

# Understanding Supplemental Security Income SSI Eligibility Requirements -- 2014 Edition

## Social Security

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[file:///D:/Transition%20Toolkit/Section%206\\_%20Social%20Security/Understanding%20Supplemental%20Security%20Income%20%28SSI%29--%20SSI%20Eligibility.htm](file:///D:/Transition%20Toolkit/Section%206_%20Social%20Security/Understanding%20Supplemental%20Security%20Income%20%28SSI%29--%20SSI%20Eligibility.htm)

### **SUPPLEMENTAL SECURITY INCOME (SSI) ELIGIBILITY REQUIREMENTS**

#### **WHO IS ELIGIBLE FOR SSI?**

Anyone who is:

- ▼ aged (age 65 or older);
- ▼ blind; or
- ▼ disabled.

And, who:

- ▼ has limited income; and
- ▼ has limited resources; and
- ▼ is a U.S. citizen or national, or in one of certain categories of aliens; and



In general, an alien who is subject to an active warrant for deportation or removal does not meet the citizenship/alien requirement.

▼ is a resident of one of the 50 States, the District of Columbia, or the Northern Mariana Islands; and

▼ is not absent from the country for a full calendar month or for 30 consecutive days or more; and

▼ is not confined to an institution (such as a hospital or prison) at the government's expense; and

▼ applies for any other cash benefits or payments for which he or she may be eligible, (for example, pensions, Social Security benefits); and

▼ gives SSA permission to contact any financial institution and request any financial records about you; and

▼ files an application; and

▼ meets certain other requirements.

### **WHAT DOES "AGED" MEAN?**

"Aged" means age 65 or older.

### **WHAT IS "BLINDNESS" FOR AN ADULT OR CHILD?**

Blindness in our disability programs is "statutory blindness," which means:

▼ you have a central visual acuity of 20/200 or less in your better eye with use of a correcting lens; or

▼ you have a visual field limitation in your better eye, such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

If you have a visual impairment that is not "statutory blindness" as defined above, you may still be eligible for SSI benefits on the basis of disability. See the definitions of disability for children and adults below.

### **WHAT DOES "DISABLED" MEAN FOR A CHILD?**

If you are under age 18 we may consider you "disabled" if you have a medically determinable physical or mental impairment, (including an emotional or learning problem) that:

● results marked and severe functional limitations; and

- can be expected to result in death; or
- has lasted or can be expected to last for a continuous period of not less than 12 months.

If you are age 18 or older, the adult definition of disability explained below applies.



See [SSI FOR CHILDREN](#) and [IF YOU ARE DISABLED OR BLIND](#) for more information on the childhood disability evaluation.

## WHAT DOES “DISABLED” MEAN FOR AN ADULT?

If you are age 18 or older we may consider you “disabled” if you have a medically determinable physical or mental impairment (including an emotional or learning problem) which:

- results in the inability to do any [substantial gainful activity](#); and
- can be expected to result in death; or
- has lasted or can be expected to last for a continuous period of not less than 12 months.

SSA has an obligation to provide benefits quickly to applicants whose medical conditions are so serious that their conditions obviously meet disability standards. The Compassionate Allowances (CAL) initiative allows Social Security to target the most obviously disabled individuals for claims approval based on objective medical information that we can obtain quickly. Fifty medical conditions were initially selected for this initiative. Since that time we have added 150 conditions bringing the total number of conditions to 200. The list may expand over time. A complete list of CAL conditions may be viewed online at: <http://www.socialsecurity.gov/compassionateallowances/conditions.htm>.

## WHAT DOES "LIMITED INCOME" INCLUDE?

Income, for the purposes of SSI includes:

- ▼ money you earn from work;
- ▼ money you receive from other sources, such as Social Security benefits, workers compensation, unemployment benefits, the Department of Veterans Affairs, friends or relatives; and
- ▼ free food or shelter.



We do not count the value of all of your resources for SSI, but income that we count reduces your SSI benefit amount. For more information, see [SSI INCOME](#).

## WHAT ARE "LIMITED RESOURCES"?

Resources, for the purposes of SSI, are things you own such as:

- ▼ cash;
- ▼ bank accounts, stocks, U.S. savings bonds;
- ▼ land;
- ▼ vehicles;
- ▼ personal property;
- ▼ life insurance; and
- ▼ anything else you own that could be converted to cash and used for food or shelter.



We do not count the value of all your resources for SSI. For more information, see [SSI RESOURCES](#).

The SSI limits for resources that we do count are:

Individual/Child — \$2,000  
Couple — \$3,000

## CITIZEN / NON-CITIZEN STATUS

To get SSI, you must be:

- ▼ a citizen or national of the United States; or
- ▼ a non-citizen who meets the alien eligibility criteria under the 1996 legislation and its amendments.

## WHEN IS A NON-CITIZEN ELIGIBLE FOR SSI?

Beginning August 22, 1996, most non-citizens must meet two requirements to be eligible for SSI:

- ▶ the non-citizen must be in a [qualified alien](#) category, and
- ▶ meet a [condition](#) that allows qualified aliens to get SSI benefits.

A non-citizen must also meet all of the other requirements for SSI eligibility, including the limits on income, resources, etc.

## **WHO IS A “QUALIFIED ALIEN”?**

There are seven categories of non-citizens who are qualified aliens. You are a "qualified alien" if the Department of Homeland Security (DHS) says you are in one of these categories:

1. Lawfully Admitted for Permanent Residence (LAPR) in the U.S., including "Amerasian immigrant" as defined in Section 584 of the Foreign Operations, Export Financing and Related Programs Appropriations Act of 1988, as amended;
  
2. Granted conditional entry under Section  
203(a)(7)  
of the Immigration and Nationality Act (INA) as in effect before April 1, 1980;
  
3. Paroled into the U.S. under Section  
212(d)(5)  
of the INA for a period of at least one year;
  
4. Refugee admitted to the U.S. under Section 207 of the INA;
  
5. Granted asylum under Section 208 of the INA;

6. Deportation is being withheld under Section

243(h)

of the INA as in effect before April 1, 1997, or removal is being withheld under Section 241(b)(3) of the INA;

7. “Cuban or Haitian entrant” under Section

501(e)

of the Refugee Education Assistance Act of 1980 or in a status that is to be treated as a “Cuban/Haitian entrant” for SSI purposes.

In addition, you can be a “deemed qualified alien” if, under certain circumstances, you, your child, or your parent has been subjected to battery or extreme cruelty by a family member while in the United States.

#### **UNDER WHAT CONDITIONS IS A “QUALIFIED ALIEN” ELIGIBLE FOR SSI?**

If you are in one of the seven "qualified alien" categories listed above, or have been determined to be a “deemed qualified alien” because you have been subjected to battery or extreme cruelty, you may be eligible for SSI benefits if you have limited income and resources and are aged, blind, or disabled and also meet one of the following conditions:

1. You were receiving SSI and lawfully residing in the U.S. on August 22, 1996.
2. You are a LAPR with 40 qualifying quarters of earnings. Work done by your spouse or parent(s) may also count toward the 40 quarters of earnings, but only for getting SSI.

We cannot count quarters of earnings earned after December 31, 1996, if you, your spouse, or your parent(s) worked or received certain benefits from the U.S. government based on limited income and resources during that period.

**IMPORTANT:** If you entered the U.S. for the first time on or after August 22, 1996, then you may not be eligible for SSI for the first five years as a LAPR, even if you have 40 qualifying quarters of earnings.

3. You are currently on active duty in the U.S. Armed Forces, or you are an honorably discharged veteran and your discharge is not because you are an alien. This condition may also apply if you are the spouse, widow(er), or dependent child of certain U.S. military personnel.
4. You were lawfully residing in the United States on August 22, 1996, and you are blind or disabled.
5. You may receive SSI for a maximum of 7 years from the date DHS granted you qualified alien status in one of the following categories, and the status was granted within seven years of filing for SSI:

- ▼ Refugee admitted to the United States (U.S.) under section 207 of the Immigration and Nationality Act (INA);

- ▼ Asylee admitted to the U.S. under section 208 of the INA;

- ▼ Alien whose deportation was withheld under section 243(h) of the INA or whose removal is withheld under section 241(b)(3) of the INA;

- ▼ Admitted as a "Cuban or Haitian entrant"- as defined under section 501(e) of the Refugee Education Assistance Act of 1980 or in a status that is to be treated as a "Cuban/Haitian entrant" for SSI purposes; or

- ▼ "Amerasian immigrant" admitted under section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1988, as amended.

### **EXEMPTION FROM THE AUGUST 22, 1996 LAW FOR CERTAIN NON-CITIZEN INDIANS**

Certain categories of non-citizens may be eligible for SSI and are not subject to the August 22, 1996, law. These categories include:

- ▼ American Indians born in Canada who were admitted to the United States under Section 289 of the INA; or

- ▼ Non-citizen members of a Federally recognized Indian tribe who fall under Section 4(e) of the Indian Self-Determination and Education Assistance Act.

### **ADDITIONAL ELIGIBLE ALIEN CATEGORIES**

**Victims of Severe Forms of Human Trafficking:** You may be eligible for SSI under certain circumstances if the Department of Health and Human Services' [Office of Refugee Resettlement](#) and the Department of Homeland Security determine that you meet the requirements of the Trafficking Victims Protection Act of 2000.

**Iraqi/Afghani Special Immigrants:** You may also qualify for SSI for a period of seven years if you are an Iraqi or Afghani special immigrant admitted to the United States.



See the SSI Spotlight on [SSI Benefits for Aliens](#).

## WHAT IS RESIDENCY?

You must:

- Live in the U.S., or the Northern Mariana Islands with the intent to continue living within the geographic limits; or
- Be a child living with a parent in the military service assigned to permanent duty ashore anywhere outside of the U.S.; or



See the SSI Spotlight on [Special SSI Rules for Children of Military Personnel Living Overseas](#).

- Be a student temporarily abroad for the purpose of conducting studies as part of an educational program.

## WHO IS NOT ELIGIBLE FOR SSI?

Some examples of who is not eligible for SSI include, but are not limited to:

### SOMEONE WHO IS A FUGITIVE

You are ineligible to receive SSI benefits for any month during which you have an unsatisfied felony arrest warrant for:

- ▼ escape from custody; or
- ▼ flight to avoid prosecution or confinement; or



▼ flight-escape.

In addition, we cannot pay you any retroactive payments if you have one of these unsatisfied arrest warrants. We will hold your retroactive payments until you contact SSA and provide proof that you satisfied the arrest warrant.

### **SOMEONE WHO HAS VIOLATED PROBATION OR PAROLE**

You are ineligible to receive SSI benefits for any month which you have violated a condition of your probation or parole imposed under federal or state law. In addition, we cannot pay you any retroactive payments if you have violated your probation or parole. We will hold your retroactive payments until you contact SSA and provide proof that you are no longer violating your probation or parole.

### **SOMEONE WHO IS IN PRISON OR JAIL**

If you are receiving SSI and you go to prison or jail, (this also includes correctional institutions, such as detention centers, halfway houses, boot camps, etc. but does not necessarily include home confinement) you are not eligible to receive SSI for any full calendar month you are incarcerated. In addition, we cannot pay any retroactive payments for benefits due before you were incarcerated. We will hold the retroactive payments until you contact SSA and provide proof that you are no longer a prisoner.

Please see our pamphlet, ‘What Prisoners Need to Know’, or view it online at [www.socialsecurity.gov/pubs/10133.html](http://www.socialsecurity.gov/pubs/10133.html) if you want more information about how being in jail or prison affects your SSI benefits.

In most instances, you can apply for SSI benefits and food stamps several months before you expect to be released from prison or jail. See the SSI spotlight on the [Prerelease Procedure](#).

### **SOMEONE WHO IS IN A PUBLIC INSTITUTION**

If you are in any institution for a whole month that is run by a Federal, State or local government, you are not eligible for SSI for that month unless an exception applies such as residence in a public emergency shelter for the homeless or publicly operated community residence. If you expect to leave the institution, you may use the prerelease procedure described in the SSI spotlight on the [Prerelease Procedure](#).

### **SOMEONE WHO GIVES AWAY RESOURCES**

If you give away a resource or sell it for less than it is worth in order to reduce your resources below the SSI resource limit, you may be ineligible for SSI for up to 36 months.



See [SSI RESOURCES](#) and the SSI Spotlight on [Transfers of Resources](#).

### **SOMEONE WHO IS A NON-CITIZEN SSI RECIPIENT WHO FAILS TO MEET THE ALIEN STATUS REQUIREMENTS**

▼ If you are receiving SSI as a non-citizen and you lose your status as an eligible alien, you are not eligible to receive SSI. For example, your SSI will stop if you lose your status as a [qualified alien](#) because there is an active warrant for your deportation or removal from the U.S.

▼ If you are a [qualified alien](#) but you no longer meet one of the [conditions](#) that allow SSI eligibility for [qualified aliens](#), then your SSI benefits will stop.

### **SOMEONE WHO IS AN SSI RECIPIENT WHO IS ABSENT FROM THE U.S. FOR A FULL CALENDAR MONTH OR FOR 30 CONSECUTIVE DAYS OR MORE**

Except for certain students temporarily abroad for study purposes or a child of military parents stationed overseas, an individual is not eligible for SSI benefits for any month during all of which he or she has been outside the U.S. Once an individual has been outside the U.S. for 30 consecutive days or longer, he or she must be back in the U.S. for 30 consecutive days to be eligible for SSI benefits.