

Social Security Information Sheet for the Boomer Esiason Foundation Website: [www.esiason.org](http://www.esiason.org)

Some people mistakenly believe that a diagnosis of CF automatically qualifies a person for Social Security benefits. **THIS IS NOT TRUE.** The following is an information sheet on Social Security benefits but is not legal advice regarding a specific claim.

**Social Security Disability Insurance Benefits (SSDI)**-are benefits available to people who cannot work due to their health and meet certain work and medical requirements.

#### *When Would Someone Be Eligible for SSDI Benefits?*

A person may be eligible for SSDI benefits if they are unable to engage in substantial work activity due to their health. Substantial gainful activity is defined as making more than \$830 from work activity or working full time for any amount of money. The amount a person can work and still be eligible for SSDI benefits is less if a person is self employed. SSDI benefits are NOT available to people working full time.

#### *Work Requirements*

A person does not need to have low assets in order to be eligible for SSDI benefits; a spouse's income will not affect eligibility. The person must have worked and paid enough money in Social Security taxes. A person can find out if they have enough work credits by calling Social Security at 1-800-777-1213 and asking for a **Personal Earnings Benefit Estimate Statement**.

#### *Monthly Benefit Check*

The amount of the monthly SSDI benefit check will depend on the amount of Social Security taxes paid. People with CF should plan to have a reduction in their monthly income if they stop work and start receiving SSDI. The first 5 months a person is unable to work is considered a waiting period by Social Security. No benefit check will ever be paid for the first 5 months.

#### *Health Insurance*

A person who is eligible for SSDI will become eligible for Medicare 29 full months after the person became unable to work. If a person leaves work and becomes eligible for SSDI he may be able to COBRA his employer's health insurance plan for 29 months which will help bridge the gap until Medicare coverage begins.

The Medicare premium will be deducted from a person's monthly SSDI check. If a person opts not to enroll in Medicare there will be premium penalties for late enrollment. Medicare provides coverage for things such as transplant, doctor visits, tests and prescription drugs. For more information on Medicare, contact 1-800-MEDICARE or [www.medicare.gov](http://www.medicare.gov). <http://www.cms.gov>.

**Supplemental Security Income (SSI)**- SSI benefits are available to children and adults with CF who meet certain low income requirements and meet certain medical requirements.

#### *When Would Someone Be Eligible for SSI Benefits?*

SSI is a federal program that can help adults who have not worked enough to get SSDI benefits or adults who have an SSDI check that is less than the SSI amount paid in their state. Children who live in a low income household may also be eligible for SSI.

### Income Limits

A person must meet low income requirements to be eligible for SSI benefits. An adult with CF will have his spouse's income counted for purposes of determining SSI eligibility. In order for a child to be eligible for SSI, the wages of people in the household must meet SSI income limits. Usually an individual cannot have more than \$2,000 in assets or \$3,000 per married couple. Check with your local SS office or call 1-800-772-1213 for more details on income limits.

### Income limits and People with CF Over 18

People with CF over the age of 18 may be able to have only their income counted when applying for SSI even if they live with their parents or a friend. People with CF can do this by signing an agreement that they will pay their portion of household expenses from the SSI benefits they will receive if their application is approved.

### Health Insurance

Medicaid is a federal program administered by each state and provides health insurance to those eligible for SSI. In 39 states, if a person is eligible for SSI the person is eligible for Medicaid. In 11 states, a separate application for Medicaid must be made by SSI recipients. Those states are: Connecticut, Hawaii, Illinois, Indiana, Minnesota, Missouri, New Hampshire, North Dakota, Ohio, Oklahoma, and Virginia.

### **Medical Requirements for Social Security**

In addition to meeting the SSDI work requirements or the SSI income limits, an applicant must meet certain medical requirements. Social Security has a “**Listings of Impairments**” that sets out medical requirements a person must meet to qualify for benefits. It is important to file an application for benefits that explains how a person meets the medical criteria. Social Security reviews a person's medical records to determine if the person meets the medical requirements. It is best to submit your medical records for the year prior to filing for benefits up to the present.

**For more information on the Medical Requirements go to [www.ssa.gov](http://www.ssa.gov).**

### **How to Apply for Social Security (SS) Benefits**

To start the application process a person must contact Social Security at 1-800-722-1213 and explain that the person wishes to file an application for SSI or SSDI benefits. *The Advocacy Manual: A Clinician's Guide to the Legal Rights of People with Cystic Fibrosis* is a book available for review at your CF Care Center and contains sample letters, sample loan agreement and additional information about Social Security medical criteria.

### Denial Of An Application for Benefits

If an application is denied a person has only 60 days to file an appeal. It is important to appeal a denial because back benefits build up while the appeal is pending and if the case is eventually won the person will receive the back benefits.