

Important information for persons with I/DD who receive SSI or SSDI: Periodic Continuing Eligibility Reviews from the Social Security Administration

When an individual with an intellectual or developmental disability (I/DD) has been receiving Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI), parents are often surprised and worried when they are notified by the Social Security Administration (SSA) that it is time for a Continuing Disability Review (CDR) or a Non-Medical Redetermination or a Review (sometimes called a REDE).

The Social Security Administration is required by law to conduct periodic reviews of individuals who receive disability benefits to determine if they are still eligible for those benefits.

What types of disability reviews does the Social Security Administration conduct?

There are two types of Continuing Disability Reviews:

Continuing Eligibility Review: The purpose is to review the beneficiary's medical condition to determine if the individual is still disabled. Although an intellectual or developmental disability is a life-long condition, parents should be aware that up-to-date medical documentation may be necessary to re-confirm the individual's ongoing disability, particularly for individuals with mild I/DD.

Non Medical Redetermination: The purpose is to review whether the beneficiary continues to meet the technical eligibility requirements for SSI or SSDI benefits – including documentation of the individual's finances, resources, and income. *For example, if a person with I/DD who is employed earns more than the designated Substantial Gainful Activity (SGA) amount (\$1,180/month gross income in 2018), that person's eligibility for continued SSI or SSDI benefits may be jeopardized.*

What is the frequency of Continuing Disability Reviews?

- The frequency of a **Continuing Eligibility Review** is determined by the individual's specific disability and symptoms. In general, a Continuing Eligibility Review is done every three years; however, reviews may be conducted less frequently -- or more frequently -- than the typical three-year schedule. Depending upon the severity of their disabling conditions, many individuals with I/DD may have this type of review *less frequently* than the typical three-year schedule.
- A **Non Medical Redetermination** is typically done every six years, but there is also great variation in the frequency with which this occurs. **Some individuals (especially with income from work) may have a Non Medical Redetermination yearly.**

It is important for parents and other caregivers to respond in a timely manner to all requests from Social Security for information and documentation.

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How can parents plan for their son/daughter's Continuing Eligibility Review?

It is helpful for parents and other caregivers to do the following:

- If there is a change of home address, be sure that the Social Security Administration knows the new home mailing address.
- Parents should keep all documentation from Social Security that discusses disability status. This includes, for example, the initial award letter, as well as the letter explaining a change when a person with I/DD who was receiving SSI starts to receive an SSDI benefit due to the retirement, disability, or death of a parent.
- Maintain an up-to-date list of your son/daughter's health care providers, medical diagnoses, treatments, and medications. It is helpful to have a copy of the son/daughter's medical records that document the disability. If it is anticipated that the individual with I/DD will be seeing a new physician, request a copy of their medical record from the current provider before they stop seeing that provider (or as soon as possible thereafter).
- Keep a copy of any documents that you send to the Social Security Administration regarding your son/daughter's disability.

The SSA requirement on resources for persons receiving SSI:

As defined by the Social Security Administration: "A resource is money as well as something that you own and can turn into cash. Examples of resources are property, stocks, bonds, and bank accounts. Supplemental Security Income (SSI) is a needs-based program. To get SSI, your countable resources must not be worth more than \$2,000 for an individual." For further information on Resources and SSI, see this link: <https://www.ssa.gov/ssi/spotlights/spot-resources.htm>

When an individual with I/DD is receiving SSI, complying with the requirement on resources is very important -- not only when parents are submitting the initial application for SSI for their son/daughter -- but after receiving SSI as well. If there is a concern about their son/daughter with I/DD having more than \$2,000 in resources, parents may also want to consider an ABLE account. (See the paragraph below for further information.)

There is a legally acceptable option that allows a person with I/DD who receives SSI to have up to \$2,000 in resources – and also have money in an ABLE savings account.

As stated in the Social Security Program Operations Manual System (POMS): "An Achieving a Better Life Experience (ABLE) account is a type of tax-advantaged savings account that an eligible individual can use to pay for qualified disability expenses." Eligible individuals with disabilities can deposit up to \$15,000 per year in an ABLE account, and that money is not counted as a "resource" in accordance with SSA regulations. For example, a person with I/DD can have up to \$2,000 in a regular bank account and also deposit up to \$15,000 per year in an ABLE account, and he/she will be in compliance with the SSA regulations on resources. For further information on ABLE accounts, see: <https://secure.ssa.gov/poms.nsf/lnx/0501130740>. See also the website for the ABLE National Resource Center, a nonprofit organization that provides helpful and easy-to-understand information on ABLE accounts: www.ablenrc.org.