can not receive SSI, unless:

- You entered into an agreement to sell the property and pay SSI back if you sell it
- Or, if you can prove that it is impossible to sell the property.

There are other exclusions which may apply.

Can I give away property and get SSI?

If you or your eligible spouse gives away or sells a non-excluded resource for less than fair market value for the purpose of establishing SSI or Medicaid eligibility, you will be charged with the difference between the fair market value of the resource and the amount of compensation received. The difference is counted toward the resource limit for 24 months from the date of transfer.

How much money can I already have and still get SSI?

You may have some earned income. This amount changes each year. In 2008 you may have the following income and still receive benefits:

Wages only:

- \$1,481 for an individual
- \$ 2,181 for a couple

Income from sources other than wages:

- \$ 657 for and individual
- \$ 976 for a couple

You are also permitted to have some unearned

income. Eligibility determinations for earned and unearned income are complex. Your benefit will be determined based on the amount of income in your home and potential allowable deductions. Bank accounts or other resources less than \$2,000 for a single person or \$3,000 for a couple.

Can I get SSI if I get Social Security?

It depends on how much your Social Security check is. Many people get both SSI and Social Security checks.

What kind of medical benefits will I get?

On Social Security, you will receive Medicare after you are 65 or have been disabled 2 years.

On SSI, you will receive Medicaid, which pays most doctor & hospital bills, nursing home care and some drug and equipment costs. If you receive too much SS to receive SSI, but your income is still low, you may be eligible for Medicaid under other programs.

How do I apply for SS/SSI?

Go to your local Social Security Office. Bring your Social Security card (or your number); proof of identify and age (birth certificate, drivers license, family Bible etc); a list of all doctors and hospitals you've been to since you became disabled, and as much info you have about any jobs you have done in the past 15 years. Also, bring paycheck stubs, bank statements, insurance policies and deeds to property if you think you may be eligible for SSI. You may call the Social Security Administration by dialing 1-800-772-1213.

What are my rights if I ask for Social Security or SSI?

The Social Security office can take as long as they want to decide your case. If they turn you down, you have 60 days to ask them to change their minds (reconsideration). You must do this in writing. If they turn you down

