

# SSI BENEFITS FOR CHILDREN FAQ



## ■ What are SSI benefits for Children?

Supplemental Security Income benefits, or “SSI”, are monthly cash payments made to help meet the basic needs of children who have a qualifying physical or mental disability or who are blind. SSI is different from Social Security benefits for children based on the retirement, disability or death of their insured parent (SSDI). SSDI benefits received by a child in foster care are handled differently than SSI.

## ■ Who is eligible to receive SSI?

Children under 18 who are disabled and have limited income and financial resources may be eligible to receive SSI benefits. The child’s qualifying mental or physical disability must be documented and seriously limit their activities, and be expected to last at least 1 year or result in death. Parent and/or caregiver resources may be used to determine a child’s financial need.

When youth reach the age of 18, different medical and non-medical criteria are used to determine SSI eligibility, and family members’ income and resources are no longer considered when determining financial need.

Generally, one must be a US citizen to qualify for SSI benefits, but under certain circumstances a non-US citizen may also be eligible.

## ■ Who decides eligibility?

The Social Security Administration (SSA) decides whether a child or youth meets the medical and financial criteria to be eligible for SSI.

## ■ Who applies for SSI eligibility on behalf of a child in foster care?

DFPS Regional SSI Coordinators (SSI Coordinators) apply for SSI benefits on behalf of a child who appears to meet the necessary criteria for SSI eligibility.

## ■ What is the process for securing SSI eligibility for children in foster care?

When a child enters foster care in Texas, DFPS performs an inquiry to obtain SSI benefit information from SSA. If the child is already receiving SSI, the SSI Coordinator submits an application to SSA requesting that DFPS be appointed the Representative Payee of the child’s benefits, and when approved, SSA pays the benefits to DFPS.

If a child who appears to meet the criteria for SSI eligibility enters foster care without SSI benefits, the SSI Coordinator applies for SSI benefits on behalf of the child.

## ■ Who receives the SSI payments?

If the child is under 18, the payments go to the child’s Representative Payee, typically their parent or caregiver, or DFPS if the child is in foster care.

## ■ What is a Representative Payee?

A Representative Payee is a person or organization who applies for and is appointed by SSA to receive SSI for anyone who cannot manage or direct their own benefits. Changes to the Representative Payee may be made when the child’s legal guardian or caregiver changes, or to best meet a child’s needs.

## ■ What does a Representative Payee do?

A Representative Payee uses SSI received on behalf of a beneficiary (a child or youth) for their current and reasonably foreseeable needs and in their best interest. SSI benefits not needed for a child’s current maintenance may be conserved (with limitations) in a savings account for their future needs. Additionally, the Representative Payee must establish a lump sum dedicated account as needed when directed to do so by SSA.

## ■ What are Lump Sum Dedicated Accounts?

SSA determines when a lump sum cash benefit requires a separate dedicated account for the specific benefit of an eligible child and notifies the Representative Payee (DFPS for a child in CPS conservatorship). The SSI Coordinator facilitates establishing this account. The CPS caseworker may send requests for expenditures for the benefit of the child to the SSI coordinator who will request SSA approval for the expense. A dedicated account can only be used for certain expenditures (i.e. education, job training skills, therapy or rehabilitation) not covered by Medicaid, and other related items and services approved by SSA.

## ■ When is the parent or caregiver named, or renamed, Representative Payee of the child's SSI?

Generally, DFPS conservatorship dismissal prompts the resignation of DFPS as Representative Payee. When this happens, the parent, relative or caregiver must apply, or reapply, to be appointed the child's Representative Payee, there is no automatic transfer.

When a child is placed back in the home with their parent and DFPS retains managing conservatorship, DFPS resigns as Representative Payee. SSA requires the parent to apply or reapply to be appointed Representative Payee and SSI eligibility is reconsidered by SSA based on the parent's income and resources.

When a child is placed with a relative or kinship caregiver and DFPS maintains managing conservatorship, DFPS remains Representative Payee and forwards the funds to the caregiver for the child's needs. If DFPS is dismissed, DFPS resigns as Representative Payee and the relative or kinship caregiver must apply to be appointed Representative Payee for the child's SSI benefits. SSA may reevaluate whether the child will continue to qualify for SSI based on the legal guardian or caregiver's income and resources.

## ■ When would youth need to reapply for SSI benefits?

When a youth turns 18, SSI eligibility redetermination using the definition of disability for adults is conducted by SSA. This eligibility redetermination process can take up to 6 months. The youth's SSI benefits (payments) continue while adult SSA eligibility is under consideration. Income and resources of parents or caregivers will no longer be considered in the financial need calculation.

If SSI is suspended by DFPS for more than 12 months prior to their resignation as Representative Payee, the youth, parent, or caregiver will have to reapply for SSI benefits on behalf of the child or youth. All previous eligibility documentation remains in the youth's SSA file. Youth and families may access former SSI eligibility applications and supporting documentation by contacting the CPS caseworker or PAL worker. Youth 16 and older must review and sign SSI eligibility applications.

## ■ How can CASA help?

CASA can help identify youth who may be eligible for SSI.

CASA can review SSA forms with the youth to ensure understanding.

CASA can provide information and resources to youth and their families regarding SSI eligibility and the need to re/apply for any Representative Payee change.

### ■ FOR MORE INFORMATION

- [Texas CASA Health Advocacy Guide](#)
- [Texas DFPS, Child Protective Services Handbook, SSI for Children in Foster Care](#)
- [Benefits for Children with Disabilities 2022](#)
- [Social Security Administration for Children](#)
- [Supplemental Security Income](#)
- [Disability Rights Texas](#)
- [SOAR Works Texas \(SSI/SSDI, Outreach, Access, and Recovery\)](#)