

# Pandemic-Related Disaster Assistance for SSI Recipients

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# Housekeeping

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- Written materials and a recording will be available at [NCLER.acl.gov](http://NCLER.acl.gov). See also the chat box for this web address.

# About NCLER

The National Center on Law and Elder Rights (NCLER) provides the legal services and aging and disability communities with the tools and resources they need to serve older adults with the greatest economic and social needs. A centralized, one-stop shop for legal assistance, NCLER provides Legal Training, Case Consultations, and Technical Assistance on Legal Systems Development. Justice in Aging administers the NCLER through a contract with the Administration for Community Living's Administration on Aging.

# About Justice in Aging

Justice in Aging is a national organization that uses the power of law to fight senior poverty by securing access to affordable health care, economic security, and the courts for older adults with limited resources.

Since 1972 we've focused our efforts primarily on populations that have traditionally lacked legal protection such as women, people of color, LGBT individuals, and people with limited English proficiency.

# Today's Webinar

1. Quick Overview of SSI
2. Recent Policy Guidance from SSA
  - a) What is Considered Pandemic-Related Disaster Assistance?
  - b) What is **Not** Considered Pandemic-Related Disaster Assistance?
3. What Happens Now?

# Supplemental Security Income (SSI) – Quick Overview

# Supplemental Security Income (SSI)

- Federal program administered by the Social Security Administration (SSA)
- “Means-tested” program
- Subsistence level income for those age 65+, blind, or individuals with disabilities

2021 Monthly Max Fed SSI Payment  
\$794 (individual) or \$1,191 (couple)

- Learn more: [NCLER SSI Basics](#)

# SSI vs. RSDI: Differences

## SSI

- Funded by general fund taxes
- Strictly need-based, “means-tested” program

## RSDI

- Funded through payroll (FICA) taxes, paid into Social Security trust funds
- Employment-based social insurance program



# Recent Policy Guidance From SSA

# EM-20014 REV 3

- [“Effect of COVID-19-Related Financial Assistance on SSI Income and Resources”](#)
- Published July 23, 2021; in effect to January 23, 2022
- 2 charts listing all assistance identified by SSA to date
  - Pandemic-Related Assistance that meets criteria for disaster assistance exclusions
  - Pandemic-Related Assistance that does **not** meet disaster assistance criteria

# EM-21050

- [“Special Processing Instructions for Applying Supplemental Security Income \(SSI\) Income and Resource Exclusions to Pandemic-related Disaster Assistance”](#)
- Published July 23, 2021; in effect to January 23, 2022
- Provides special development and documentation procedures for pandemic-related disaster assistance

# What is Considered Pandemic-Related Disaster Assistance?

# Economic Impact Payments

- EIPs = Pandemic-related disaster assistance excluded from income and resources
- **No time limit** on exclusion from resources
- From EM-21050:
  - “**NOTE:** For continuing resource exclusion amounts, advise individuals to save documentation of disaster assistance. We may request evidence for individuals who continue to save disaster assistance long-term.”

# Example from EM-21050

- At 8/2021 redetermination, technician notes:  
“Recipient and spouse received all three EIPs, each in a single deposit to their checking account (\$2,400 in May 2020, \$1,200 in January 2021, and \$2,800 in April 2021). Recipient alleges saving some of the money in their joint checking account in the months after they received the EIPs, but that all of the money was spent down within a few months each time.”

# State Stimulus Payments

The following are pandemic-related disaster assistance excluded from income and resources:

- **CALIFORNIA:** Golden State Stimulus Payments and Golden State Grant Program payments
- **MARYLAND:** Stimulus payments for Earned Income Tax Credit filers
- **NEW MEXICO:** Tax rebates for recipients of the Working Families Tax Credit

# Unemployment Benefits

- All regular and pandemic unemployment during pandemic period are excluded from income and resources
- **“NOTE:** Changes in August 2021 to {SSI systems} will eliminate the need for corrective actions on cases in which we posted unemployment according to the procedures in EM-20014 REV, published 7/10/2020.”
- Unemployment benefits received after the “Pandemic UIB End” date in EM-21050 chart is subject to normal income and resource rules.



# Other Pandemic-Related Disaster Assistance

- Paycheck Protection Program (PPP): Loan Forgiveness to Employers and Self-Employed Individuals
- Economic Injury Disaster Loan (EIDL) Program: Loans/Grants to Employers and Self-Employed Individuals /Grants
- Coronavirus Food Assistance Program – Direct Payments to Farmers and Ranchers
- COVID-19 Veteran Rapid Retraining Assistance Program
- COVID-19 Funeral Assistance
- Emergency Rental Assistance Fund
- Emergency Assistance for Rural Housing/Rural Rental Assistance

# Other Pandemic-Related Disaster Assistance

- Homeowner Assistance Fund
- Housing Assistance and Supportive Services Programs for Native Americans
- Tribal Payments from the Coronavirus Relief Fund and the Coronavirus State and Local Fiscal Recovery Funds
- Supporting Foster Youth and Families
- Higher Education Emergency Relief Fund
- Emergency Assistance to Children and Families through the Pandemic Emergency Assistance Fund
- Farm Loan Assistance for Socially Disadvantaged Farmers and Ranchers
- USDA Assistance and Support for Socially Disadvantaged Farmers, Ranchers, Forest Land Owners and Operators, and Groups

# What is **Not** Considered Pandemic-Related Disaster Assistance?

# Child Tax Credit (CTC)

- CTC is not considered disaster assistance
- SSA will not consider the CTC as income and will not count as resource for 12 months for SSI purposes
- Receiving CTC should not affect SSI benefits
  - [EM-21058](#) (Sept. 13, 2021), Educating the Public About the Impact of Child Tax Credit and Advance Child Tax Credit Payments on SSI
  - [POMS SI 00830.060](#), Federal Tax Refunds and Advanced Tax Credits for SSI Income Purposes
  - [POMS SI 01130.676](#), Federal Tax Refunds and Advanced Tax Credits for SSI Resources

# Wages

- Hazard Duty Pay / Premium Pay / Bonuses
- Wage payments to employees under
  - Paycheck Protection Program (PPP)
  - Economic Injury Disaster Loan (EIDL) Program

Existing instructions in POMS [SI 00820.135](#),  
[SI 00820.140](#), [and SI 00820.143](#)

# Other Benefits

- Low Income Home Energy Assistance Program (LIHEAP)
- Low Income Home Water Assistance Program (LIHWAP)
  - Excluded from income (POMS [SI 00830.600](#)) and resources (POMS [SI 01130.688](#)).
- Emergency Broadband Benefit – not income, ISM, or resource

# What Happens Now?

# SSA Does Not Need Additional Information

- SSA will:
  - Restore SSI payment;
  - Issue any underpayment; and
  - Mail a letter explaining the change.
    - Sent to most recent address on record, and to any representative/payee



# SSA Needs Additional Information

If SSA needs information or to take a new SSI claim, they will send the individual a letter explaining that they need to speak with the individual at a scheduled appointment (by telephone).

- Especially important to contact SSA if mailing address has changed
- Do not need to wait until letter received from SSA to reach out
- Find the relevant telephone number by using SSA's [office locator](#)

# Resources

- [EM-20014 REV 3](#), Effect of COVID-19 Related Financial Assistance on SSI Income and Resources
- [EM-21050](#), Special Processing Instructions for Applying Supplemental Security Income (SSI) Income and Resource Exclusions to Pandemic-Related Disaster Assistance
- [NCLER Practice Tip](#), Important Change for SSI Recipients and Applicants

# Resources

- [Nursing Home Residents, Medicaid, and Stimulus Checks: What You Need to Know](#)
- [Medicaid Home and Community-Based Services \(HCBS\) and Stimulus Checks: What You Need to Know](#)
- [Stimulus Payments and Representative Payees: What You Need to Know](#)

# Questions?

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# Case Consultations

Case consultation assistance is available for attorneys and professionals seeking more information to help older adults. Contact NCLER at [ConsultNCLER@acl.hhs.gov](mailto:ConsultNCLER@acl.hhs.gov).