



Understanding Supplemental Security Income

SSI ELIGIBILITY REQUIREMENTS

(Last modified: 07/27/2004)

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 is in one of certain categories of aliens (**Note:** In general, an alien who is subject to an active warrant for deportation/removal does not meet the citizenship/alien requirement); and
- is a resident of one of the 50 States, the District of Columbia, or the Northern Mariana Islands; and
- not absent from the country for a full calendar month or more than 30 consecutive days; and
- agrees to apply for any other cash benefits for which he or she may be entitled; 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 Social Security disability programs is "statutory blindness," which means:

- you have a central visual acuity of 20/200 or less in your better eye, even while you are wearing a correcting contact lens or glasses in that eye; or
- you have a limitation in the field of vision of your better eye, so that
 - (a) you have a contraction of peripheral visual fields to 10 degrees from the point of fixation; or
 - (b) the widest diameter of your visual field subtends an angle no greater than 20 degrees.

If you have a visual impairment that is not "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?

An individual under age 18 is "disabled" if he or she has a medically determinable physical or mental impairment, which:

- results in 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 the individual is age 18 or older, the adult definition of disability explained below applies.

See SSI for Children on page 23 and page 36 for more information on the childhood disability evaluation.

WHAT DOES "DISABLED" MEAN FOR AN ADULT?

An individual age 18 and older is "disabled" if he or she has a medically determinable physical or mental impairment which:

- results in the inability to engage in 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.

WHAT DOES "LIMITED INCOME" INCLUDE?

Income includes:

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

NOTE: We do not count all kinds of income for SSI. but most income that we do count reduces your SSI benefit amount. For more information about SSI Income, see page 19.

WHAT ARE "LIMITED RESOURCES"?

Resources are things you own such as:

- cash/bank accounts;
- land;
- vehicles;
- personal property; and
- life insurance.

NOTE: We do not count all kinds of resources for SSI. (See SSI Resources on page 16)

The SSI limits for resources that we do count are:

Individual	\$2,000
Couple (two SSI-eligible persons residing together)	\$3,000

CITIZEN/NON-CITIZEN STATUS

To get SSI, you must be:

- a citizen or national of the U.S.; 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 8/22/96, most non-citizens must meet 2 requirements to be eligible for SSI:

1. the non-citizen must be in a **"qualified alien"** category; and
2. meet a **condition** that allows qualified aliens to get SSI.

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 8 categories of 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 4/1/80;
3. Paroled into the U.S. under section 212(d)(5) of the INA for a period of at least 1 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 4/1/97, or removal is being withheld under section 241(b)(3) of the INA;
7. "Cuban and Haitian entrant" under section 501(e) of the Refugee Education Assistance Act of 1980; or
8. Under certain circumstances, you, your child, or your parent has been subjected to battery or extreme cruelty while in the United States.

UNDER WHAT CONDITIONS IS A "QUALIFIED ALIEN" ELIGIBLE FOR SSI?

If you are in one of the 8 "qualified alien" categories listed above, you may be eligible for SSI if you also meet 1 of the following conditions, have limited income and resources and are aged, blind or disabled:

1. You were receiving SSI and lawfully residing in the U.S. on 8/22/96.
2. You are a LAPR with 40 qualifying quarters of work. Work done by your spouse or parent may also count toward the 40 quarters of work, but only for getting SSI.
 - We cannot count quarters of work earned after 12/31/96 if you, your spouse, or your parent 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. on or after 8/22/96, then you may not be eligible for SSI for the first 5 years as a LAPR, even if you have 40 qualifying quarters of work.

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 8/22/96 **and** you are blind or disabled.
5. You may receive SSI for a maximum of 7 years from the date DHS granted you a status in one of the following categories, and the status was granted within 7 years of filing for SSI:
 - Refugee under section 207 of the INA;
 - Asylee 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;
 - "Cuban and Haitian entrant" under section 501(e) of the Refugee Education Assistance Act of 1980; or
 - "Amerasian immigrant" under section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1988, as amended.

IMPORTANT: You may be eligible for SSI beyond the 7-year period if you are in one of these categories and you also meet one of the other conditions in 1-4 above.

EXEMPTION FROM THE 8/22/96 LAW FOR CERTAIN NON-CITIZEN INDIANS

Certain categories of non-citizens may be eligible for SSI and are not subject to the 8/22/96 law. These categories include:

- American Indians born in Canada who are in the U.S. under Section 289 of the INA; or
- Non-citizen members of a Federally recognized Indian tribe under Section 4(e) of the Indian Self-Determination and Education Assistance Act.

ADDITIONAL ELIGIBLE ALIEN CATEGORY

You may be eligible for SSI under certain circumstances if the Department of Health and Human Services determines that you meet the requirements of the Trafficking Victims Protection Act of 2000.

WHAT IS RESIDENCY?

You must:

- Live in the U.S., District of Columbia, or the Northern Mariana Islands with the intent to continue living within the geographic limits of the U.S.; or
- Be a child living with a parent in the military service assigned to permanent duty ashore anywhere outside of the U.S.; or
- Be a student temporarily abroad for the purpose of conducting studies.

NOTE: See the SSI Spotlight on Special SSI Rules for Children of Military Personnel Living Overseas, page 94.

ARE THERE ANY OTHER REQUIREMENTS?

- You must apply for all other benefits or payments for which you may be eligible; e.g., pensions, Social Security.

NOTE: See the SSI Spotlight on Benefits for Aliens, page 95.

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 FELON

A fugitive felon is not eligible for SSI. A fugitive felon is someone who is:

- fleeing to avoid prosecution for a crime that is a felony (or in New Jersey, a high misdemeanor) under the laws of the place from which the person is fleeing;
- fleeing to avoid custody or confinement after conviction for a crime that is a felony (or in New Jersey, a high misdemeanor) under the laws of the place from which the person is fleeing; or
- violating a condition of probation or parole imposed under Federal or State law.

The Social Security Administration defines "fugitive felon" as an individual who has an outstanding felony warrant (or in New Jersey, a high misdemeanor) under the laws of the place from which the person is fleeing.

SOMEONE WHO IS IN PRISON OR JAIL

If you are receiving SSI and you go to prison or jail, you are not eligible to receive SSI for any full month you are in prison or jail.

Please see our pamphlet, 'What Prisoners Should Know About Social Security', or view it online at <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 Spotlight on the Prerelease Procedure, page 93.

SOMEONE WHO GIVES AWAY RESOURCES

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

NOTE: See SSI Resources on page 16 and the SSI Spotlight on Transfers of Resources, page 87.

SOMEONE WHO IS A NON-CITIZEN SSI BENEFICIARY 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" (see page 11) 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 (see page 11), then your SSI benefits will stop.

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

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 has been outside the U.S. Once an individual has been outside the U.S. for 30 consecutive days or longer, he must be present in the U.S. for 30 consecutive days to be eligible for SSI benefits.

THIS INFORMATION IS GENERAL. FOR MORE INFORMATION, CALL 1-800-772-1213 (TTY 1-800-325-0778), OR CONTACT YOUR LOCAL SOCIAL SECURITY OFFICE.