

SOCIAL SECURITY AND GRANDCHILD BENEFITS

Notes from a presentation done by Josh Weller, Public Affairs Specialist with the Social Security Administration. Along with Q&A from our grandparents. This is just information that we gathered and also copied from the Social Security Website. Please if you think you qualify or have questions please seek advice from the Social Security office. This is only intended for informative purposes.

Benefits For Grandchildren

“More and more parents are finding themselves raising grandchildren. Social Security will pay benefits to grandchildren when the grandparent retires, becomes disabled, or dies if certain conditions are met. Generally, the biological parents of the child must be deceased or disabled, or the grandchild must be legally adopted by the grandparent.

In addition, the grandchild must have begun living with the grandparent before age 18 and received at least one half of his or her support from the grandparent for the year before the month the grandparent became entitled to retirement or disability insurance benefits, or died. Also, the natural parent(s) of the child must not be making regular contributions to his or her support.

If the grandchild was born during the one-year period, the grandparent must have lived with and provided at least one-half of the child's support for substantially all of the period from the date of birth to the month the grandparent became entitled to benefits.

The grandchild may qualify for benefits under these circumstances, even if he or she is a step-grandchild. However, if the grandparents are already receiving benefits, they would need to adopt the child for it to qualify for benefits.” <https://www.ssa.gov/people/kids/>

For more detailed information see below

[Supplemental Security Income \(SSI\)](#)

SSI makes monthly payments to people with [low income and limited resources who are 65 or older, or blind, or disabled](#). Your child, if younger than age 18, can qualify if he or she has a physical or mental condition, or combination of conditions, that meets Social Security's definition of disability for children, and if his or her income and resources fall within the eligibility limits. The amount of the SSI payment is different from state to state because some states add to the SSI payment. Your local Social Security office can tell you more about your state's total SSI payment. <https://www.ssa.gov/pubs/EN-05-10026.pdf> For more information, read Supplemental Security Income (SSI) (Publication No. 05-11000).

[Social Security Disability Insurance \(SSDI\)](#) The SSDI program pays benefits to adults who have a disability that began before they became 22-years-old. We consider this SSDI benefit as a “child's” [benefit because it's paid on a parent's Social Security earnings record](#).

1. If you have custody of your grandchild (pay for more than 50% of their basic needs) your grandchild may qualify for SSI (Supplemental Security Income) and benefits if:
 - a. You have monthly income lower than \$2000.00 for a single person and \$4000.00 for a married couple and have no other assets such as a retirement account, investment accounts, rental property (excluding your home, car and other basic assets). Once you

qualify for Disability or SSI because of your lower income you will then qualify for Grandchild Benefits.

Note: if you are working and/or have income or assets over a certain limit you will not qualify for SSI or SSDI. You can however qualify for Social Security Benefits due to your work history, see later under your retirement and disability information.

2. Your Grandchild may receive Social Security benefits if:
 - a. One or both parents are disabled by Social Security definitions the child can receive benefits based on the parents earning records. Up to ½ of this amount per child. This is SSDI benefits.
 - b. One or both of the parents are deceased then they would receive Survivor Benefits based on that parents earning records and qualifying benefit. up to 75% of the benefit per child.
 - I. Death benefits for a child are paid up to age 19. If the child is then found to be disabled can then apply for adult SSDI.
 - c. **IMPORTANT:** You can become the Designated Payee; If a parent is collecting the child's benefit and you are raising that child be aware that you can go to Social Security and provide proof that you are in fact raising that child and they are illegally receiving that money. Let them know that you would like to be the designated payee for this child.
 - d. If you have adopted your grandchild, then the child would qualify based on your earning record.
3. The criteria for disability and medical diagnoses by a doctor is not as high qualifying for a child as it is for an adult.
4. State Benefits:
 - a. Some states also offer a state benefit, Colorado does not. California does. Application is done separately to Social Security.
5. Age that a child's benefits stop:
 - a. Even if your child wasn't eligible for SSI before his or her 18th birthday because you and your spouse had too much income or too many resources, he or she may become eligible for SSI at age 18 because they are considered an adult and would then go off their earning records. For more information, read Supplemental Security Income (SSI) (Publication No. 05-11000).
 - b. Benefits don't end if your child is a full-time student at a secondary (or elementary) school. If your child is younger than 19 and still attending a secondary or elementary school, they must notify us. They must complete a statement of attendance certified by a school official. The benefits will then usually continue until your child graduates, or until two months after reaching age 19, whichever comes first.
6. **Social Security Disability Insurance (SSDI)** benefits for adults disabled since childhood The SSDI program pays benefits to adults who have a disability that began before they became 22-years-old. We consider this SSDI benefit as a "child's" benefit because it's paid on a parent's Social Security earnings record. For a disabled adult to become entitled to this "child" benefit, one of his or her parents:
 - a. Must be receiving Social Security retirement or disability benefits; or
 - b. Must have died and have worked enough to qualify for Social Security. These benefits also are payable to an adult if he or she is disabled at age 18, and if they received

dependents benefits on a parent's Social Security earnings record prior to age 18. We make the disability determination using the disability rules for adults. SSDI disabled adult "child" benefits continue as long as the individual remains disabled. Your child doesn't need to have worked to get these benefits. <https://www.ssa.gov/pubs/EN-05-10026.pdf>

7. Disability or Retirement on your work record and child benefits.
 - a. Benefits can also be paid to your unmarried children if they're:
 - i. Younger than 18
 - ii. Between 18 and 19 years old, but in elementary or secondary school as full-time student
 - iii. Age 18 or older and disabled (the disability must have started before age 22).
 - iv. If you become the parent of a child (including an adopted child) after you begin receiving benefits, let us know about the child, so we can decide if the child is eligible for benefits.
 - b. For information on understanding benefits and family eligibility go to <https://www.ssa.gov/pubs/EN-05-10024.pdf>
8. UNDERSTANDING BENEFITS <https://www.ssa.gov/pubs/EN-05-10024.pdf>
9. BENEFITS FOR CHILDREN <https://www.ssa.gov/pubs/EN-05-10085.pdf>
10. For more information on Employment support programs for young people with disabilities; under SSI, SSDI go to www.socialsecurity.gov, or by calling us toll-free at 1-800-772-1213.
11. For Medicaid and Medicare or Children's Health Insurance Program go to: www.insurekidsnow.gov on the Internet or by calling 1-877-543-7669

Questions that were also asked:

Q: I have assets that make me go over the limit. I was told to apply anyway. I did and was told I can't because of this. I am not sure if I qualify for benefits, should I apply

A: You should always apply if you think you may qualify, you have the right to apply and if you get turned down you have the right to appeal. If you don't apply you can't appeal. They cannot refuse you to apply.

Q: Do I as a grandparent raising a child on his father's social security get paid extra other than his check from his late father's for handling his finance and care?

A: NO; you are the representative payee for the child, you are receiving the money for his benefit. You can use that money to see to his needs, housing, clothing, food and however you see fit to pay for his needs. But there is no additional amount just for handling his money.

Q: Does social security continue after the child turns 18 if he is still in high school?

A: Up to age 19 and then depending if he is disabled may then apply for SSDI.

Q: What is a redetermination?

A: Redetermination for disability is every 3 years

Q: What is the difference between SSI and SSDI?

A: SSI is based on income restriction it is a supplementary income for low income families. SSDI is based on past work history and earnings (wage withholdings from your paycheck paid into Social Security)

Q: To qualify for Social Security Benefits at retirement or disability how long do you have to work?

A: A person must work for about 10 years and receive credits showing wage withholding from the paycheck being paid into social security or have paid through Self Employment Tax on your tax return.

Q: I have custody of my grandchild and is disabled, can I apply for Social Security Disability?

- If your child is under 18 and your income is below the minimum, about \$2000.00 a month for a single person and \$4000.00 a month for married and you have no other assets besides your home, car and basic needs then yes you should apply for SSI
- If your child is over 18 and the disability began before age 22, One or both of the parents are deceased, One or both of the parents are disabled. They should apply for SSDI

Q: If I adopt my grandchild that is disabled, can I get social security SSI for my grandchild?

A: If you or your spouse qualifies for disability social security benefits or you or your spouse passes away yes. OR If your income is below the minimum yes.

Q: My grandchild receives Social Security Disability when they left Department of Human Services and I now have custody. The parent did not pass or on disability. How does my grandchild qualify for disability and what will happen when we adopt that child?

A: When the child was in DHS custody they tested the child for disability and qualified that child under the state custody. That disability will stay with the child until age 18 when they may apply for SSDI. Should you adopt that benefit will go away.

Also, note that without that diagnoses from the state prior to placement of custody to the grandparent the grandparent at adoption will not receive the Federal Adoption Tax Credit. This is different than an adoption credit for expenses paid for adoption.

Additional Income resources:

Colorado's Old Age Pension (OAP) program provides financial assistance to elderly, low-income Colorado residents (60 years of age and older) to help them attain a minimum monthly income. To be clear, this program does not provide a consistent lump sum of financial assistance, but rather the amount varies and is the difference between the participant's current income and what is determined to be the minimum acceptable level of income for a particular year.

In addition to financial assistance, the OAP program provides some individuals, who do not qualify for Medicaid, which in Colorado is called Health First Colorado, with dental and health care benefits. This part of the program is referred to as the OAP Health and Medical Care Program. One might also hear it referred to as the State Medical Program, the Modified Medical Program, OAP State Only Program, OAP-B, or Limited Health First Colorado.

To be eligible for the Old Age Pension (also referred to as OAP-A), applicants must be 65 years of age or older, a U.S. citizen or a legal alien, and a Colorado resident. As an individual, one may have resources

valued at up to \$2,000, or as a married couple, up to \$3,000. As of January 2017, an applicant's monthly income cannot exceed \$771 (which is also the maximum benefit amount).

There are additional qualifications for the health care benefits portion of the program (OAP Health Care Program, also referred to as OAP-B). First, an applicant must be between 60 and 64 years of age. This rule exists because at the age of 65, other health insurance programs become available, specifically Medicare. In addition, applicants must receive Old Age Pension, and as mentioned previously, applicants cannot qualify for Health First Colorado.

https://www.payingforseniorcare.com/longtermcare/resources/colorado_oldage_pension.html