35. Social Security Administration Benefits

The Social Security program provides cash assistance to persons who are retired, blind, or disabled and have limited income and resources. Social Security Administration (SSA) is the office that governs the distribution of benefits which includes the following:

- Disability,
- Medicare,
- Retirement,
- Survivors, and
- Supplement Security Income (SSI).

Children placed in Foster Care (FC) (including children eligible for the Approved Relative Caregiver (ARC) Program) have been found to be at higher risk of having medical, social, or behavior disabilities. As such they are more likely to meet the disability requirement for SSI benefits. When minor or Non-Minor Dependents (NMD) is court dependent under the supervision of the Department of Family and Children Services (DFCS) assigned to a Social Workers (SW) or under the supervision of the Juvenile Probation Department (JPD) and assigned to a Probation Officers (PO), the SW/PO and Foster Care Eligibility Workers (FC EW) have a responsibility to pursue benefits on behalf the child or youth. The SSA/SSI Social Work Coordinator (SWC) is responsible for reviewing and submitting applications for any of the above benefits (except Medicare) to become the Authorized Representative Payee (ARP) for the benefits.

In the chapter of the handbook the SSA/SSI SWC will be referred to as the SWC. Santa Clara County Social Service Agency will be referred to as SCCSSA.

Note:
A child or youth may be eligible for both SSA and SSI benefits at the same time.
35.1 Social Security Terminology

The following terms are commonly used when involving Social Security.

**Abatement**
The collection by the county of RSDI and/or SSI funds in order to pay back benefits already granted to a child or youth. The abatement may be the entire amount of the Social Security Award or just a partial amount. Any excess must be sent to the provider under the discretion of the assigned SW/PO. The SWC is responsible for approving the abatement and the distribution of any excess funds.

**Note:**
Abatement only applies to FC placements.

**Child Sub-Payee Account**
SSA allows for representative payees to “collect” RSDI and SSI benefits, but before benefits can be paid by SSA, SCCSSA must establish an account for each individual that is eligible to receive benefits. A Child Sub-Payee (CSP) is established by the SWC.

**RSDI Benefits**
Social Security Administration (SSA) benefits is a general term used to describe various awards granted by the SSA which includes Retirement, Survivor's and Disability benefits. In this chapter, SSA benefits are associated with survivors, disability or retirement based benefits or simply RSDI benefits.

**SSI Benefits**
Supplemental Security Income (SSI) 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 Supplementary Payment (SSP)**
An additional amount paid by the State of California in addition to the federal standard SSI amount. The benefits is also know as the Optional State Supplement (OSS).

**Suspension of Benefits**
Once a child or youth is approved for SSI, there is an option to suspend the distribution of the benefits for up to 12 months. This allows the child or youth to continue receiving federal Aid to Families with Dependent Children - Foster Care
(AFDC-FC). If the child benefits are not reinstated by the 12th month a new SSI application must be sent SSA to restore benefits. The reinstate month is determined by the month the benefits were suspended.

Example:
When a request for suspension is sent on October 27, 2016, but Benefits are not suspended until November 15, 2016, the benefits must be reinstated by the end of October 2017, of the following year or a new application is required.

35.2 Adoption Assistance Program (AAP) and SSI/RSDI

Children and youth receiving AAP benefits may be eligible for RSDI and/or SSI benefits. Since these children are no longer under the authority of DFCS or JPD, the adoptive parent(s) must apply for their benefits. The SWC may assist with the application process but must not act as the ARP unless the child or youth returns to dependency. If the child or youth returns to dependency, a FC case will be opened and the policy for court dependent children applies even if the adoptive parents continue to receive AAP benefits [Refer to “When to Apply For SSI and RSDI,” page 35-5].

RSDI or SSI unearned income is never counted against AAP benefits when determining the AAP rate.

When a child or youth is transitioning from FC to AAP any benefits retained that were not eligible for abatement while in FC must be returned to SSA.

Any child(ren) or youth in receipt of SSI income must report the amount of AAP benefits received to SSA. SSA will determine if the amount of the AAP grant received will have an impact on the amount of SSI benefits. Any questions adoptive parents have regarding their SSI or RSDI benefits must be referred to SSA.
35.3 Kin-GAP and SSI/SSA [EAS 45-607.7]

Legal guardians (LG) for children and youth receiving Kin-GAP must be the ARP. When a child is transitioning from foster care to Kin-GAP and SCCSSA is the current ARP, the SWC must meet with the LG to assist in changing the ARP to the LG. All funds maintained in the child’s account must be returned to SSA, unless abatement against the FC case is appropriate or otherwise approved by SSA.

The following policy applies when the LG is receiving SSI, SSA Survivor’s or SSA Disability benefits on behalf of the child in their care:

- For a child or non-minor former dependent (NMFD) receiving state (non-federal)-funded Kin-GAP, SSI and/or SSA survivor’s benefits are treated as income. The state Kin-GAP (Aid Codes 4F, 4G, 4W) payment is to be offset dollar for dollar against the SSI or SSA survivor payment. In CalWIN it is entered as “Other Unearned Income.”

- For a child or NMFD receiving federally funded Kin-GAP (Aid Codes 4S, 4T), SSI and/or SSA survivor’s benefits are not counted as income. SSA will offset the payments against the federal Kin-GAP payment. It is the responsibility of the LG to report Kin-GAP benefits to SSA.

- For a child or NMFD receiving state (non-federal)-funded Kin-GAP, SSA disability benefits are to be treated as income. The state Kin-GAP payment is to be offset against the payment pursuant to the $225 disregard regulations. In CalWIN it is entered as “SSA/RSDI: Disability Benefits (Refer to CalWORKs Handbook “Social Security Disability Insurance,” page 29-4).

- For a child or NMFD receiving federally funded Kin-GAP, SSA disability benefits are not counted as income. SSA will offset the payments against the federal Kin-GAP payment. It is the responsibility of the LG to report the Kin-GAP benefits to SSA.
35.4 When to Apply For SSI and RSDI

Children or youth may qualify for benefits based on their disability or on their parents’ disability, retirement or death. When a FC child or youth is disabled, and it is determined that the child or youth may be eligible for RSDI or SSI or both, the SWC, the SW/PO and the FC EW should discuss the case details to determine the impact of RSDI or SSI to the child’s eligibility for FC:

- When a child or youth is federally eligible and under the age of 16.5, an application for SSI should NOT be made UNLESS the child’s is potential SSI benefits meet or exceeds the cost of placement. The determination must be made by the assigned SW/PO.

- When a federally eligible FC child or youth is receiving SSI, the SWC can request SSA to discontinue or suspend 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 under the age of 18 and eligible for Non-Federal Foster Care. SSI payments can be supplemented by Non-Federal Foster Care payments. When the youth is 18 years old or older and in Extended Foster Care (EFC), the application must be completed with the assigned SW/PO and the SWC.

- An application for SSI must be made for federal eligible FC youth turning 16.5 but no later 17. The application is completed as a part of the SSI screening process described in [Refer to “Screening of All FC Children and NMDs Prior to Aging-Out of FC [AB 1331, AB 1633, W&IC 13753 & W&IC 13757],” page 35-29].
35.5 Title XVI Supplemental Security Income (SSI)

To qualify for SSI the child or youth must be a U.S. citizen or qualified immigrant. A child or youth must be medically determinable with physical or mental condition(s) that seriously limits his/her activities and the condition must have lasted, or expected to last at least one year or result in death. The child will undergo a Child Sequential Evaluation which is a three step process reviewed by the SSA examiner.

SSI is a “need based” public assistance program. The program is designed to provide income to a person with limited income and resources to meet basic needs for food, clothing and shelter.

SSI benefits are paid under three (3) categories:

• Aged (over 65),
• Blind (the benefits are higher), and
• Disabled (at any age, including newborns).

Rates

The rates for SSI benefits are established by SSA. This includes any increases with cost-of-living adjustments. There is a federal benefit rate (FBR) and an optional state supplement (OSS). The OSS rate is also known in California as the State Supplementary Payment (SSP) which is established for Non-medical Out of Home Care (NMOHC). The current rates can be found in the Chart Book Chapter 6 “Disability Based Income [W & I Code 11451.51],” page 29-1.

Note:

In this chapter SSI/SSP benefits will be referred to as SSI.

Children under 18 are eligible for the NMOHC payments when the following conditions apply:

• Blind residing in a state licensed facility,
• Blind residing in the home of a relative who is not his/her parent or legal guardian/conservator,
• Disabled residing in a state facility,
Social Security Administration Benefits

- Disabled residing in the home of a legal guardian/conservator who is not his/her relative,

- Disabled residing in the home of a relative who is not his/her parent,

- Blind or disabled in a county certified or approved foster family home (includes relatives that are not parents and court dependent legal guardians), and

- Youth in the participating in the extended foster care (EFC) program at the age of 18 as non-minor dependents (NMDs) residing in a licensed/certified foster care home.

Note:
NMDs in Supervised Independent Living Placements (SILP) may not be eligible for NMOHC payments because in many instances they are own payee for FC benefits.

Income and Income Limits

The value of countable resources must not exceed $2,000 except for dedicated accounts ("Maintenance of Benefits" on page 35-15). When income exceeds the maximum amount eligibility for SSI is lost. The SWC must ensure the SSI accounts do not exceed the income limits.

A child or youth in FC may have exempted unearned income in the amount of $20. When the child/youth is receiving SSI benefits and other unearned income, they may receive the maximum SSI (including SSP) rate plus an additional $20.

35.5.1 SSI Applications

An application for SSI Benefits is made at any time for a potentially eligible child or youth who enters the foster care system as a court dependent under the supervision of the DFCS, or a ward under the supervision of JPD.

When the child or youth is currently receiving SSI benefits and becomes a dependent or a ward of the court, the SWC with the assistance of the assigned SW/PO must complete an application to become the ARP of those benefits. Additionally, when a FC EW discovers a court dependent or ward is receiving SSI the FC EWs must begin completing the SSA-11-BK and submit it to the SWC for completion. The SWC will finish the application to become the ARP.

SSA considers a child disabled if:
The child has a physical or mental impairment (or combination of impairments):

- That causes marked and severe functional limitations; and
- Has lasted or is expected to last for at least 12 consecutive months or result in death.

A child is presumptively disabled due to:

- Amputation,
- Deafness,
- Wheelchair or bed-bound,
- Cerebral Palsy,
- Downs Syndrome or obvious mental retardation,
- Prematurity with low birth weight, or
- HIV/AIDS.

**Protective Application Filing Date**

The SSI protective filing date may be established based on either a written statement of intent to file or oral inquiry about the SSI eligibility. When the SWC has determined that it is appropriate to file an application for SSI, the SWC will complete a "Protective Filing Date Memo to SSA" (SCD 2455) and fax the memo SSA. This document will establish the filing date of the SSI application. The protective filing date provides the earliest filing date possible for the claimant. The protective filing date does not have to be the same date as the initial application. In most cases, the application is completed after the protective filing date, but the begin date of the claim is the protective filing date.

**Early Filing of Applications for Youth Transitioning Out of Foster Care**

In order to assist in the transition to adult-hood, new applications for SSI benefits may be filed 90 days prior to the termination of foster care or turning 18 years old. The rule only applies to youth who have never applied for SSI.

All childhood SSI recipients must be re-evaluated at the age of 18. When there is an open claim with SSA and the youth is turning 18 an adult application must be done at least 30 days before their 18th birthday; the application will be placed on hold until after 18th their birthday. Normally before discontinuing benefits, SSA will notify the ARP when an adult application is needed.

SSI applications are submitted on-line at the [www.ssa.gov](http://www.ssa.gov) after the SWC receives and reviews the required completed documents submitted by the SW/PO. Hard copies of the application and all of the supporting documents are mailed to SSA.
Non-Medi-Cal Out of Home Care (NMOHC)

California pays an Optional State Supplement (OSS) or State Supplement Payment (SSP) when an individual needs non-medical care or supervision in the following situations:

Children and NMDs Under Age 21:

- Blind or disabled residing in a state licensed facility,
- Disabled residing in the home of a relative (out of home placement approved by DFCS or JPD) who is not a parent, or
- Blind or disabled in a certified or approved foster family home
- Blind or disabled in a certified home approved by a foster family agency (FFA).

When a child is placed in out-of-home care (all FC placements), the SWC must submit the “Authorization for Non-Medical Out-of-Home Care” (SSP 22) along with the application. The SSP 22 is a request for a higher SSI rate and as a best practice must be submitted with all court ordered out-of-home placements. SSA will make the determination if the child/youth is eligible for the NMOHC benefit.

Eligible SSI Receiving Non-Federal AFDC-FC

Children or youth eligible for non-federal AFDC-FC funding can receive SSI benefits and AFDC-FC at the same time. Their SSI benefits are abated against the FC rate and any excess is passed-on to the provider with the joint efforts of the SW and the assigned SW/PO. The benefits are monitored by the SWCs.

Continuing Disability Reviews (CDR)

SSA periodically reviews eligibility for SSI benefits to decide if the claimant still meets the disability standard. The law requires SSA to perform medical CDRs approximately every 3 years. In some cases, the CDR is scheduled more often and in other cases in which the likelihood of improvement is small or not at all, the CDR may be waived.

When SSA performs a CDR they will ask the SWC to show evidence that the child is, and has been, getting treatment that is medically necessary and available for his or her condition.

Note:
If the SWC is informed the child’s medical condition has changed, they must immediately inform SSA ["Responsibilities of the Authorized Representative Payee (ARP)" on page 35-25].
Suspended Benefits Due to Excessive Income or Resources

Suspension of benefits payments is required when a recipient no longer meets the requirements of eligibility and termination does not apply. When the amount of countable income or resources of the child exceeds the SSI limit, then the SSI benefit will be put in "suspense."

Countable Income may include the following:

- Earned Income from wages that are more that $1780 per month for a student under 22, and
- Unearned Income, including SSA benefits.

Resources Include the following:

- Cash, and
- Bank accounts, saving bonds.

Note:
The above countable income and resources is an abbreviated list pertaining to children and youth in the foster care system. For complete list visit www.ssa.gov.

Suspension of payments due to ineligibility for benefits because excess of income is effective with the first month in which the “countable income” equals or exceeds the amount of benefits otherwise payable for such month. The rule applies regardless of the month in which the income is received.

SSI benefits can remain in suspense for 12 consecutive full calendar months. During the 12-month period, if the countable income becomes less than the SSI benefit rate, then the SSI payment will be reinstated or resumed without filing a new SSI application. The SWC is required to provide evidence that child or youth meets the requirement to have benefits restored.

ARP must contact SSA to provide the necessary information to re-establish benefits before the 12-month expires. In the event the SSI benefits remain in suspense for 12 full consecutive months, the SSI benefits will be terminated. The termination is effective with the start of the 13th month after the suspension began. At this point a new application is required.
35.6 Title II Retirement, Survivor’s, Disability Insurance (RSDI)

Title II is an entitlement program financed with Social Security taxes paid by workers, employers, and self employed persons. RSDI stands for Retirement, Survivors, and Disability Insurance and is an acronym for the three of the types of benefits that SSA pays. These are earned benefits and the rates are determined by the wage earner’s work history are not affected by any other income, including federal funds such as AFDC-FC or SSI.

Foster children are entitled to benefits when they have a parent who is receiving RSDI or a parent is deceased that has earned enough income (determined by SSA) to allow payment of survivor’s benefits. Eligible beneficiaries are the wage earner’s biological children, adopted children, or dependent step-children.

Once a child qualifies for RSDI benefits, eligibility continues until 18 or until 19 years if still in high school. When the child is approaching 18, SSA will send a notice three months before the youth turns 18 years advising the benefits discontinuance date. If the youth is still in high school on or after their 18th birthday, the SWC must provide a certified statement of attendance from the youth’s school providing an expected graduation date. Benefits may be continued if the youth is disabled as long as the disability was determined before the age of 22.

Disabled Adult Child (DAC)

SSA will pay benefits to adults based on the parent’s RSDI eligibility. The disability must have been documented before the youth turned 22. When the youth in receipt of RSDI benefits approaching 18 years old with a disability, an application for DAC must be completed. This includes NMDs.

SSA considers this a “child’s” benefit because it is paid based on a parent’s SSA earnings record. The NMD may have received RSDI benefits prior to 18 but it is not a requirement for DAC benefits. When an NMD is eligible for DAC benefits, the benefits will continue as long as they remain disabled (there is no age limit). A person receiving DAC benefits may also receive SSI when the DAC benefits are less than the SSI rate.

Note:
Youth are eligible for DAC benefits at 18 years or older even when they are not dependents of the court.
Rates

RSDI benefits rates are determined based on the earnings of the disabled, retired or deceased parent(s). The rates are calculated by SSA.

Income and Resource Limits

There is no income limit determined by SSA for children placed into FC to receive RSDI benefits, however, the resource limit for a child placed in FC is $10,000. If the child’s RSDI benefits exceeds the FC rate, there is no eligibility for the AFDC-FC funding, however, a county only funded case may be established (“Income in Excess of the Placement” on page 35-13). If the child has resources in excess of $10,000 (normally the result of retroactive RSDI benefits) a blocked account must be established (“Maintenance of Benefits” on page 35-15).

It must be noted that when a child or youth is eligible for both SSA and SSI benefits, the resource limit is based on the SSI limits of $2,000. The SWC is responsible for reviewing the accounts to ensure the resources does not exceed the limits and establishing blocked accounts.

35.6.1 RSDI Applications

When it is discovered by the SW/PO or FC EW that one of the following occurs, the SW/PO or FC EW must notify the SWC to apply for benefits or complete an application to become the ARP:

- A court dependent child or youth is receiving RSDI benefits not payable to SCCSSA,
- The parent/s are currently receiving RSDI benefits, or
- One or both parents are deceased and the child is not receiving benefits on behalf of the deceased parent.

SSA applications are submitted on-line at the www.ssa.gov after the SWC receives and reviews the completed documents submitted by the SW/PO. Hard copies of the application and the supporting documents are sent to SSA.
35.7 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 eligibility for Foster Care (FC) funding, however, court dependency may still be active. When the child is court dependent and the benefits exceed the FC rate, benefits are used for costs relating to the FC placement. Thus, a FC case must be opened and a request for county funds must be obtained to approve the case. The income is abated against the FC grant. The excess may be maintained is a child sub-payee (CSP) account and passed-on by the SWC under the direction of the assigned SW/PO to the caregiver for the child’s needs.

Note:
When the youth receiving SSI benefits and elects to become their own payee at the age of 18 and is NMD, the eligibility case will be close (“Youth Over the 18 Years Old Becoming Their Own Payee for SSA or SSI Benefits” on page 35-34).

Under no circumstances should the balance of the CSP account exceed the resource limit for SSI eligibility. When the income is approaching the limit the SWC and the assigned SW/PO must coordinate the distribution of the excess.

When the child or youth is receiving RSDI benefits, there is no income limit set by SSA, however, there is a resource limit of $10,000 to be eligible for FC or ARC. Any RSDI benefits retained in the child account that exceed the resource limit must be transferred to a “Block Account” (“Maintenance of Benefits” on page 35-15) or returned to SSA.

When the income exceeds the FC rate, the maximum FC rate is paid the and the excess is passed-on to the caregiver. The FC EW must request a “Placement Expense” (SCZ 414Z) from the assigned SW/PO, approved by Special Funds Unit (SFU) authorizing county funds. This will allow the benefits to be abated against the cost of placement and any excess passed-on to the caregiver.

The SWC is required to monitor and maintain the balance is the account but must not act as a keeper of the funds. It is a joint effort between the SW/PO and the SWC to agree to disburse any excess funds maintained in a court dependent (including wards) child’s account. The SWC must not deny the disbursement of funds unless the request for distribution is in violation of SSA policy. When in doubt,
the SWC must contact SSA for an authorization; the request and the response must be clearly documented in the child's file. A copy of the request and response must be sent to the assigned SW/PO.

35.8 Santa Clara County Social Services Agency (SCCSSA) is the Payee for SSI and/or RSDI Benefits

Natural or adoptive parents or guardians who have custody of the child are the preferred payees for SSI/RSDI; authorized custodial agencies are the last resort. When a child is court dependent under the supervision of DFCS or JPD, SCCSSA can petition SSA to become the “Authorized Representative Payee” (ARP) for the SSI/RSDI benefits.

ARPs are responsible for using the benefits in the best interest of the child or youth. They must notify SSA of changes in income or anything that might effect the status of the benefits.

When SCCSSA is the payee on behalf of child or youth receiving SSI or RSDI the county must establish a no-cost, interest bearing maintenance account for each recipient. Interest earned shall be credited to the account. The county must keep an itemized current account of all income and expense items for each child’s maintenance account. The funds used in the account(s) must be only for the beneficiaries expenditures and cannot be loaned or used for anything other than the child’s needs.

ARP are responsible for submitting annual reports to SSA indicating how the benefits were spent or saved, how the benefits where used, and who made the decisions about spending or saving benefits.

ARP must submit a SCD 2432 FC when instructing Account Payable to issue benefits. A copy of the SCD must be maintained in the RSDI/SSI file.

Conserved Funds

Conserved funds are held funds not yet disbursed. When the ARP stops serving as the payee generally benefits and earned interest must be returned to SSA when not eligible to be abated to a FC or ARC account. SSA will reissue returned conserved funds to a successor payee or to the beneficiary directly if he or she no longer needs a payee.
SSA may permit an ARP to issue conserved funds directly to a successor payee to pay for food, clothing and shelter cost rather than returning all of funds to SSA, if it serves the best interest of the beneficiary. SSA will allow such transfers on a case-by-case basis.

The following procedures should be used for conserved fund:

<table>
<thead>
<tr>
<th>If...</th>
<th>Then...</th>
</tr>
</thead>
<tbody>
<tr>
<td>Court Dependency is dismissed and child returned home,</td>
<td>• Apply any benefits that can be abated,</td>
</tr>
<tr>
<td></td>
<td>• Return excess to SSA.</td>
</tr>
<tr>
<td>Court Dependency is dismissed and child is a LG (including Kin-GAP),</td>
<td>• Apply any benefits that can be abated,</td>
</tr>
<tr>
<td></td>
<td>• Assist the LG in becoming the ARP,</td>
</tr>
<tr>
<td></td>
<td>• Return excess funds to SSA.</td>
</tr>
<tr>
<td>Child is adopted,</td>
<td>• Apply any benefits that can be abated,</td>
</tr>
<tr>
<td></td>
<td>• Assist the adoptive parent in becoming the ARP,</td>
</tr>
<tr>
<td></td>
<td>• Return any excess to SSA.</td>
</tr>
</tbody>
</table>

When the youth is 18 but under 21 and is exiting the FC program, the case must be reviewed with the assigned SW/PO. If the youth is entering an adult treatment facility, the SWC may seek approval from SSA to transfer any conserved funds to the facility. The SWC must also contact the agency's public guardian program to determine if the youth has an assigned SW. If the youth has an assigned SW the SWC must advise the assigned SW regarding the status of the benefits before returning them to SSA. Benefits are to be disbursed based on the young adult’s need with the joint approval of SSA, the assigned SW and the SWC.

**Maintenance of Benefits**

Benefits are maintain in various accounts. The type of account will depend on the type of benefits (RSDI or SSI), if the amount is retroactive or if the amount sent is a lump sum payment.

SCCSSA must open one or more of the following accounts to receive the SSI/RSDI benefits:
Social Security Administration Benefits

- **Dedicated Account** is opened by the SWC to maintain certain large retroactive payments covering more than six months of the current SSI benefits for an eligible child under 18. When retroactive benefits are approved SSA will generate a letter to the ARP. When the letter is received the SWC must open a dedicated account before SSA will disburse the funds. The funds in this account must be maintained separately from the account that receives monthly benefits and is used for holding funds. When the account is opened the SWC must forward the letter to Accounts Receivable to deposit the money in the child’s account. The account is monitored by SSA. Funds in this type of account cannot be used for basic maintenance cost including foster care placement, the monthly funds are to be used for those cost. The funds can be used for the following:
  
  - Medical treatment,
  - Education or job skills training,
  - Personal needs assistance,
  - Special equipment,
  - Housing modification,
  - Therapy or rehabilitation, and
  - Items or services **approved** by SSA.

SWCs must keep records of deposits and expenditures from the dedicated accounts, and submit them to SSA if requested. Any expenditures that is not for one of the needs listed above must be approved by SSA, this includes repayment of SSI overpayments. The assigned SW/PO may request funds to be used for any of the above needs without providing a pre-authorized purchase order, however, after the purchase is made, the receipts must be forwarded to the SWC and a copy of the receipts retained in the SW/PO file.

- **Child Sub payee (CSP) Account** is a monthly maintenance account opened by the SWC when an SSI/RSDI application is filed. The status of the account will remain in a pending status until notified by the fiscal department SSI/RSDI money is received. The CSP account is also used where there is no open FC account. This account is normally opened when the FC payment is pending authorization, the FC program is discontinued, or the child is receiving ARC. This type of account is used manage monthly benefits.

- **Foster Care (FC) Account** is a monthly maintenance account established by the SWC and is used to abate SSI/RSDI money against an open FC case. As long as the FC program is open, the SSI/RSDI income is abated each month. When the FC program is discontinued and funds can no longer be abated, the money is maintained in a CSP until it is either returned to SSA or disbursed to an approved payee authorized by SSA.
Note: Abatements are only to be applied to FC cases, including “county only” funded FC cases.

**Blocked Trust (BT) Account** is an account with a financial institution in which money or securities are placed. No person may withdraw funds from a blocked account without the court’s permission. BT accounts are established for SSA beneficiaries receiving retroactive RSDI benefits when the benefits exceed the FC resource limit of $10,000. The funds can be maintained in a CPS account but must be transferred to a BT account when the benefits exceed the resource limit. Monies in BT accounts can only be released by court order.

When requesting money to be deposited into a BT account the SWC must provide MC 355 and the MC 356 to Account Receivable.

The SWC and the assigned SW/PO must work together when requesting withdrawals of monies in BT accounts. When requesting disbursement a copy of the signed MC 358 must be provided with the request to Accounts Payable.

• If a BT is needed the SWC will prepare the following forms for deposits and withdrawals:
  • “Order to Deposit Money Into Blocked Account” (MC 355),
  • “Receipt and Acknowledgement of Order for the Deposit of Money Into Blocked Account” (MC 356),
  • “Petition for Withdrawal of Funds From Blocked Account” (MC 357), and
  • “Order For Withdrawal of Funds From Blocked Account” (MC 358).

Note: The account is not necessary if the conserved funds does not exceed the resource limit. BT account documents are located at [http://www.courts.ca.gov](http://www.courts.ca.gov).

SCCSSA uses the SSI/RSDI benefits to directly pay for the child’s or youth’s monthly placement costs and any excess in the account is used to pay costs in connection with their placements and passed on to the caregiver.

All transactions associated with any of the above accounts must be maintained on a ledger documenting receipts and expenditures of the funds.
Social Security Administration Benefits

When resources exceed $2,000 for SSI recipients, the SWC with the joint efforts of the assigned SW/PO must disperse the excess to the provider for the needs of the child or return the funds to SSA.

When SCCSSA is no longer the ARP for SSA/SSI benefits, all held benefits are returned to SSA for distribution. This includes children that were in FC and have transferred to Kin-GAP or adopted.

35.9 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 FC child or youth is in receipt of RSDI or SSI.

The SSA-11-BK must be completed when the youth is approaching 16.5 or older but under 21. The youth must have a new medical and financial determination when they become 18. The process begins three months prior to the youth’s 18th birthday but is evaluated by SSA when the youth reaches 18. The SWC is responsible for completing the application at least 30 days prior to the youth’s 18th birthday when the youth is already eligible for SSI benefits. If there is no application for SSI the application must be start at least 90 days before the youth turns 18. The FC EW is not required to assist in the process.

When the youth is in the EFC program as a Non-Minor Dependent (NMD), the assigned FC EW and SW/PO must begin the process of completing the SSA-11-BK when SSI benefits have not been approved. The FC EW begins completing the SSA-11-BK and forwards it to the SWC for completion. 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 NMD is participating in EFC. When the NMD elects to receive benefits directly, the SWC must inform the assigned SW/PO and advise the NMD that any benefits received directly will impact their eligibility for FC benefits (“Youth Over the 18 Years Old Becoming Their Own Payee for SSA or SSI Benefits” on page 35-34).
35.9.1 Foster Care Eligibility Worker Responsibilities:

IEVS Reports/MEDS with SSI/RSDI Information

FC EWs must review Income Eligibility Verification System (IEVS) reports on an ongoing basis. IEVS must be ran at initial intake and the annual redetermination (RRR). Results must always be documented in case comments and referred to the SWC when completing the initial SSA-11-BK or when it is determined that a child or youth is under the supervision of DFCS or JPD and there is no open claim. [Refer to “Income Eligibility Verification System (IEVS),” page 3-1 in the Common Place Handbook for details on requesting IEVS].

FC EWs must review the Medi-Cal Eligibility Data System (MEDS) to verify if the FC child/youth is receiving SSI or RSDI benefits. When the FC EW determines the youth is receiving SSI benefits and the Special Indicator “FC SSI Approved” is not entered on the Collect Case Special Indicator window in CalWIN the FC EW must immediately notify the SWC and the assigned SW/PO. The FC EW must take the appropriate action to be sure the SSI income is counted to avoid any possible overpayments.

Requesting Representative Payee

When it is necessary to change the representative payee of a child’s RSDI or SSI to SCCSSA the FC EW must:

- Begin the “Request To Be Selected As Payee” (SSA-11-BK) according to the instructions [Refer to “Filling out the SSA-11-BK,” page 35-21].

Note:

A current SSA-11-BK is located at http://www.socialsecurity.gov/forms/ssa-11-bk.pdf. The SSA-11-BK is also completed when the FC youth is no longer eligible for foster care benefits because of age or the dismissal of dependency.

- Forwards the completed SSA-11-BK to the SWC with a copy of the latest court report.

- Sends copy of the SSA-11-BK to IDM.

- 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 SWC.
35.9.2 Social Work Coordinator Responsibilities

- Applies for RSDI/SSI when a child is potentially eligible.
- Completes the SSA-11-BK when notified a court dependent child or youth is potentially eligible for benefits and there is no assigned FC EW.
- Reviews the SSA-11-BK for complete and correct information. Updates or adds any additional information or documents that are required.
- Obtains additional court documents from the child’s or youth’s SW/PO, as needed.
- Forwards the SSA-11-BK and supporting documentation to SSA.
- Responds to contacts from SSA which pertain to the child's/youth’s placement and/or other questions regarding the application for representative payee status.
- Blocks out all confidential information on the court documents.
- Assists the youth or the LG in completing the SSA-11-BK when exiting FC due to age or no longer eligible for FC benefits or when the caregiver becomes a non-dependent LG.

When a Federal AFDC-FC case is receiving a grant that is higher than the SSI award, the SWC must:

- Completes form SCD 169 “Referral To/From Social Security.”
- Prints the Search For Issuance window in CalWIN for the past three (3) months and the CWS/CMS placement log.
- Sends the request to the Social Security Administration to suspend SSI benefits. The benefits remain suspended until the youth reaches the age of 16.5 [Refer to “Screening,” page 35-29]
- Upon receipt of confirmation that the Social Security Administration has suspended benefits, the completed SCD169 is returned to the SWC and copy is sent to IDM.
- Requests the FC EW to complete a “Request for Online Action” (SCD 1296) for the MEDS Terminal Operator (MTO) to change the aid code from 60 to 42. A copy of the request must be sent to IDM.
35.9.3 Filling out the SSA-11-BK

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

- For a LEGAL GUARDIAN WITHOUT DEPENDENCY (including Kin-GAP), contact the SWC to assist the LG with completing the SSA-11-BK.
- One form per child.
- Print using BLACK or BLUE ink.
- Any “white outs” of incorrect information must be initialled.

<table>
<thead>
<tr>
<th>Item: Top of Form</th>
<th>Instructions: Indicate type of benefits the child is receiving:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• SSI</td>
</tr>
<tr>
<td></td>
<td>• RSDI, or</td>
</tr>
<tr>
<td></td>
<td>• RSDI and SSI</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item: Name of the Number Holder</th>
<th>Instructions: The information to be entered depends on type of benefits the child is receiving:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• SSI Only -- Enter the child’s name and SSN.</td>
</tr>
<tr>
<td></td>
<td>• RSDI Only -- Enter the wage earner’s name and SSN.</td>
</tr>
<tr>
<td></td>
<td>• RSDI and SSI -- Enter the child’s name and SSN.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item: Name and SSN of “claimant(s)”</th>
<th>Instructions: Complete this section only when the child is receiving RSDI benefits. More than one child can be listed.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Leave blank. Not used by our Agency.</td>
</tr>
<tr>
<td>2.</td>
<td>Always check “Claimant is a minor child.”</td>
</tr>
<tr>
<td>3.</td>
<td>Enter:</td>
</tr>
<tr>
<td></td>
<td>• Child is a dependent, or</td>
</tr>
<tr>
<td></td>
<td>• Child is a ward of the Juvenile Court.</td>
</tr>
<tr>
<td>4.</td>
<td>Check “By other means” and write in “Regular visits by SW (or PO).”</td>
</tr>
<tr>
<td>5.</td>
<td>Check “NO” unless the child has a court appointed legal guardian.</td>
</tr>
<tr>
<td></td>
<td>If the child has a court appointed legal guardian, regardless of dependency status:</td>
</tr>
<tr>
<td></td>
<td>• Check “YES” and complete all requested information.</td>
</tr>
<tr>
<td></td>
<td>• Enter the date the court granted guardianship.</td>
</tr>
<tr>
<td></td>
<td>• Attach the letter of appointment to the SSA-11-BK.</td>
</tr>
<tr>
<td>6a.</td>
<td>Check “In a board and care facility” for all placements EXCEPT a medical facility. “Board and care” includes relative placements and guardians with dependency.</td>
</tr>
<tr>
<td></td>
<td>For guardians with no dependency, contact the SWC for instructions.</td>
</tr>
<tr>
<td>Item</td>
<td>Instructions</td>
</tr>
<tr>
<td>------</td>
<td>--------------</td>
</tr>
</tbody>
</table>
| 6b. | 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.  
NAME  
Enter the name of the foster parent or group home.  
RELATIONSHIP  
Enter one of the following:  
- Foster parent (includes an FFA)  
- Relative foster parent, or  
- Group Home |
| 6c. | Residence:  
Enter the address of the child’s actual place of residence, NOT the business address.  
Mailing:  
Enter DFCS, 373 West Julian Street, San Jose, CA 95110-2335  
Telephone Number:  
Enter the phone number of the SSA/SSI SW Coordinator, including the area code. |
| 6d. | Always check “NO.” |
| 7a, b & c. | Enter confidential for the name, address and phone number of both parents, even if known.  
If the child is freed or the parent(s) are deceased, please indicate so. |
| 7d. | Check:  
- “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. | 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.  
DESCRIBE SUPPORT/INTEREST  
Enter “Foster parent.” |
| 9a. | Check (a) and “Social Agency.”  
Leave the remainder of this section (b - e) blank. |
| 10. | Always check “NO.” |
### Social Security Administration Benefits

<table>
<thead>
<tr>
<th>Item:</th>
<th>Instructions:</th>
</tr>
</thead>
<tbody>
<tr>
<td>11. a/b</td>
<td>Enter Social Service Agency. Enter Agency EIN: 94-6000533</td>
</tr>
<tr>
<td>12 - 18</td>
<td>Leave Blank</td>
</tr>
<tr>
<td>REMARKS:</td>
<td>Use this section to provide county payment directions:</td>
</tr>
<tr>
<td></td>
<td>Please direct payments to:</td>
</tr>
<tr>
<td></td>
<td>County of Santa Clara Social Services Agency</td>
</tr>
<tr>
<td></td>
<td>Account number 4568-18-7903</td>
</tr>
<tr>
<td></td>
<td>Routing number 121-000-248</td>
</tr>
<tr>
<td></td>
<td>As well as additional clarifications and other pertinent information, as needed.</td>
</tr>
<tr>
<td></td>
<td>For example: The application was delayed due to SSN problems, etc.</td>
</tr>
<tr>
<td>Signature</td>
<td>Must be completed by the FC EW:</td>
</tr>
<tr>
<td>of Applicant</td>
<td>• Signature: FC EW's name, position (EW), for DFCS.</td>
</tr>
<tr>
<td></td>
<td>• Date: The date that the application is completed.</td>
</tr>
<tr>
<td></td>
<td>• SSA/SSI SW Coordinator’s phone number, including the area code.</td>
</tr>
<tr>
<td>Mailing Address</td>
<td>County of Santa Clara</td>
</tr>
<tr>
<td></td>
<td>Social Services Agency</td>
</tr>
<tr>
<td></td>
<td>SSI/SSA Advocacy Program</td>
</tr>
<tr>
<td></td>
<td>333 West Julian Street</td>
</tr>
<tr>
<td></td>
<td>San Jose, CA 95110-2335</td>
</tr>
<tr>
<td>Residence Address</td>
<td>Leave blank.</td>
</tr>
</tbody>
</table>
35.9.4 Additional SSA Forms

Below is an abbreviated list of forms used documents by the SWC, additional forms for services may also be required by SSA.

**Authorization for Non-Medical Out-of-Home Care (SSP 22)**

When a child placed in out-of-home care, the SWC must submit the SSP 22 along with the application. The SSP 22 is a request for a higher SSI rate and as a best practice must be submitted with all out-of-home placements. SSA is responsible for determining if the facility or caregiver meets the criteria for the NMOHC payment; however, the SWC should not delay submitting an initial application while awaiting for information necessary to submit the SSP 22.

**Referral To/From Social Security (SCD 169)**

The SCD 169 is used as communication tool between SCCSSA and SSA.

**Sub-Payee Supplemental Disbursement Authorization or Action Request (SCD 1148)**

This form is when requesting disbursement of fund retained in a CSP account.

**SSI/SSA Advocacy Program for Foster Children & Non-minor Dependents (SCD 2432 AR and 2432 FC)**

These documents are used to send to Accounts Receivable to disburse SSI/RSDI funds.

**Protective Filing Date Memo to SSA (SCD 2455)**

This document is used to protect a filing date for an SSI application.

**Request to Accounts Receivable (SCD 2432 FC)**

This document is used to request the disbursement of funds held in CSP account.

**Application for Supplement Security Income (SSI) (SSA 8000-BK)**

This form is used when applying for SSI benefits.
Application for Child’s Insurance Benefits (SSA-4)

This form is used when applying for RSDI benefits.

35.10 Responsibilities of the Authorized Representative Payee (ARP)

ARPs are responsible for using benefits in the best interest of the child or youth. They are responsible for maintaining and monitoring all accounts related to the receipt of SSI/RSDI benefits. This includes keeping records on reporting on how the money is spent. SSA will mail the appropriate accounting form at least once a year to validate how the money is spent. The ARP in SCCSSA is the RSDI/SSI SWC, who are currently working under the supervision of Foster Care Eligibility (FCE). The SWC under the direction of the assigned SW/PO approves the distribution of RSDI/SSI benefits.

Benefits may be used for the following reasons:

- Medical and dental care not covered by Medi-Cal,
- Personal needs, such as clothing and recreation,
- Special school or training programs, and
- Any additional need approved by SSA.

The SWC must report the following beneficiaries changes as soon as possible but no more that 10 days after the end of the month in which the change occurred:

- Change of address,
- Change of living arrangements,
- Change of placements (including transition to adoptions and Kin-GAP),
- Changes is earned or unearned income or resources,
- Changes in eligibility of benefits (increases or decreases in county issued benefits),
- Any additional benefits,
- When the court no longer has jurisdiction over the child or youth,
- Admission to or discharges from institutions such as hospitals, correctional facilities or the likes,
- When the beneficiary marries or dies,
- Under the age of 22, change in school attendance,
- Leaving the U.S. for a full calendar month or for 30 consecutive days or more,
- Improvement in medical conditions.
Failure to report timely changes may cause under payments or overpayments. When an overpayment occurs the beneficiary may lose their eligibility for benefits or a penalty may apply that will reduce benefits. SSA may reduce the payment by $25 to $100 for each time a failure to report a change has occurred.

Providing false, misleading or knowingly failure to report important changes may require SSA to impose a sanction against the beneficiaries payments. The first sanction period is a withholding of payments for 6 months. Subsequent sanction periods are for 12 months and then 24 months.

35.11 Suspension of SSI Benefits

Children entering FC may be active SSI recipients or SSI benefits may be approved while in FC. Children/youth receiving federal AFDC-FC payments may have their SSI benefits suspended to remain eligible for federal AFCD-FC funding.

AB 1633 requires SSI benefits to become available and remain available to youth 16.5 and older. SSI eligible youth 16.5 and older must have their benefits un-suspended once every 12 months to allow the youth to remain eligible.

Note:
For more information regarding the screening process refer to [Refer to “Screening of All FC Children and NMDs Prior to Aging-Out of FC [AB 1331, AB 1633, W&IC 13753 & W&IC 13757],” page 35-29.

Eligible SSI Receiving Non-Federal AFDC-FC or County Only FC

Children or youth eligible for non-federal AFDC-FC funding can receive SSI benefits and AFDC-FC at the same time. The benefits are retained in a no-cost interest-bearing maintenance sub-account monitored by SWC. The suspension of benefits are not necessary for this population. SSI benefits are abated against their monthly FC payments.

Eligible SSI Youth Receiving Federal AFDC-FC

Children eligible for federal AFDC-FC and under the age of 18 cannot receive SSI and AFDC-FC benefits at the same time. SSI benefits must be suspended when:

- The child/youth is federally eligible for AFDC-FC payments and under age of 16.5 and the SSI benefits are less than the FC rate.
Example:
The AFDC-FC rate is $2328, but the SSI rate is $1145, the SSI benefits will be suspended because the FC rate is higher.

- The youth is 16.5 and federally eligible for FC payments but under the age of 18 and the SSI benefits are less than the FC rate. To remain SSI eligible, the youth’s SSI benefits must be un-suspended once every 12 months.

- The youth is 18 or older, but under 21, and receiving Extended Foster Care (EFC) and has agreed to suspend benefits while participating in EFC. The SSI benefits must be less than the FC rate. To remain SSI eligible the youth’s SSI benefits must be un-suspended once every 12 months.

When benefits exceed the FC rate there is no eligibility for AFDC-FC funding, “county funds” must be request for court dependent children or youth to offset the cost of payment.

Note:
When benefits are suspended and the youth is under the age of 16.5 the SWC will allow the benefits to remain suspended until the youth reaches the age of 16.5. A new application is required for SSI benefits that were suspended for more than a year.

Below is the suspension process:

<table>
<thead>
<tr>
<th>Who</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>SSA</td>
<td>Approves SSI.</td>
</tr>
<tr>
<td>SWC</td>
<td>Evaluates the FC Funding and determines the child is under 16.5 and is receiving Federal AFDC-FC funding that exceeds the SSI rate.</td>
</tr>
<tr>
<td></td>
<td>• Completes an SCD 169 requesting suspension of SSI Benefits.</td>
</tr>
<tr>
<td></td>
<td>• Forwards SCD 169 to SSA.</td>
</tr>
<tr>
<td>SSA</td>
<td>Returns the signed and dated SCD 169A with the suspension date.</td>
</tr>
<tr>
<td>SWC</td>
<td>• Receives signed and dated SCD 169A.</td>
</tr>
<tr>
<td></td>
<td>• Updates the SSI Advocacy Application to track the dates to un-suspend benefits before the 12 month expiration date.</td>
</tr>
</tbody>
</table>

At annual redetermination and the youth is 16.5

<table>
<thead>
<tr>
<th>Who</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>FC EW</td>
<td>• Completes the SCD 1633 and FC 1633B.</td>
</tr>
<tr>
<td></td>
<td>• Adds CalWIN Special Indicator “FC SSI Potential SSI Child”.</td>
</tr>
<tr>
<td></td>
<td>• Completes and forwards the SCD 1633, the FC 1633A and 1633 B to the SWC.</td>
</tr>
</tbody>
</table>
### Social Security Administration Benefits

<table>
<thead>
<tr>
<th>Who</th>
<th>Action</th>
</tr>
</thead>
</table>
| SWC                  | • Reviews documents.  
                      • Forwards screening packet to the assigned SW/PO.  
                      • Updates the SSI Advocacy Application.                                                                                                                                                             |
| Assigned SW/PO       | • Completes the Screening packet and returns the packet to the SWC.                                                                                                                                 |
| SWC                  | • Reviews the packet for completeness.  
                      • Submits the SSI application to SSA.                                                                                                                                                                |
| SSA                  | • SSI is approved and documents are sent to SCCSSA.                                                                                                                                                     |
| SWC                  | It is determined the benefits must be suspended under AB 1633;  
                      • Completes an SCD 169 requesting to Suspend SSI Benefits.  
                      • Forwards SCD 169 to SSA.  
                      • Receives signed and dated SCD 169A.  
                      • Updates the SSI Advocacy Application.  
                      To Un-suspend SSI benefits for one month:  
                      • At 8 Months, Sends an “Urgent” e-mail to the assigned FC EW to Change Aid Code to Non-Federal funding for one month.  
                      • Updates the SSI Advocacy Application.                                                                                                                                                           |
| FC EW                | • Changes the Aid Code to Non-Fed AFCD-FC for one month.  
                      • Sends an e-mail to SWC that the request is completed.  
                      • Documents CalWIN Case Comments.  
                      • Sends a copy of the request to IDM.                                                                                                                                                               |
| SWC                  | • Prints copy of the CalWIN Benefits Issuance (BI) window.  
                      • Sends an e-mail to SSA with the printout of the BI to validate the non-federal AFDC FC payment.  
                      • Receives notification from Accounts Receivable that the SSI payment is received.  
                      • Advises Accounts Receivable to abate the benefits.  
                      • Sends an e-mail to SSA requesting to have benefits suspended.  
                      • Updates the SSI Advocacy Application.                                                                                                                                                           |
| SWC                  | Note: When dependency is dismissed, the child is adopted or appointed a LG, any benefits held will be returned to SSA unless otherwise authorized by SSA.                                                                esen.  
                      • Repeats the process each year based on the annual redetermination (RRR) date for youth under 21.                                                                                                         |
35.12 Screening of All FC Children and NMDs Prior to Aging-Out of FC
[AB 1331, AB 1633, W&IC 13753 & W&IC 13757]

Assembly Bill (AB) 1633 requires counties to take certain actions on behalf of FC children or youths who are receiving SSI prior to aging-out of FC with the goal of ensuring that these young adults maintain their eligibility for SSI benefits.

Counties are required to:

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

Additionally, AB 1331 requires counties to:

• Screen all youth who are in FC 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 youth who are determined likely eligible for benefits.

35.12.1 Screening

All FC cases must be screened annually at RRR when a youth is 16.5 or older but under 21. The screening process must be coordinated with the youth’s expected date of dismissal of court dependency or aging out of foster care. The youth approved for SSI may have their benefits suspended for up to 12 months. The reason for suspending benefits is to allow the youth to receive a larger federal FC grant for their current placement. Once a youth 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.
Screening must also be completed for children or youth placed with Non-Related Legal Guardians (NRLGs). Screening does not require court dependency; any youth receiving AFDC-FC funding must be screened for an SSI evaluation 16.5 or older but under 21. However, if the child or youth has a LG and not a dependent of the court or a ward, the SWC must assist the LG in filing for SSI/RSDI benefits to allow the LG to become the ARP if benefits are approved.

In order to eliminate duplicate applications, every youth over the age of 16.5 (including NMDs) must be screened by a SW/PO but the final determination to submit the application is made by the SWC.

Note:
It is the County’s responsibility to contact the SSA to have the suspended benefits reinstated once the young adult ages-out of FC or dependency is terminated.

Rescreening

Children who were initially screened but not referred for an SSI application should be rescreened at least annually when they reach 16.5 or older or whenever there is a change in circumstances that lead to a change in physical and/or emotional conditions which might make the child potentially eligible for SSI. Children or youth applications that were deferred due to lack of citizenship or qualified immigrant status must be rescreened when the status is granted.

Applications Submitted For Federally Eligible 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 one month 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 following month.

Note:
For instructions refer to revised BEnDS 2009-3.
35.12.2 Process

The review process begins at the annual RRR, CalWIN Special Indicators and the SSA Advocacy Application were added for tracking ("Additional Tools" on page 35-37):

<table>
<thead>
<tr>
<th>Who</th>
<th>Necessary Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>SW/PO</td>
<td>Screens the case using the state form “SSI Screening Guide, Section A - Disability Screening” (FC 1633A). The FC 1633A is included with RRR documents.</td>
</tr>
<tr>
<td>FC EW</td>
<td>Receives the RRR documents and reviews the FC 1633A. If the child’s screening is determined to be potentially eligible for SSI,</td>
</tr>
<tr>
<td></td>
<td>• Completes the state form “SSI Screening Guide, Section B - Financial Eligibility” (FC 1633B).</td>
</tr>
<tr>
<td></td>
<td>• Refers the FC 1633B to the SWC for a detailed review.</td>
</tr>
<tr>
<td></td>
<td>• A copy of the FC 1633A and FC 1633B must be forwarded along with the form “Referral for SSI Review” (SCD 1633).</td>
</tr>
<tr>
<td></td>
<td>Note: The SCD 1633 will serve as a tracking sheet and checklist to complete the process.</td>
</tr>
<tr>
<td></td>
<td>• Documents in the Maintain Case Comments window and enters the CalWIN Special Indicator “FC Potential SSI Child” in CalWIN.</td>
</tr>
<tr>
<td></td>
<td>• Sends copies to IDM.</td>
</tr>
<tr>
<td>SWC</td>
<td>• Receives the referral and reviews the case.</td>
</tr>
<tr>
<td></td>
<td>• Determine if the child meets all the criteria for SSI eligibility.</td>
</tr>
<tr>
<td></td>
<td>• Documents the decision on the SCD 1633.</td>
</tr>
<tr>
<td></td>
<td>• Returns the SCD 1633 to the assigned FC EW with further instructions and supporting documentation, including the “SSI Screening Guide Section C - Application Information” (FC 1633C) with the decision.</td>
</tr>
<tr>
<td></td>
<td>• When requested, assists the NRLGs in completing the SSA-11-BK.</td>
</tr>
<tr>
<td></td>
<td>Note: When no response is received from the assigned SW/PO follows the SSI Application Escalation Process.</td>
</tr>
</tbody>
</table>
Return of the SCD 1633 to the FC EW

<table>
<thead>
<tr>
<th>SWC Decision</th>
<th>FC EW</th>
</tr>
</thead>
</table>
| The child 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 due date. No additional action is necessary at this time. | • Files SCD 1633 and signed FC 1633C in the IDM.  
  • Adds appropriate Special Indicator.  
  • Adds detailed Case Comments. |
| • Updates SSI Advocacy Application.                                           |                                                                      |
| The child is not SSI eligible at this time.                                | • Files SCD 1633 and signed FC 1633C in the IDM.  
  • Adds detailed Case Comments. |
| • Update the Special Indicator “FC Not SSI Child.”  
  • Updates SSI Advocacy Application.                                       |                                                                      |
| The case is potentially eligible.                                          | • Files SCD 1633 and signed FC 1633C.  
  • Returns copy of SCD 1633 to SSI SW Coordinator with completion date.  
  • Adds detailed Case Comments.                                            |
| • Updates SSI Advocacy Application.                                         |                                                                      |

Final SSI SW Coordinator Response

If an application is submitted, the case will be tracked using the CalWIN Special Indicators and the SSI Advocacy Application updated by the SWC. The application may take months to be evaluated by SSA. Once a response is received the SWC will communicate the final decision to the FC EW via the SCD 1633. SWC will notify the assigned FC EW when it is necessary the renew the SSI eligibility. One of the following actions will be required:

<table>
<thead>
<tr>
<th>SSI has been approved. Benefits are being suspended because the child or youth is under 16.5.</th>
<th>FC EW</th>
</tr>
</thead>
</table>
| • Updates special indicator to “FC SSI Approved.”  
  • Updates SSI Advocacy Application.                                                          | • Sends SCD 1633 to IDM.  
  • Adds detailed Case Comments.                                                                |
| SSI has been denied.                                                                           | • Files SCD 1633 in IDM.  
  • Adds detailed Case Comments.                                                                |
### Social Security Administration Benefits

<table>
<thead>
<tr>
<th>SWC</th>
<th>FC EW</th>
</tr>
</thead>
</table>
| **SSI Initial Application and Potentially Eligible Escalation Process** | **Files the request in IDM,**  
| **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 one month prior to the renewal date.**  
| - Sends a TMT request or send an e-mail to the assigned FC EW to have the Aid Code changed to Non-Federal for one month.  
| - Updates SSI Advocacy Application | **Completes the process outline in BEnDS 2009-3,**  
| - Adds detailed Case Comments. |

#### If No Response... Then...

<table>
<thead>
<tr>
<th>If No Response...</th>
<th>Then...</th>
</tr>
</thead>
</table>
| After 30 working days for initial Application, or After 5, working days for the FC 1633 | Sends an E-mail to the SW and SWS or PO and POS (currently Jill.Ugalde@pro.sccgov.org)  
| | • Include in the subject line:  
| | - “FC SSI Potential SSI Child” or “FC Packet Submitted to SW”,  
| | - The due date. |
| 15 days after sending the first e-mail for the initial application, or 10 days after sending the FC 1633 | Sends a 2nd e-mail to the DFCS Resolution (DFCS only) In-Box, or  
| | - Sends a 2nd e-mail to PO and Jill.Ugalde@pro.sccgov.org,  
| | - Includes “Urgent SSI Potential Child Request is due” and “FC Packet Submitted to SW is due” in Subject Line,  
| | - Includes all previous e-mails,  
| | - Includes the FC SSPM, DFCS SSPM IIIs names on the CC line of the e-mail (for SW cases only). |
35.12.3 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 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 on file in IDM (F2 top).

<table>
<thead>
<tr>
<th>Form</th>
<th>Form Name</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCD 1633</td>
<td>Referral for SSI Review</td>
<td>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.</td>
</tr>
<tr>
<td>FC 1633A</td>
<td>SSI Screening Guide Section A - Disability Screening</td>
<td>This is the initial screening tool used by the SW/PO. A copy must be forwarded to the FC EW and filed in IDM.</td>
</tr>
<tr>
<td>FC 1633B</td>
<td>SSI Screening Guide Section B - Financial Screening</td>
<td>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 IDM.</td>
</tr>
<tr>
<td>FC 1633C</td>
<td>SSI Screening Guide Section C - Application Information</td>
<td>This form is completed by the SWC once the case has been evaluated. A copy of this form must be returned to the FC EW and filed in IDM.</td>
</tr>
<tr>
<td>FC 1633D</td>
<td>SSI Assessment Tool</td>
<td>This form is used only by the SWC 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.”</td>
</tr>
</tbody>
</table>

35.13 Youth Over the 18 Years Old Becoming Their Own Payee for SSA or SSI Benefits

SSI Benefits

When the youth turns 18 they have the option of applying to become their own payee for SSI benefits. SSA will make the determination regarding the payee. The SWC will be notified by SSA when the request is made. The SWC must
immediately notify the assigned SW/PO and the AB 12 SW Supervisor that a request to change the payee has been received. If SSA grants the change of payee to the youth, the assigned SW/PO and FC EW must be notified as soon as possible. The notification must include the effective date of the change.

When the youth is participating in EFC SSI benefits are considered unearned income and must be treated as such when payable to the NMD. When the NMD is receiving non-federal AFDC-FC, the SSI income is counted dollar for dollar against the AFDC-FC grant. The benefits are added in CalWIN as “Unearned Income” and the grant will be reduced when the benefits are less than the FC rate. The excess is passed on to the NMD when in a SILP or to the FC provider.

When the NMD is receiving federal AFDC-FC payments the benefits must be reported to SSA. SSA will determine the NMD’s eligibility for SSI benefits.

When the benefits exceed the FC rate, there is no eligibility for AFDC-FC benefits. The SW/PO must explain the issue to the youth. The eligibility case will be closed since there is no eligibility for funding and Medi-Cal is automatically authorized for recipients in receipt of SSI.

**RSDI Benefits**

When SCCSSA is the payee for RSDI benefits and youth turns 18 years old SSA may allow the young adult to become the payee. SSA will notify the SWC the change of payee. The SWC must notify the assigned SW/PO, the AB 12 SW Supervisor and FCE of the effective date of the change. When the youth is participating in EFC as NMD, the SWC must advise SSA that the youth is still a dependent of the court. The assigned SW/PO must also advise the NMD it is in their best interest to allow SCCSSA remain the payee of their benefits while under the supervisor of the court.

When the NMD is receiving either federal or non-federal AFDC-FC, the income is counted dollar for dollar again the AFDC-FC grant. The benefits are added in CalWIN as “Unearned Income” and the grant will be reduced when the benefits are less than the FC rate. The excess is passed on to the NMD when in a SILP or to the provider.

When the income exceed the FC rate, the FC case will remain open as a Foster Foster Youth (FFY) Medi-Cal case see [Refer to “Eligibility for FFY Medi-Cal,” page 34-29].

When the youth is no longer eligible for RSDI benefits that exceeded the FC rate and the youth is participating in EFC, benefits can be restored effective the following month RSDI benefits were terminated.
35.14 Reconsiderations and Appeals

When the SWC receives notification from SSA either denying or terminating benefits, and believes the notice is unwarranted the SWC may fill an appeal.

The appeal process is as follows:

a. File a “Request for Reconsideration” (SSA-561-US) within 60 days from the receipt of the notice. If it is a termination of benefits, and the recipient appeals is within 10 days, the benefit will continue through the appeal, up to an administrative hearing decision.

b. When filing the SSA-561-US the “Information Conference” box must be checked. When the SSA-56A-US is completed an “Authorization to Disclose Information to the Social Security Administration” (SSA-827), the “Disability Report - Appeal” (SSA-3441-BK) is included and any additional information that will assist with the reconsideration.

c. The SSA-561-US along with the other documents can be either faxed or mailed.

d. SSA will acknowledge receipt of the appeal with a certified postcard signed by SSA.

Note:

Appeals may be filed online at www.socialsecurity.gov/disability/appeal and system will generate an acknowledgment.

There is no formal time frame for SSA to make a decision on an appeal. If the SSA-561-US is denied, the next step is to request a hearing before an Administrative Law Judge (ALJ). The SWC must file a “Request For Hearing By Administrative Law Judge” (HA-501-US) this request also must be made within 60 days from the decision. It may take a year or more for the hearing to be scheduled. At this point, the SWC must contact county counsel to assist.
35.15 Additional Tools

A report is available in Business Objects that will provide current receipts for both SSI and RSDI (or SSA) payments. FC and DFCS managers are able to access the report to determine funds available for children and youth under the supervision of DFCS and JPD. The report will be refreshed on the 15th day of each month to determine the current balances.

The report is located in Business Objects in the following path under the DEBS in the Manager_E9 folder labeled “Combined SSA SSI Receipts”:

CalWIN Special Indicators

CalWIN Special Indicators were added to track the SSI review process. The Special Indicators will be added mainly by the SSI SW Coordinators. The FC EW will only add or update the Special Indicator as stated below.

In order to adequately track the SSI/SSA applications, screening and changes the following CalWIN Special Indicators were added:
<table>
<thead>
<tr>
<th>Special Indicator</th>
<th>Begin Date</th>
<th>End Date</th>
<th>Description for Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>FC SSI Approved (Added by SWC)</td>
<td>The date of the approval.</td>
<td>When the status has changed.</td>
<td>Must be entered when the case is approved for SSI. This does not mean the case is actively receiving SSI. Although benefits are approved, they may be suspended because the child is receiving federal FC.</td>
</tr>
<tr>
<td>FC SSI Child Not Elig (Added by SWC or and FC EW)</td>
<td>The date of the denial.</td>
<td>When the status has changed.</td>
<td>Must be entered when the SSA determines child is not eligible. At the annual RRR the FC EW will add an end date and add a new date to the “FC SSI Potential SSI Child” Special Indicator</td>
</tr>
<tr>
<td>FC SSI Denied (Added by SWC)</td>
<td>The date a response is received from SSA stating benefits have been denied.</td>
<td>When the status has changed.</td>
<td>Must be entered when the case is denied for SSI. When the child is under 20 years a new app is done at the RRR due date. This status may trigger an appeal.</td>
</tr>
<tr>
<td>FC SSI JPD (Added by the FC EW)</td>
<td>The date the FC EW sends the SCD 1633 to JPD.</td>
<td>When it is determined the JPD youth is not eligible for SSI.</td>
<td>Must be entered when the SCD 1633 is sent to JPD. <strong>Note:</strong> Tracking for JPD cases are updated in CalWIN Case Comments. A new indicator is added at the next RRR date.</td>
</tr>
<tr>
<td>FC SSI Potential SSI Child (Added by FC EW and updated by SWC)</td>
<td>Submitted by the FC EW</td>
<td>When the status has changed.</td>
<td>Must be entered when the case is determined to be potentially eligible for SSI either JPD or DFCS. When there is an open FC SSI status, the FC EW must end date the prior status and add a new effective begin date.</td>
</tr>
</tbody>
</table>
The Special Indicators for the SSI status must be add in CalWIN on the Collect Case Special Indicator Window as displayed below:

There must only be one Special Indicator with no “Effective End Date”. The current status of the SSI review or determination will have no “Effective End Date” associated with the Type of Special Indicator.

**FC SSI Potential Child**

When child is potentially eligible, the FC EW will add “Effective Begin Date” on Special Indicator “FC SSI Potention Child”.

![Diagram of Collect Case Special Indicators](image-url)
When the child is determined not to be eligible, the SSI SW Coordinator will add the “Effective End Date” to the indicator.

Then the SSI SW Coordinator will enter “SSI Not Eligible Child” with an “Effective Begin Date”.

At RRR the EW will End “FC SSI Child Not Eligible” indicator and will remove end date and enter new effective begin date for the “FC SSI Potention Child”.

---

Revised: 08/02/16
Update # 16-14
FC SSI Suspension Date

The “FC SSI Suspension Date” will have a future end date 10 months in the future (the coordinator will enter this).

Employee and Benefits SSI Tracking System

Effective August 1, 2016, The SWC will use the SSI Advocacy Application to track the application process for SSI and RSDI applications. The application will appear as displayed below as an ICON on their desktop.

The SWC will use this application to track all incoming and outgoing responses from SSA.