



LEGAL HOTLINE FOR TEXANS

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SUPPLEMENTAL SECURITY INCOME (SSI), FOOD STAMPS, AND MEDICAID

THIS PUBLICATION IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY.

The pamphlets of the Legal Hotline for Texans are general in nature and should not be relied on as advice for your particular circumstances. For advice that is specific to your particular circumstances, you should consult a lawyer.

The Legal Hotline for Texans (LHT) is a telephone hotline providing free legal advice and consultation and other free legal services to Texans Age 60 and Older or Eligible for Medicare; Crime Victims Age 60 and Older and their Family Members and Authorized Claimants; and Pension and Retirement Plan Employees, Participants and Beneficiaries.

Eligible Clients can consult with an attorney of the Legal Hotline for Texans free of charge by calling one of the phone numbers listed above. If clients would like to consult with an attorney in their communities, or if ongoing representation by an attorney is needed, the Legal Hotline for Texans may be able to make a referral. Depending on individual circumstances and local availability, such a referral may be to an organization providing free attorneys to low income persons, or may be to an attorney on the Legal Hotline for Texans' reduced-fee panel, or may be to a statewide or local lawyer referral service.

The Legal Hotline for Texans is a project of the Texas Legal Services Center with support from the Texas Department of Aging and Disability Services (DADS), the U.S. Centers for Medicare and Medicaid Services (CMS), the U.S. Administration on Aging (AoA), and the Texas Equal Access to Justice Foundation through the Texas Basic Civil Legal Services Program (BCLS) and the Texas Crime Victims Civil Legal Services Program (CVCLS).

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INFORMATION ABOUT SSI, FOOD STAMPS, AND MEDICAID

SSI is for low-income persons who have few resources.

If you have low-income and few resources, you need to know about SSI (Supplemental Security Income). Persons who are sixty-five (65) years of age or older, who are eligible for SSI, may also be eligible for food stamps and Medicaid. In 2005, maximum monthly SSI benefits are \$579 for an individual, and \$869 for a couple.

You are eligible to receive SSI, if you:

To receive SSI, you must be 65 or older, or unable to work due to disability or blindness.

1. Are sixty-five (65) or older (younger persons who are unable to work may qualify on the basis of disability or blindness);
2. Have "countable" resources of no more than \$2,000 for a single person, or \$3,000 for a couple (the homestead, personal belongings, and one automobile do not count);
3. Have "countable" monthly income of less than \$579 for one person or \$869 for a couple (if all income is from work, the income limits are \$1,243 for one person and \$1,823 for a couple);
4. Are a citizen of the United States either by birth or naturalization. Some legal resident aliens are eligible: if you are a legal resident alien, and (1) if you are a refugee or asylee, (2) if you have an extensive work history in the United States (at least forty quarters of Social Security earnings credits) or (3) if you are, or your spouse is, a U. S. veteran or on active duty in the United States military.
5. Apply.

There are five requirements you must meet, in order to qualify for SSI.

If you meet all five of the above requirements, you are eligible for SSI.

If everyone in the household receives SSI, food stamps are also available. SSI recipients who are 65 or older are also eligible for Medicaid.

Remember: If you are sixty-five (65) or older and if everyone in your household receives SSI, you will also be eligible for food stamps. Furthermore, if you are sixty-five (65) or older, and receiving SSI, you are also eligible for Medicaid.

How to apply for SSI.

How do you apply for SSI? (And for food stamps and Medicaid, as well?) By calling Social Security or visiting your local Social Security office. To apply, you can call Social Security at 1-800-772-1213. This phone number for Social Security is EXTREMELY BUSY so you may have to try your call REPEATEDLY.

Let the person who answers know that you want to apply for SSI, food stamps, and Medicaid. You can also call your local Social Security Office, or go there in person to apply. Social Security will make the decision as to whether you are eligible for SSI. The Texas Health and Human Services Commission is the office that enrolls persons for food stamps and Medicaid. If you are found eligible for SSI, Social Security will forward your information to the Texas Health and Human Services Commission (HHSC) for them to act regarding food stamps and Medicaid. Again, to get the applications underway, you can call Social Security at 1-800-772-1213. If

the line is busy, keep trying until you get through. As noted, you can also visit a local Social Security Office to apply.

Some basic food stamp matters

For the food stamp portion of your needs, a food stamp worker will arrange to interview you at home or by telephone, if: You are age sixty (60) or older or are disabled and if you let the food stamp office know that you cannot travel to their office.

Important Medical Expense Deduction.

Food stamp households with members who are disabled or age sixty (60) or older may be able to deduct, from countable income, medical costs in excess of \$35 per month. To be deductible, such expenses must have been incurred by the older person (or by the disabled person), and they must not be covered by medical insurance, a government program, or another third party source.

Food stamp households with older persons or disabled persons may also qualify for a "high shelter costs" deduction. This means that if your shelter costs are more than one-half of your "adjusted income," you can deduct the excess shelter costs.

If you are found eligible for food stamps, you should receive food stamps within thirty days of the date of your application for them. **Important Note:** Food stamps are meant to cover a part -- not all -- of your food costs, if you are low-income.

Some basic Medicaid matters.

The Medicaid Program provides certain basic medical benefits. Among other services provided are these: Up to thirty days of inpatient hospital care (per spell of illness); up to three prescriptions per month; medical transportation if prior authorization is received from the Texas Health and Human Services Commission (HHSC); physicians' services; limited vision care (one eye exam every two years, one pair of glasses every two years if vision has changed); primary home care services (help with bathing, dressing, changing bed linens, and other personal care); home health care for persons who are home-bound due to illness or injury (there must be a medical need for this service); and nursing home care (if there is a medical need for it).

Medicaid pays Medicare premiums, co-insurance and deductible amounts.

For most persons receiving Medicaid, who are also enrolled in Medicare, the Medicaid program pays Medicare premiums, co-insurance, and deductible amounts. For persons who are eligible for both Medicaid and Medicare this can mean a savings of several hundred dollars per year.

If your income is slightly too high for SSI, you may be eligible for QMB, SLMB, or QI Medicaid.

Medicare enrollees, whose income is slightly too high for SSI (and who, therefore do not qualify for regular Medicaid), may still qualify for QMB Medicaid, SLMB Medicaid, or QI-1 Medicaid. Income limits and program benefits for these programs are as follows:

QMB Program: Pays Medicare premiums, coinsurance, and deductibles

Individual: \$798 plus \$20 exclusion = \$818 total gross income
Couple: \$1,070 plus \$20 exclusion = \$1,090 total gross income

SLMB Program: Pays Medicare premiums only

Individual: \$957 plus \$20 exclusion = \$977 total gross income
Couple: \$1,283 plus \$20 exclusion = \$1,303 total gross income

QI-1 Program: Pays part of Medicare Part B premium (funding guaranteed)

Individual: \$1,077 plus \$20 exclusion = \$1,097 total gross income

Couple: \$1,424 plus \$20 exclusion = \$1,444 total gross income

As for SSI, the first \$20 is excluded from countable income. Because a proportion of earned income is also not counted, if you work, you may still qualify for QMB or SLMB (if you are enrolled in Medicare), even if your work income is above the QMB or SLMB limits. So, if you are a Medicare enrollee, and your monthly income is slightly too high for SSI, you should call your local office of the Texas HHSC to apply for QMB, SLMB, or QI-1 Medicaid. That same office can determine if you are eligible for food stamps. QMB's benefits are limited to payment of the Medicare premium, co-insurance, and deductible amounts, but this is still a significant amount of money. SLMB's benefits are limited to payment of the Medicare premium. QI-1's benefits are limited to payment of part of the Medicare premium. For more information about programs that pay your Medicare premiums, you may want to call the Legal Hotline for Texans and ask for Publication #0307.

How to apply just for food stamps or just for Medicaid.

Persons of low income and few resources, who are not seeking SSI, can apply for food stamps by calling their local Texas HHSC Office or by calling the Texas HHSC at 1-800-252-9330. The office reached at this number likely will refer you on to your local county office of the Texas HHSC. Therefore, you may want to just call directly to your local county office of the HHSC. To apply just for Medicaid, you can call your local office of the Texas HHSC. You can obtain information about Medicaid benefits by calling 1-800-252-8263. If you have questions or need legal advice about SSI, food stamps, or Medicaid, you can call:

The Legal Hotline for Texans, at: 1-800-622-2520

(Travis County: 477-3950)

Texas Department of Aging and Disability Services, at: 1-800-252-9240

(The receptionist at this number will put you in touch with the Benefits Counselor at your local Area Agency on Aging.)

Application denied? You have a right to a hearing.

If you apply for any of these programs and your application is denied, you have a right to a hearing to contest the denial. You should seek legal advice immediately if you are denied.