

NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

SSI THE RIGHTS OF HOMELESS CHILDREN AND YOUTH

Children's SSI can be an important benefit for homeless families with disabled children, or for unaccompanied homeless youth. Yet many people are unaware of the program, who may be qualified for benefits, and how to file an application. This fact sheet will allow advocates to answer some of these questions.

WHY ARE SSI BENEFITS PROVIDED TO CHILDREN? Children's SSI is a program designed to compensate low income people with disabled children for the extra money that they spend taking care of those children – money that the household would not spend if the child was not disabled.

WHO IS ELIGIBLE? To be eligible for SSI, a child must be found disabled by the Social Security Administration (SSA). Disability is defined as "a physical or mental condition or conditions that can be medically proven and which results in marked and severe functional limitations." Also, the child's family must meet SSA's income and asset rules. Finally, the child must be a U.S citizen or an eligible immigrant.

HOW DOES SOMEONE APPLY FOR CHILDREN'S SSI BENEFITS?

1. Applications for children's SSI can be filed at a local Social Security office. That local office will review the case to make sure that the applicants are within SSA's income, resource, and citizenship rules.
2. If the applicant is within these guidelines, the application will be sent to a state agency for processing. That agency will make a medical decision about whether or not the child is disabled.
3. If a child is found not to be disabled, the parents or guardians should contact a local legal services or special education attorney for advice about how to appeal the decision.

WHAT ROLE DO SCHOOLS PLAY IN THE CHILDREN'S SSI APPLICATION PROCESS? Children receive SSI based on medical problems which cause severe limitations in functioning. Evidence from school can help document a child's medical problems and their functional limitations.

For example, school psychological evaluations, Individual Education Plans (IEP's), and standardized test results can be used to prove medical disability due to a cognitive impairment. And school records or written teacher questionnaires are examples of evidence that can be used to show severe limits in functioning, due to suspensions or inability to interact properly with other students.

HOW LONG DOES IT TAKE TO RECEIVE CHILDREN'S SSI BENEFITS? Receiving children's SSI can take anywhere from a very short time to an extremely long time, depending on the strength of the case. The more information that is provided to Social Security at or immediately after the application interview, the greater the likelihood that a case will be decided more quickly.

DOES A FAMILY NEED A PERMANENT ADDRESS TO RECEIVE CHILDREN'S SSI? NO! Homeless children are eligible to receive SSI even though they live in a shelter, lack a mailing address, or live on the street. If a children's SSI recipient does not have a reliable mailing address, they can receive benefits through direct deposit into a bank account or in some places through a federal EBT card (like an ATM card) which can be used to withdraw cash at ATM machines.

CAN UNACCOMPANIED YOUTH APPLY FOR SSI ON THEIR OWN? Yes. Youth are eligible for SSI under the children's SSI standards. Unaccompanied youth may file for benefits without providing any information or permission from their parents, as long as they can show the Social Security office that they are not living with their parents. Just like anyone receiving children's SSI, unaccompanied youth will have their cases re-evaluated when they turn 18. At that time, the case is evaluated under the adult disability standards.

If you receive reports of homeless children being wrongfully denied SSI benefits, or if you have any questions about the children's SSI program, please contact Jeremy Rosen, Staff Attorney, at (202) 638-2535 ext. 207 or jrosen@nlchp.org.