Addressing Legal Problems: Accessing Public Benefits

Housing Action Illinois Conference

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What We Will Cover

• Benefits Checklist – IDHS, SSA, and Township programs available
• Accessing Those Benefits
• Self Advocacy Tips
• Referrals to Legal Services
• Your Questions
Benefits at IDHS aka Public Aid

• TANF – Temporary Assistance for Needy Families – for families with kids under 18
  – Limited to 60 months in lifetime: “clock”
  – Work Activity Requirement
  – BUT exemptions to both clock and work for
    • people with disabilities
    • experiencing domestic violence
    • caring for very ill family members
TANF – cont.

• Family of 3: $432/mo. If no other income
• Family with parent on SSI
  – “child only” TANF: 1 kid: $117, 2 kids: $230
• Other family member caring for children
  – Grandparent, aunt, adult sibling – their income can be excluded – same “child only” grant
SNAP aka Food Stamps

• For any low-income person or family
• Household – live and prepare food together
• Amount varies – depends on income, certain expenses, including:
  – Rent;
  – Whether pay utilities;
  – medical expenses (for seniors and people with disabilities)
Medicaid

– Qualify if low-income (<133% poverty)
– No longer have to prove disability
– Changing to managed care system
  • Enrollment Broker: 877-912-8880 or http://enrollhfs.illinois.gov/
Medicare Savings Plans - DHS

• For people on Medicare: red, white, blue card
  – Seniors (age 65) or Receiving SSDI
  – Sign up at Social Security

• Medicare has a Monthly Premium – $104.90
  – If low income (< 135% FPL), IDHS will pay it for you – otherwise, it is taken out of SS check each month
    • Single person – up to $1,312/mo.
    • Couple – up to $1,769/mo.
  – Called Medicare Savings Plan
Cash Aid to Aged Blind, Disabled “AABD”

- For People Age 65+ OR Receiving SSI
- Cash Supplement for SSI (not SSD) Recipients
  - Amount based on certain expenses
  - Avg. of about $60-$70/mo.
- Some immigrants who cannot get SSI for status reasons (7 year limit for asylees/refugees) can get AABD cash grant
Immigrant Eligibility for DHS Programs

• Complicated Rules – but here are some basics:
  – LPR kids (no matter how long in US) can get SNAP, Medical
  – LPR adults can get SNAP, TANF, Medicaid only after being in US for 5 years
  – People fleeing abuse from citizen/LPR spouse who have pending VAWA application
  – Asylees/refugees qualify with no waiting periods
  – Mixed status families – parents can apply for eligible kids without disclosing parents’ status

• This is not exhaustive list – apply or ask
DHS Programs
How to Apply

• Apply at Local IDHS Office. “Family Community Resource Center” locator at: http://www.dhs.state.il.us/page.aspx?module=12

• What to bring: ID, SSNs for all household members, proof of immigration status, proof of income for last 30 days

• If in Chicago, can get help applying from LAF Enrollment Paralegal
How Long Does it Take?

• SNAP must be processed in 30 days
• Emergency or “Expedited” SNAP in 5 days, if
  – Rent + Utilities is more than Income, or
  – Less than $150 in income and less than $100 in assets
• TANF and Medical must be processed in 45 days
Keeping Your DHS Benefits

• Every 6 -12 months, recertify or “redetermination”

• You must respond and provide information or benefits will stop

• **Report Changes** Before Recertifications – getting new job, new baby, someone moves out
Appealing DHS Decisions

• Disagree with DHS Decision? OR No decision?
• Appeal is due...
  – AABD, TANF, Medical: 60 days from date on notice
  – SNAP: 90 days from date on notice
• If appeal within 10 days of notice or by “date of change”, can request continuing benefits
• How to Appeal:
  – phone: 1-800-435-0774 or 312-793-2618
  – Fax: 312-793-3387
  – Email: dhs.bahnewappeal@illinois.gov
Social Security

• Social Security Disability Insurance (SSDI)
  – For People with Disabilities who cannot work and who have recent work history
  – Amount varies, based on payroll taxes paid
    • If SSDI < $721, person can often get SSI
  – Get check on 3rd of month
  – Qualify for Medicare after 2 year waiting period
  – Dependents can get benefits off the account too (minor children, caregiver of minor children)
Social Security

• Supplemental Security Income (SSI)

- For People with Disabilities who are unable to work OR age 65+ but have no/little recent work history
- Also available for children with disabilities
- $721/mo. standard benefit; $1,080 for a couple (if no other income)
- Gets check on the 1st of month
- Income and resources restricted

- If getting less than $721/mo., ask why, refer for help
Tips For Getting Approved for SSI/SSDI

• Persistence, Persistence, Persistence
• Best advice for those applying
  – Be sure to appeal denials – otherwise have to start all over again
  – Get health insurance and see doctors, and report those docs to SSA
  – Consider hiring private lawyer - on contingency
Can you Work and Get Social Security?

YES – But...

1. You HAVE TO REPORT IT – even if temporary, part-time, and/or low-wage
   – GROSS, pre-tax income
   – Telephone, in-person, or mail reporting
   – Keep proof of reporting

2. Impact of work on your SS check(s) depends on whether you receive SSDI or SSI
Appeals at SSA

• Did checks stop? Do you owe an overpayment?

• Appeal is due...
  – 65 days from date on notice
  – 15 days from date on notice to request “continuing benefits” in some instances

• Can sometimes be extended for “good cause” but always encourage timely appeal

• Waiver of overpayments can be requested anytime – no deadline
Tips for Dealing with SSA and IDHS

• Keep log of dates of appointments, calls
• Keep copies of all paperwork you get and all paperwork you give them
• Report changes – like new job, change in address, change in family (baby born, someone moved out)
• Be polite and persistent, ask for supervisors
• Keep your appointments
• Open your mail
Township Assistance

• “General Assistance” for adults without minor kids – last resort program
• Run by Townships, or in some cases in Southern IL, counties
• Cash amount varies – very limited
• Find out your township, contact them and find out application process, benefits available
Accessing LAF Chicago

– Client Screening Unit – 312.341.1070
– Clients calling on their own
  • Call Early! Best between 8 am – 10 am
  • Follow prompts – if you can leave a call back number, will be called back up to three times same day
  • Lines close when reach capacity for callers
– Case managers, social workers calling with clients
  • Client **must** be on line with you
  • Follow prompts for “social workers, other professionals” and you will be put through to reception who will patch you in to next available intake specialist
Social Security Problems for Legal Services Providers

• **Terminations and Reductions**
  – Due to medical/disability review – every 5-7 years
  – Due to work
    • Often well after the work started (client may not be working anymore) – IRS data sharing
  – Due to other income/assets
    • Workers’ Compensation (for SSDI)
    • For example: money in the bank, inheritances (for SSI)

• **Overpayments and Waivers**
IdHS Problems for Legal Services Providers

• SNAP, TANF, and Medicaid: Denials, Terminations and Reductions

• Medicaid coverage problems: prescriptions denials, homemaker service

• Overpayments and Waivers
Benefits for Families

• Think TANF, SNAP, & Medicaid

• Families with disabled child: also think SSI for child

• Families with disabled parent: also think:
  – SSI/SSDI for parent and dependent benefits
  – Medicare Savings Plan – if parent on SSDI
  – exceptions for TANF rules, if parent has no income and has trouble accessing program
Benefits for People with Disabilities

• Think SSI and SSDI

• Think DHS:
  – SNAP – be sure to report medical expenses if on SSI/DI. (Avg. boost to SNAP of about $80/mo.)
  – AABD – cash supplement for people on SSI
  – Medicare Savings Plans – payment of Medicare premium (if 65 or on SSDI)
Benefits for Immigrants

• LPR children under 18, LPRs with disability qualify for SNAP, Medical without 5 year wait
• LPR adults qualify only if in US for 5 years
• Asylees & Refugees don’t have waiting period
• Immigrants fleeing abuse by citizen/LPR spouse with pending VAWA application
• Parents can apply for eligible children without disclosing their own status
QUESTIONS???????

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