

35. Application for SSI/SSP

An application for Social Security Agency (SSA) Benefits can be made at any time for a potentially eligible child or youth. There may be occasions where the SSI/SSP Social Work (SW) Coordinator is not aware that there are potential benefits. Foster Care Eligibility Worker (FC EW) must immediately inform the SSI/SSP Social Work Coordinator when the discovery of SSA Benefits are being paid for a child or youth receiving Foster Care or Kin-GAP benefits.



35.1 Social Security Terminology

The following terms are commonly used when involving Social Security.

Abatement

The collection by the county of SSI/SSP funds in order to pay back benefits already granted to a child. The abatement may be the entire amount of the Social Security Award or just a partial amount.

Note:

Abatements only apply to foster care placements.

SSA Benefits

Social Security Administration (SSA) benefits is a general term used to describe various awards granted by the SSA. In this chapter, survivors benefits are referred to as SSA Benefits.

SSI Benefits

Supplemental Security Income is payable to adults or children who are disabled or blind, have limited income and resources, meet the living arrangement requirements, and are otherwise eligible.

SSI Benefits State Supplement Payment

An additional amount paid by the State of California in addition to the federal standard SSI amount.

Suspension of Benefits

Once a child is approved for SSI, there is an option to suspend the distribution of the benefits for up to 12 months. This allows the child to continue receiving federal

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Aid to Families with Dependent Children - Foster Care (AFDC-FC). If the child does not reinstate SSI by the 12th month a new application will need to be made to social security.



35.2 When to Apply for SSI/SSP

When a Foster Care child or youth is disabled, and it is determined that the child or youth may be eligible SSI/SSP, the SSI/SSP Social Work Coordinator and the Foster Care Eligibility Worker (FC EW) should discuss the case details to determine the impact of SSI/SSP to the child's eligibility for Foster Care (FC), for the following reasons:

- When a child or youth is federally eligible, an application for SSI should NOT be made UNLESS the SSI meets or exceeds the cost of placement.
- When a federally eligible FC child or youth is receiving SSI, the SSI/SSP Social Work Coordinator can request Social Security to discontinue the child's SSI, when it is in the child's or youth's best interest to do so.
- Federal status cannot be relinquished for the purpose of using State (non-federal) Foster Care to supplement SSI.
- An application for SSI should be made if the child or youth is eligible for State Foster Care. SSI payments can be supplemented by State Foster Care payments.

35.2.1 Income in Excess of the Placement

When a child or youth has "available" income in excess of the placement costs (e.g., SSI/SSP, Social Security or VA benefits), there is no Foster Care eligibility.

When no dependency exists, the legal guardian must be referred to the Social Security Administration using a Referral To/From Social Security (SCD 169) to apply for any potential benefits. The case can be approved but the case must be flagged for follow up.

Note:

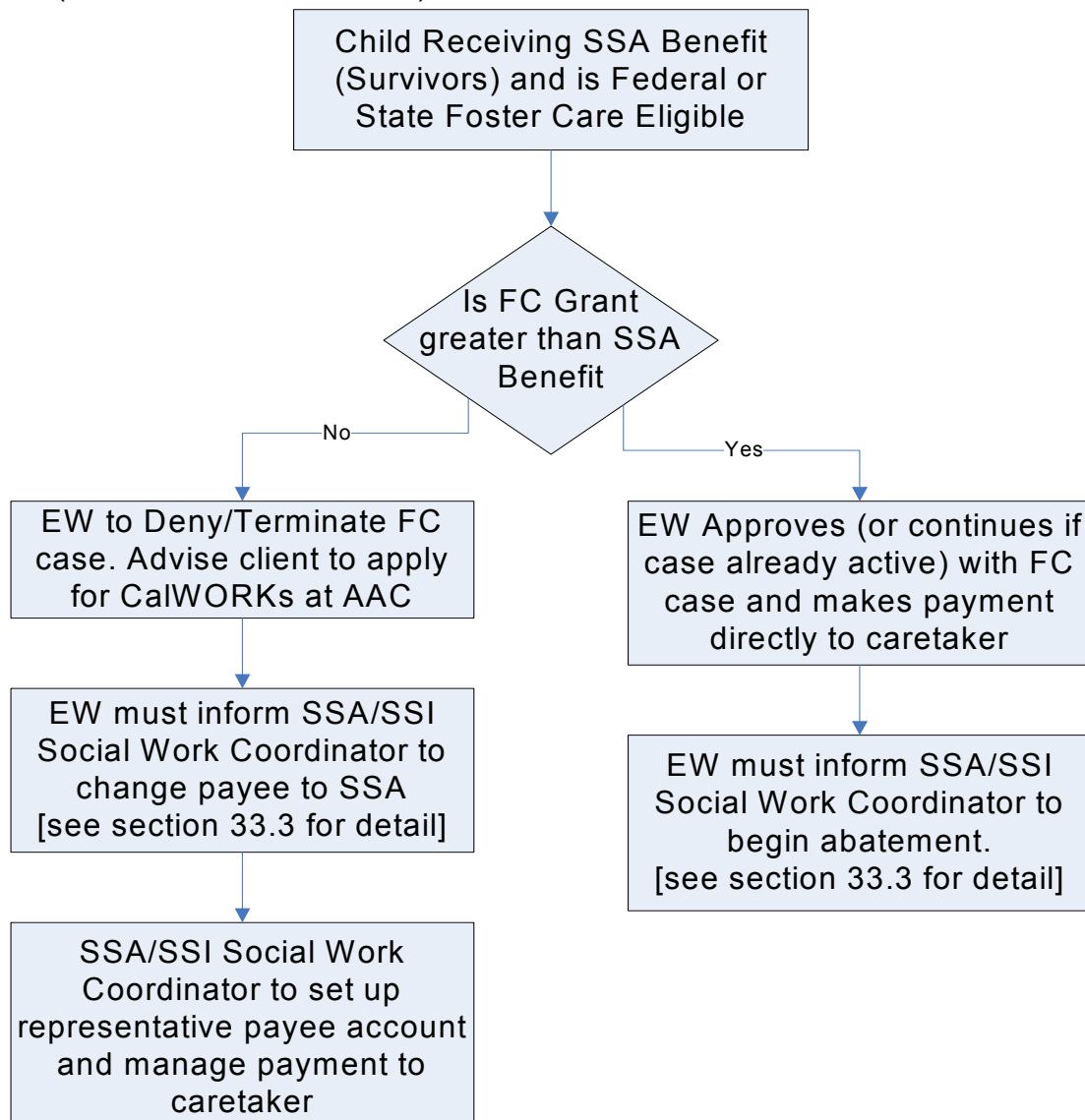
FC EWs must explore Medi-Cal eligibility for the child/youth if not already approved.

35.2.2 Social Services Agency (SSA) is the Payee

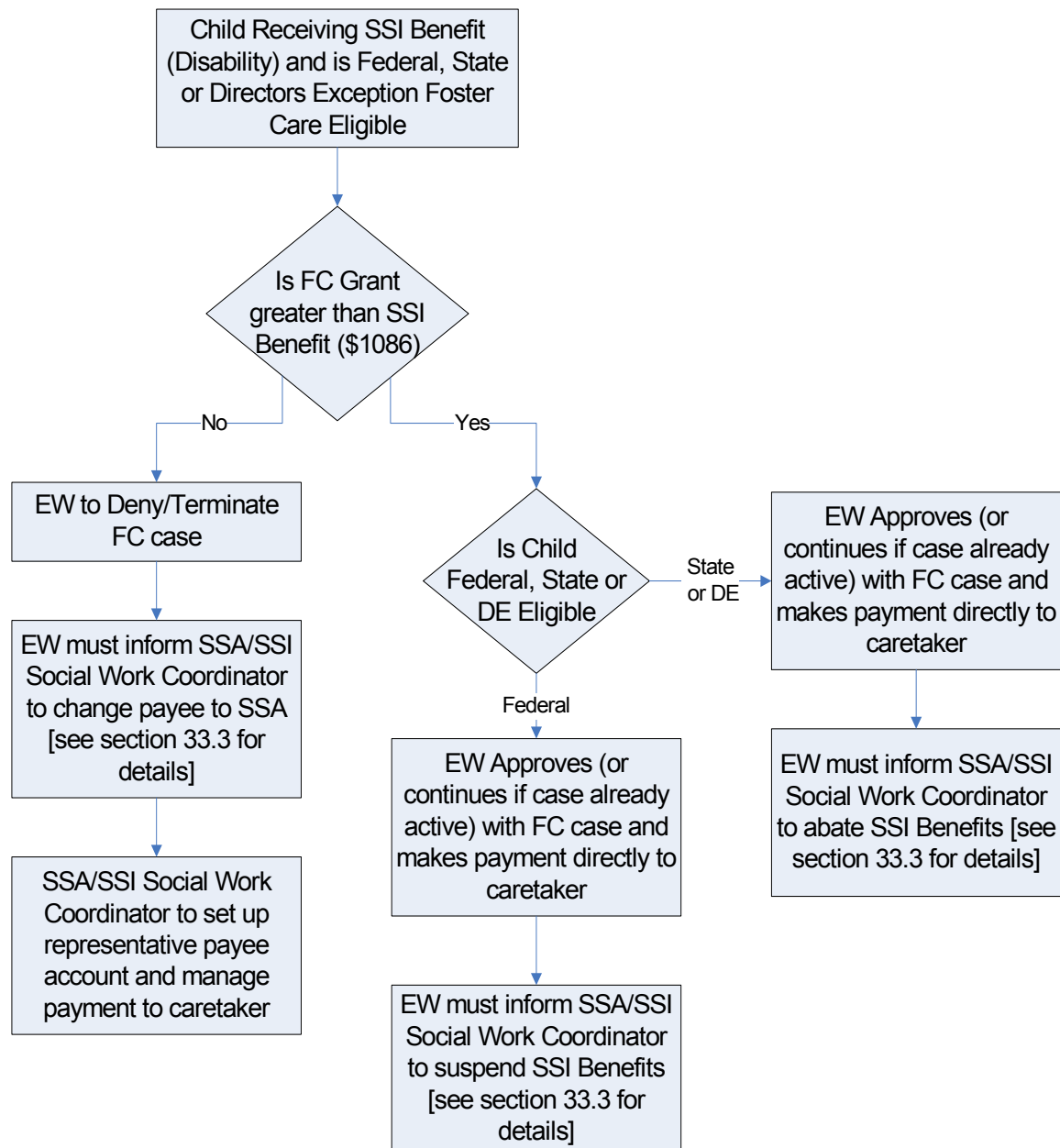
When SSA is the payee on behalf of the child or youth:

- SSA abates the child's or youth's monthly placement cost out of the monthly SSI/SSA benefits received for the child or youth, or
- SSA uses the SSI/SSA benefits to directly pay for the child's or youth's monthly placement costs and any remainder is held in reserve by fiscal in a child or youth sub-payee account to pay costs in connection with their placements.

The following flow chart illustrates the process that is used to determine eligibility and abatement when the child or youth is eligible for survivors benefits (Reference to 33.3 is 35.3):



The following flow chart illustrates the process that is used to determine eligibility and abatement when the child or youth is eligible for disability benefits (Reference to 33.3 is 35.3):





35.3 Completion of “Request To Be Selected As Payee” (SSA-11-BK) Form

The SSA-11-BK must be completed during the Intake process or during the Continuing process when the FC EW has verified the foster care child or youth is in receipt of Social Security, Supplemental Security Income or Special Veterans Benefits.

When the youth is in the Extended Foster Care (EFC) program as a Non-Minor Dependent (NMD), the assigned SW/PO must approve completing the SSA-11-BK. It is the SW/PO responsibility to inform the NMD regarding becoming their own payee or allowing the county to be the payee during the time the NDM is in EFC.

35.3.1 Foster Care Eligibility Worker Responsibilities:

When it is necessary to change the representative payee of a child’s Social Security benefits or SSI/SSP to our agency, the FC EW must:

- Complete the “Request To Be Selected As Payee” (SSA-11-BK) according to the instructions in section 35.3.3 [Refer to “Completion Instructions,” page 35-6].

Note:

A current SSA-11-BK is located at
<http://www.socialsecurity.gov/forms/ssa-11-bk.pdf>

- Forward the completed SSA-11-BK to the SSI/SSP Social Work Coordinator with a copy of the latest court report or any other court document that verifies the child’s dependency or ward status.
- Keep a copy of the SSA-11-BK in the case file.
- Due to confidentiality issue refer all calls from Social Security pertaining to the child’s/youth’s placement or other questions about the information on the SSA-11-BK to the SSI/SSP Social Work Coordinator.

In addition to the steps above, when a Federal AFDC-FC case is receiving a grant that is higher than the SSI award, the FC EW must:

- Complete form SCD 169 “Referral To/From Social Security.”

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- Print the **Search For Issuance** window in CalWIN and the CWS/CMS placement log.
- Submit the documents to the SSI/SSP Social Work Coordinator. The SSI/SSP Social Work Coordinator sends the request to the Social Security Administration to suspend SSI benefits.
- Upon receipt of confirmation that the Social Security Administration has suspended benefits, the completed SCD169 is returned to the FC EW.
- The FC EW completes a “Request for Online Action” (SCD 1296) for the MEDS Terminal Operator (MTO) to change the aid code from 60 to 42.

35.3.2 SSI/SSP Social Work Coordinator Responsibilities:

The SSI/SSP SW Coordinator must:

- Review the SSA-11-BK for complete and correct information.
- Obtain additional court documents from the child’s or youths SW/PO, as needed.
- Block out all confidential information on the court documents.
- Forward the SSA-11-BK and supporting documentation to Social Security.
- Respond to contacts from Social Security which pertain to the child’s/youth’s placement and/or other questions regarding the application for representative payee status.
- Apply for Social Security and/or SSI/SSP when a child appears to be eligible.
- Complete the “Request To Be Selected As Payee” (SSA-11-BK) if there is no assigned EW.

35.3.3 Completion Instructions

Follow these instructions when completing the SSA-11-BK:

- For a LEGAL GUARDIAN WITHOUT DEPENDENCY (including Kin-GAP), contact the SSI/SSP Social Work Coordinator.
- One form per child.
- Print using BLACK or BLUE ink.

- Any “white outs” of incorrect information must be initialled.

Item:	Instructions:
Top of Form	Indicate type of benefits the child is receiving: <ul style="list-style-type: none"> SSI SSA, or SSA and SSI
Name of the Number Holder	The information to be entered depends on what benefits the child is receiving: <ul style="list-style-type: none"> SSI Only -- Enter the child's name and SSN. SSA Only -- Enter the wage earner's name and SSN. SSA and SSI -- Enter the child's name and SSN.
Name and SSN of “claimant(s)”	Complete this section only when the child is receiving SSA benefits. More than one child can be listed.
1.	Leave blank. Not used by our Agency.
2.	Always check “Claimant is a minor child.”
3.	Enter: <ul style="list-style-type: none"> Child is a dependent, or Child is a ward of the Juvenile Court.
4.	Check “By other means” and write in “Regular visits by SW (or PO).”
5.	Check “NO” unless the child has a court appointed legal guardian. If the child has a court appointed legal guardian, regardless of dependency status: <ul style="list-style-type: none"> Check “YES” and complete all requested information. Enter the date the court granted guardianship. Attach the letter of appointment to the SSA-11-BK.
6a.	Check “In a board and care facility” for all placements EXCEPT a medical facility. “Board and care” includes relative placements and guardians with dependency. For guardians with no dependency, contact the SSI/SSP Social Work Coordinator for instructions.

Item:	Instructions:
6b.	<p>In this section, it is important that the information clearly indicates that the child is in a Foster Care placement, especially when a child's foster parent is a relative.</p> <p>NAME Enter the name of the foster parent or group home.</p> <p>RELATIONSHIP Enter one of the following:</p> <ul style="list-style-type: none"> • Foster parent (includes an FFA) • Relative foster parent, or • Group Home
6c.	<p>Residence: Enter the address of the child's actual place of residence, NOT the business address.</p> <p>Mailing: Enter DFCS, 373 West Julian Street, San Jose, CA 95110-2335</p> <p>Telephone Number: Enter the phone number of the SSA/SSI SW Coordinator, including the area code.</p>
6d.	Always check "NO."
7a, b & c.	<p>Enter confidential for the name, address and phone number of both parents, even if known.</p> <p>If the child is freed or the parent(s) are deceased, please indicate so.</p>
7d.	<p>Check:</p> <ul style="list-style-type: none"> • "YES" if it's a Family Reunification or Family Maintenance case, and write "Parents are following the service plan." • "NO" if a child is in a permanent placement, and write "No requirement."
8.	<p>Complete this section only when the child is in a relative foster parent placement. Enter the name, address, phone number of the relative and the relative's relationship to the child.</p> <p>DESCRIBE SUPPORT/INTEREST Enter "Foster parent."</p>
9a.	<p>Check (a) and "Social Agency."</p> <p>Leave the remainder of this section (b - e) blank.</p>
10.	Always check "NO."

Item:	Instructions:
11. a/b	Enter Social Service Agency. Enter Agency EIN: 94-6000533
12 - 18	Leave Blank
REMARKS:	Use this section to provide county payment directions: Please direct payments to: County of Santa Clara Social Services Agency Account number 14998-22906 Routing number 12100-0358 As well as additional clarifications and other pertinent information, as needed. For example: The application was delayed due to SSN problems, etc.
Signature of Applicant	Must be completed by the FC EW: <ul style="list-style-type: none"> • Signature: FC EW's name, position (EW), for DFCS. • Date: The date that the application is completed. • SSA/SSI SW Coordinator's phone number, including the area code.
Mailing Address	County of Santa Clara Social Services Agency SSI/SSA Advocacy Program 373 West Julian Street San Jose, CA 95110-2335
Residence Address	Leave blank.



35.4 IEVS Reports

FC EWs must review Income Eligibility Verification System (IEVS) reports on an ongoing basis. IEVS must be run at initial intake and the annual redetermination (RRR). Results must always be documented in case comments. [\[Refer to "Income Eligibility Verification System \(IEVS\)," page 3-1 in the Common Place Handbook for details on requesting IEVS\]](#)



35.5 Screening of All FC Children and NMDs Prior to Emancipation [AB 1331, AB 1633, W&IC 13753 & W&IC 13757]

Assembly Bill (AB) 1633 requires counties to take certain actions on behalf of foster children or youths who are receiving SSI prior to their emancipation out of foster care with the goal of ensuring that these children and young adults maintain their eligibility for SSI benefits. Counties are required to:

- Provide information to children or young adults regarding the federal requirement to establish continuing disability as an adult,
- Provide information to the children or young adults regarding the process for becoming his/her own payee, or designating an appropriate representative payee, and
- Assist the children or young adults, as appropriate, in both of the above requirements.

Additionally, AB 1331 requires counties to:

- Screen all children and young adults who are in foster care beginning at the ages of 16.5 and continuing while in the EFC Program for a physical or mental disability
- Submit an SSI application on behalf of those children or young adults who are determined likely eligible for benefits.

35.5.1 Screening

All FC cases must be screened annually at RRR when a youth is over the age of 16.5. The screening process must be coordinated with the youth's expected date of emancipation, dismissal of court dependency, or aging out of foster care. A child or young adult approved for SSI may have their benefits suspended for up to 12 months. The reason for suspending benefits is to allow the child or young adult to receive a larger federal FC grant for their current placement. Once a young adult emancipates, has dependency dismissed, or ages out from the Foster Care

System and is no longer eligible for FC the SSI grant will be made available. If the child or young adult is not expected to emancipate or age out within the 12 month suspense period a new SSI evaluation will need to be processed.

In order to eliminate duplicate applications, every youth or young adult over the age of 16.5 (including NMDs) will be screened by a Social Worker (SW) but the final determination to submit the application will be made by the SSI SW Coordinator.

Note:

It is the County's responsibility to contact the Social Security Administration (SSA) to have suspended benefits reinstated once the young adult emancipates or dependency is terminated.

Applications Submitted For Federally Eligibly Children or NMDs

In order to submit an application for SSI the youth must not be in receipt of federal foster care. Therefore, all federally eligible cases must have their Aid Code changed to a non-federal Aid Code for two months to allow the submission of the SSI application. The Aid Code must then be immediately changed back to federal beginning the first day of the third month.

Note:

For instructions refer to revised [BEnDS 2009-3](#).

35.5.2 Process

The review process begins with the SW at the annual RRR:

Who	Necessary Action
Social Worker (SW)	Screens the case using the state form "SSI Screening Guide, Section A - Disability Screening" (FC 1633A). The FC 1633A will be a standard form included with RRR documents.

Who	Necessary Action
FC EW	<p>Receives the RRR documents, the FC EW must review the FC 1633A.</p> <ul style="list-style-type: none"> If the screening is determined not to be potentially eligible for SSI, the FC EW must document Maintain Case Comments window and enter the special indicator "FC not SSI Child" in CalWIN, no further referral is necessary. If the screening is determined to be potentially eligible for SSI, the FC EW must complete the state form "SSI Screening Guide, Section B - Financial Eligibility" (FC 1633B). The case must then be referred to the SSI SW Coordinator for a detailed review. A copy of the FC 1633A and FC 1633B must be forwarded along with the form "Referral for SSI Review" (SCD 1633). The SCD 1633 will serve as a tracking sheet and checklist to complete the process. <p>Document Maintain Case Comments window and enter the CalWIN Special Indicator "FC Potential SSI Child" in CalWIN.</p>
SSI SW Coordinator	<p>Receives the referral and reviews the case. The SSI SW Coordinator will determine if the child meets all the criteria for SSI eligibility. The decision will be documented on the SCD 1633 and will be returned to the FC EW with further instructions and supporting documentation, including the "SSI Screening Guide Section C - Application Information" (FC 1633C) with the decision.</p>

Return of the SCD 1633 to the FC EW

SSI SW Coordinator Decision	FC EW
The case is potentially eligible but it is not in the child's best interest to apply at this time. This case will be reevaluated at the next RRR. No additional action is necessary at this time.	<ul style="list-style-type: none"> Files SCD 1633 and signed FC 1633C in case folder. Adds Case Comments.
The case is not SSI eligible at this time. Update the Special Indicator "FC Not SSI Child" with a through date to expire by the next RRR. No additional action is necessary at this time.	<ul style="list-style-type: none"> Files SCD 1633 and signed FC 1633C Adds Case Comments. End dates original Special Indicator and updates with new Special Indicator.
The case is potentially eligible and an application is being submitted on _____ (date). Update the special indicator to "FC SSI App Submitted (Fed)" and apply BENDS 09-03 for the months of _____. Failure to complete this step timely will cause the application to be rejected. Contact the SSI SW Coordinator immediately if there is a change in case placement or a delay preventing completion of this process.	<ul style="list-style-type: none"> Files SCD 1633 and signed FC 1633C Adds Case Comments. End dates original Special Indicator and updates with new Special Indicator. Applies BENDS 09-03. Returns copy of SCD 1633 to SW Social Worker with completion date.

SSI SW Coordinator Decision	FC EW
The case is potentially eligible and an application is being submitted on _____ (date). Update the special indicator to "FC SSI App Submitted (Non-Fed)."	<ul style="list-style-type: none"> Files SCD 1633 and signed FC 1633C. Adds Case Comments. End dates original Special Indicator and updates with new Special Indicator. Returns copy of SCD 1633 to SW Social Worker with completion date.

Final SSI SW Coordinator Response

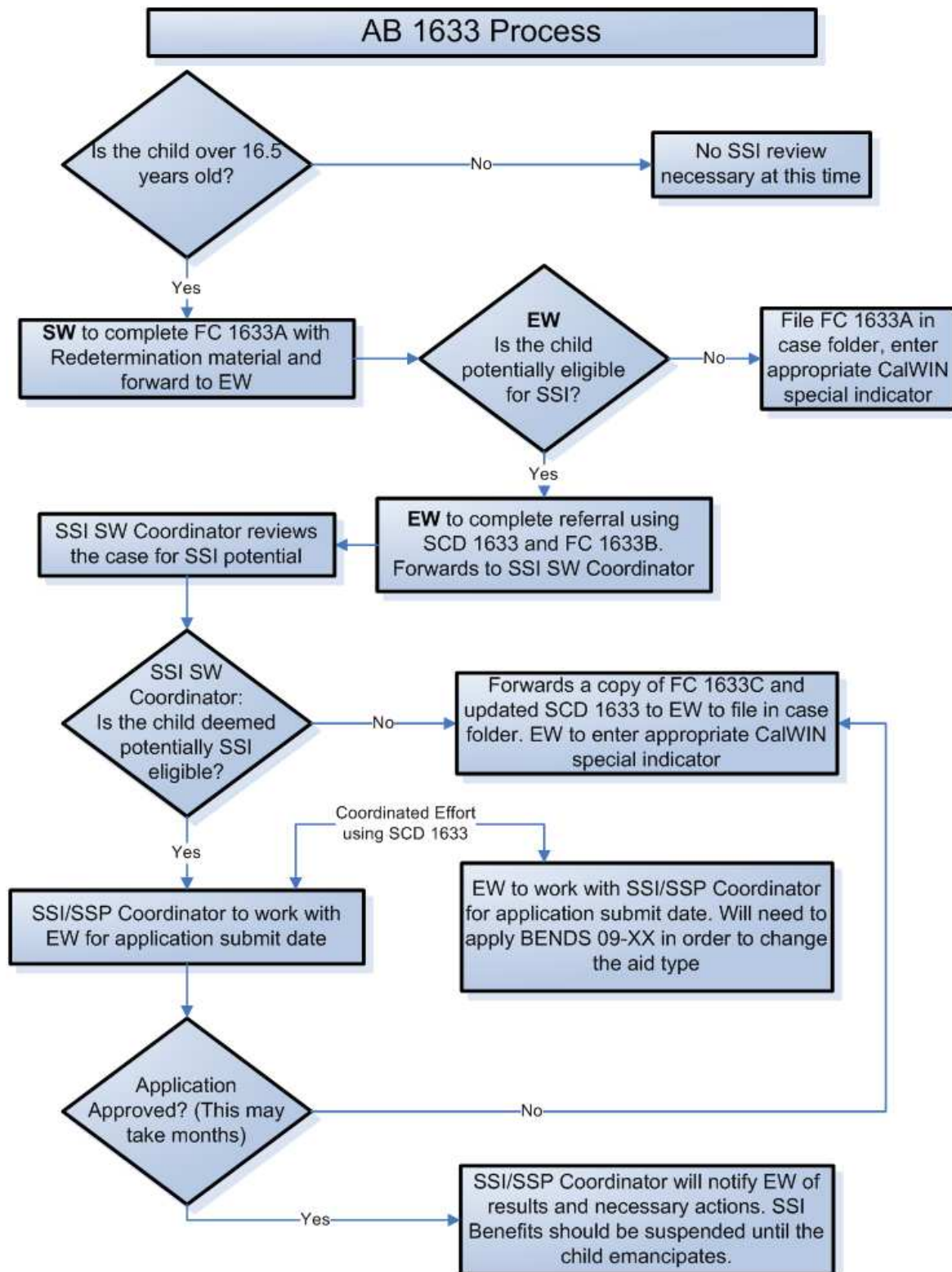
If an application is submitted, the case will be tracked using the Special Indicator updated by the FC EW. The application may take months to be evaluated by SSA. Once a response is received the SSI SW Coordinator will communicate the final decision to the FC EW via the SCD 1633. SSI SW Coordinator will notify Foster Care Eligibility (FCE) when it is necessary to renew the SSI eligibility. One of the following actions will be required:

SSI SW Coordinator Notification	FC EW
SSI has been approved. Benefits are being suspended until the child or youth adult emancipates, dependency is dismissed or ages out of FC. Update special indicator to "FC SSI Approved." No further action is necessary.	<ul style="list-style-type: none"> Files SCD 1633 in IDM, Adds Case Comments, and End dates previous special indicator and updates with new special indicator.
SSI has been denied. Update special indicator to "FC SSI Denied." No further action is necessary, pending an appeal.	<ul style="list-style-type: none"> Files SCD 1633 in IDM, Adds Case Comments, and End dates previous special indicator and updates with new special indicator.
SSI has been approved and the benefits were suspended for one year. The SSI benefits must be renewed every year. For federally eligible youths the benefits must be changed two months prior to the renewal date. The SSI Coordinator will send TMT request or send an e-mail to the assigned to have the Aid Code changed to Non-Federal for two months.	<ul style="list-style-type: none"> Files the request in IDM, Adds Case Comments, and Completes the process outline in BEnDS 2009-3.

Note:

When youth turns 18 years old they have the option of applying to become their own payee for SSI benefits. The SSI SW Coordinator will be notified by Social Security Administration when the request is made. The SSI SW Coordinator must immediately notify the assigned SW, the AB 12 SW Supervisor and FCE that a request to change the payee has been received. SSI benefits are considered unearned income and must be treated as such when payable to the NMD.

Visual Overview of Process (Reference to BENDS 09-XX is 09-03)



35.5.3 Required Forms

The state has provided four forms to assist in the SSI screening. The County has created one additional form to assist in the tracking and process which needs to occur to complete the review. The forms are available online. There must be a copy of all the forms used during the review must be IDM'd in the FC case.

Form	Form Name	Description
SCD 1633	Referral for SSI Review	This is a county developed form to assist in the coordination of the necessary processes that need to occur during the SSI review. It also serves as a reminder of the required special indicators that must be entered into CalWIN.
FC 1633A	SSI Screening Guide Section A - Disability Screening	This is the initial screening tool used by the Social Worker (SW) or Probation Office (PO). A copy must be forwarded to the FC EW and filed in the case folder.
FC 1633B	SSI Screening Guide Section B - Financial Screening	This form is to be completed by the FC EW only when a referral is necessary. The information on this form will help determine if it is beneficial for the child to apply for SSI. A copy of this form must be filed in the case folder.
FC 1633C	SSI Screening Guide Section C - Application Information	This form is completed by the SSI SW Coordinator once the case has been evaluated. A copy of this form must be returned to the EW and filed in the case folder.
FC 1633D	SSI Assessment Tool	This form is used only by the SSI SW Coordinator once a case has been determined to be potentially eligible for SSI. This form assists in the gathering of necessary information and the determination if the application should be "Fast Tracked."

35.5.4 Additional Tools

The monthly report "Redetermination's Due" includes a column to identify cases that have children 16.5 or older and require a SSI review. Staff must use this report to identify those individuals who fall into this category.