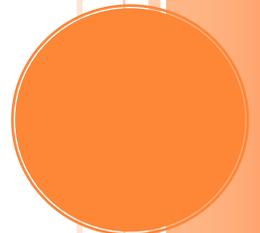


## POLICY BRIEF:

### *Supplemental Security Income & Veterans Benefits Advocacy*

Homeless families and individuals generally lack sufficient income to obtain and/or maintain housing. For disabled individuals, including parents, securing Supplemental Security Income or Veterans Disability Benefits can be key to increasing income available to pay for housing.

October 8, 2015



# POLICY BRIEF:

## *Supplemental Security Income and Veterans Benefits Advocacy*

For disabled individuals, including parents, securing Supplemental Security Income or Veterans Disability Benefits can be key to increasing income available to pay for housing.

The most extensive data on homeless adults in Los Angeles County is from the General Relief (GR) Program, administered by the Department of Public Social Services (DPSS). DPSS data shows that within the GR caseload of 94,566 in July 2015, 58% self-identified as homeless. Out of the GR caseload of 94,566 individuals, 7,418 have received a designation of Permanent “Needs Special Assistance,” which typically indicates the participant has a significant mental health barrier to employment and an additional 6,752 participants are designated as “Permanently Unemployable” due to a physical disability. Given this data, we can estimate that approximately **8,218 GR Participants are permanently disabled homeless persons who may be eligible to SSI.**

### Types of Benefit Opportunities

**Supplemental Security Income (SSI)** is a Federal income supplement program funded by general tax revenues (*not* Social Security taxes) designed to help aged, blind and disabled people, who have little or no income. It provides a cash grant of up to \$889 per month for aged/disabled single adults and \$932 for blind, single adults to meet basic needs, such as food, clothing and shelter.

**Social Security Disability Insurance Benefits (SSDI)** is a Federal income supplement program for individuals with disabilities who have worked long enough and recently enough to have “insured” status under the Social Security Program, or qualify as an SSDI beneficiary through his/her parents or spouse. Disabled widows or widowers, age 50 or older may qualify for benefits based on their disabled spouses’ earnings. The SSDI benefit amount is determined based on Federal Insurance Contribution Act (FICA) earnings.

**Veteran’s Benefits** - Certain eligible veterans are entitled to monthly income benefits through VA disability compensation or pension. VA disability compensation is a tax-free monetary benefit for veterans with disabilities that resulted from their

time in service. A single veteran who receives VA disability compensation can receive up to \$2,906.83 each month. VA pension is a tax-free monetary benefit for certain low-income wartime veterans and provides up to \$1,054.00 each month.

One of the best ways to stabilize the health and housing of Los Angeles veterans is to ensure that eligible veterans have access to Veterans Administration (VA) healthcare and other benefits. Not every former service member will be eligible for VA services, as eligibility is determined on the basis of discharge status and length of service. Determining eligibility can be complex, and many involved in the process of trying to house and support veterans, even including Department of Veterans Affairs employees, mistakenly believe that veterans with Other Than Honorable (OTH) or Bad Conduct discharge statuses face a complete and total bar to VA eligibility. In fact, such veterans may be eligible to VA healthcare enrollment pending a determination of the terms of their enlistments and/or a character of service determination by the Veterans Benefits Administration (VBA). Many veterans with less than fully honorable discharge statuses will ultimately be deemed eligible for VA healthcare and possibly VA income benefits, VASH vouchers, and other forms of housing support.

**Cash Assistance Program for Immigrants (CAPI)-** State-funded program administered by DPSS, that provides cash benefits similar to SSI to disabled and aged legal immigrants who are not eligible to SSI due to their immigration status.

## **SSI Benefit Application Process/Eligibility Requirements**

To qualify for SSI, a person must have little or no income and few resources, and be unable to work because of a medical condition that is expected to last at least one year or result in death. The SSI application can be filed in person at a local Social Security Administration (SSA) field office or by mail. Once the application is received by SSA, SSA will determine if the applicant meets resource and income rules, and other non-medical eligibility requirements. If so, SSA will assign the application to Disability Determination Services (DDS), a federally-funded operation in the California Department of Social Services. Under agreement with SSA, DDS determines whether a claimant is disabled under the law.

DDS reviews medical evidence from the claimant's medical records and any additional information provided by the claimant. If the medical evidence received is inadequate to determine disability, DDS may arrange for SSA to purchase a consultative examination to obtain the necessary evidence.

Upon completion of the review, DDS will make a determination on the claimant's eligibility to benefits. There are four levels of appeal if DDS makes an initial determination that the claimant is not disabled. They are: reconsideration, hearing by an administrative law judge, review by the Appeals Counsel, and Federal Court Review.

## SSI Interim Assistance Reimbursement

When an SSI application is approved, the approval is typically retroactive to the date of application. If a government agency provides funding for an individual's basic needs for everyday living during the months the SSI/SSP application is pending or during the months SSI/SSP benefits have been suspended or terminated, the government agency is entitled to recover those costs through a direct payment from SSA, which is deducted from the individual's retroactive SSI payment. This payment is called Interim Assistance Reimbursement (IAR). Basic needs are defined as: food, clothing, shelter, personal hygiene items, grooming items, transportation to obtain basic needs and emergency medical needs not reimbursable under another Federal Program.

In FY 2014-15, DPSS collected a total of \$13,454,524 in IAR recoupment for the GR and CAPI Programs, including \$843,020 for housing subsidies.

## Current Efforts

Below is a summary of the benefits advocacy programs available to disabled individuals in Los Angeles County.

### COUNTY

- ✓ **DPSS Supplemental Security Income and Medi-Cal Advocacy Program (SSIMAP)** – As a condition of GR eligibility, GR applicants/participants who are determined to be unemployable due to a long-term physical or mental health disability are required to participate in the SSIMAP Program. SSIMAP provides assistance to GR applicants/participants with the SSI application process, including assistance in obtaining medical records to support the SSI application, mental health comprehensive evaluations where sufficient mental health medical records are not available and limited financial assistance for necessary expenses to support the applicant in attending an appointment with the SSA. This could include money for items like a hotel room, transportation, or personal grooming expenses to assist the applicant attend his/her SSA appointment, as needed. For GR participants

whose application is denied, DPSS contracts with Health Advocates, LLC for legal support and representation at the SSI appeals level.

- ✓ **DPSS SSI Advocacy for CalWORKs Families** – DPSS provides SSI advocacy to disabled parents receiving CalWORKs benefits.
- ✓ **DPSS Veteran Identification and Referral** - DPSS attempts to identify veterans during the CalWORKs or GR application process. Veterans are identified based on self-disclosure. Upon identification of a veteran receiving CalWORKs or GR benefits, DPSS will make a referral to the Department of Military and Veterans Affairs (DMVA) so that eligibility for VA benefits can be determined. Additionally, for employable GR participants, Veteran's Liaisons are in place to assist the veteran, regardless of discharge status, with his/her application for a housing subsidy, employment resources and/or VA benefits.
- ✓ **Department of Health Services Housing for Health (HFH)** – HFH funds a staff person who has significant expertise in social security requirements and has in-depth knowledge reviewing medical records to assist homeless individuals to successfully apply for SSI. This staff is responsible for increasing the number of HFH clients who receive SSI. This is achieved in the following ways:
  - Identifying individuals who have been recently approved for HFH who, based on their medical summary, are likely to be eligible for SSI. The client is engaged by this staff and assisted with compiling a successful SSI application with all needed documentation to verify eligibility.
  - Training and providing technical assistance to all HFH intensive case management service (ICMS) providers to support their efforts to get people who should qualify for SSI onto this resource. (This is part of the ICMS scope of expectations.)

Also, the HFH ICMS scope of work includes the expectation that intensive case managers assist their clients in applying and qualifying for SSI; each ICMS provider submits a monthly progress report to DHS. Every HFH participant is assigned to an ICMS provider as soon as he/she is assigned to a permanent housing slot.

## OTHER EFFORTS

- ✓ United Homeless Healthcare Partners (UHHP) offered training on preparing disability benefit applications for homeless services providers based on the national SOAR program for a number of years. Earlier this year, UHHP ended the training modules on the SOAR program because they were unable to find the resources to continue. UHHP has now built an overview of SOAR practices into the Homeless Services Case Manager training provided to community homeless service providers.
- ✓ Homeless Patient Aligned Care (HPAC) Teams at West Los Angeles Veterans Administration Campus provides homeless veterans with wraparound medical care, mental health, and social work services. One HPAC Team, which serves homeless veterans who were high frequency users of the emergency room, is also staffed by an attorney from Inner City Law Center who represents veterans with a focus on achieving income and housing stability, by advocating and assisting with the Veterans/SSI benefit process.

### Comparative Perspective/Best Practices

- Los Angeles Benefits Entitlement Services Team (B.E.S.T) – 2009 Demonstration Project where an integrated services team worked together to document eligibility for disability benefits and coordinated the SSI/SSDI application process. B.E.S.T assisted participants in all aspects of the SSI/SSDI application process, including tracking the client's whereabouts, obtaining identification, providing transportation and managing retrieval of health and mental health records. Evaluation findings show that B.E.S.T contributed to a 90% final overall approval rate and shortened processing times. The first-year cost for B.E.S.T was approximately \$955,000, and approximately 1000 individuals were approved for SSI and/or SSDI over the 3-year life of the project. Complete evaluation report can be found at: <http://www.ssa.gov/policy/docs/ssb/v74n4/v74n4p45.html>
- Chicago, Heartland Health Outreach (HHO) – Federally Qualified Health Center (FQHC) that uses the SOAR model to assist clients establish benefits eligibility by building relationships and providing medical records to support the SSI application process.

- Portland, Maine Department of Health Services Intensive Case Management – Provides one-on-one assistance with the SSI application process. Case Manager is focused on building relationship with the client, meeting with other service providers, coordinating medical appointments.

## Discussion Questions

- ❖ What are ways to dramatically increase the number of disabled homeless people receiving SSI/SSDI/CAPI/Veterans benefits?
- ❖ Could one Countywide coordinated SSI/Veterans benefits advocacy system significantly increase the number of homeless, disabled individuals receiving these benefits and if so, how? Could such a program be partially funded out of the retroactive SSI benefit for those individuals who are approved for SSI?
- ❖ How can we better identify veterans to engage them in benefits advocacy?

## Resources

- ❖ Are there dollars that LA County and/or cities are currently spending to serve homeless families/individuals which could instead be used to pay for benefits advocacy so that a homeless person could access benefits which could be used to pay for housing?
- ❖ Is there additional revenue that LA County and/or cities could generate to pay for, or reimburse the cost of housing for individuals pursuing SSI?
  - The cost of housing subsidies during the time that an SSI application is pending could be recovered through the Interim Assistance Reimbursement process, for individuals who are ultimately approved for SSI.
  - As participants gain access to benefits, increased income will result in increased housing contributions for participants receiving housing subsidies which could be reinvested back into the system to pay for housing.

## Legislative Advocacy

Are there changes in State and/or Federal Law, regulations, or policy which should be pursued?

- Social Security Administration (SSA) currently prioritizes reassessments instead of initial claims. The County of Los Angeles could seek prioritization by SSA of initial applications for homeless residents and a reinstatement of the “flag” used by SSA and

California Disability Determination Services (DDS) for these cases, as was done under the B.E.S.T. program.

- Advocate for better policies for Veterans with Other Than Honorable or Bad Conduct Discharge Statuses rather than being summarily denied VA eligibility.

### Potential Policy Options

- Re-Implement B.E.S.T.
- Establish a countywide disability benefits advocacy program for people experiencing homelessness.
- Provide subsidized housing to homeless disabled individuals pursuing SSI and recover the cost of the housing subsidies through Interim Assistance Reimbursement for those individuals approved for SSI.
- Enhance training for Veterans Administrative Staff on benefit eligibility based on various discharge statuses.