

# Social Security Applications for Children

Presented by  
Sarah Kupferberg



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**WHERE DIGNITY MEETS JUSTICE**

Join Nassau Suffolk Law Services as we continue to illuminate pathways to justice under our new name, **Legal Services of Long Island (LSLI)**. Help us guide our communities and neighbors in need toward accessible free legal services for all.

**LEGAL SERVICES OF LONG ISLAND**

[LEGALSERVICESLI.ORG](https://legalservicesli.org)

SCAN TO LEARN MORE

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## House Keeping

Please keep your microphone muted.

Please put questions in chat or raise your hand.

We will have polls throughout the presentation.

Please complete survey at end of presentation.

Thank you!



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## Who We Are And What We Do

- Over 6,000 legal cases each year
- Direct representation, phone consultations
- Brief service or referrals
- Offices in Hempstead, Islandia, Riverhead
- Case handling staff includes attorneys, paralegals, and social workers
- Partnerships with Community Agencies



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## Office Locations

### Hempstead:

1 Helen Keller Way 5th Fl  
Hempstead NY 11550  
(516) 292-8100

### Islandia (Western Suffolk):

1757 Veterans Hwy Ste 50  
Islandia NY 11749  
(631) 232-2400

### Riverhead (Eastern Suffolk):

400 W. Main St Suite 200  
Riverhead, NY 11901  
(631) 369-1112



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## Our Programs

### Family

- Domestic Violence Family Court Project (Suffolk)
- Child Support Defense Project

### Disability & Health-Related Projects

- HIV Unit
- Mental Health
- ICAN - Advocates in Managed Long-Term Care
- Education and Disability Rights (Special Education and Rights of Developmentally Disabled)
- Disability Advocacy Project (SSD/SSI Appeals)



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## Our Programs

### Housing

- Civil Unit (Eviction Prevention)
- Foreclosure Project

### Other

- Consumer Debt
- Education Debt Consumer Advocacy Project
- Veterans Rights
- Human Rights Project
- Public Benefits
- Adult Care Facility Unit
- Senior Citizen Project (Nassau)
- Pro Bono Project (Suffolk)
- Volunteer Lawyers Project (Nassau)
- Community Legal Help Project



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## Legal Support Center for Advocates:

Advocates call (631) 232-2400 for assistance:  
Sharon Campo - x3368 Cathy Lucidi - x3324  
Hannah Fitzpatrick- x3343

- Provide Technical Support to Advocates
- “Advocates” include legislative staff, social workers, outreach workers, medical personnel, and guidance counselors
- Host Community Trainings
- Publish Newsletters



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## Visit our Website

- All About Our Programs
- Sign up for our “Legal Lessons”
- Trainings
- “Self-Help” Resources
- Other Events



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## Upcoming Presentations

**Introduction to ICAN and Community Based Managed Long-Term Care**  
**Wednesday, April 9th, 2025**  
**1:00 pm to 2:00 pm**

Join Staff Attorney Amanda Davis for an introduction to home and community-based long-term care provided by Medicaid that helps elderly and disabled Long Island residents receive home care and other services in their homes, as well as an introduction to the Independent Consumer Advocacy Network (ICAN) and how they can help.

[Please register for this training taking place virtually on April 9th, 2025 from 1:00 pm to 2:00 pm](https://legalservicesli.org/important-dates/)

Scan the QR code or visit this link to register  
<https://legalservicesli.org/important-dates/>



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## Just a Note

Legal Services of Long Island makes every effort to keep legal educational materials up to date. The information contained in this material is not legal advice. Legal Advice depends upon the specific facts of each situation. These materials cannot replace the advice of competent legal counsel.



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## Introduction

- Children can be eligible for a variety of benefits from the Social Security Administration
  - Survivor's benefits
  - Dependent's benefits
  - Supplemental Security Income
  - Disabled Adult Child benefits
- This presentation is focusing on eligibility for Supplemental Security Income (SSI)



Introduction



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## Overview

1. Eligibility Criteria
  - a. Financial eligibility
  - b. Medical Criteria
2. Application Process
3. Appeal Process



Overview



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## Financial Eligibility

- **Income Limits**
  - Income to the child (e.g. work earnings, child support)
  - Deemed income from parents or guardians
    - Earned
    - Unearned
- **Asset Limits**
  - \$2,000 asset limit
  - Can include assets from guardians



Financial Eligibility



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## Deeming Chart 2025

Number of Ineligible Children	Parent-To-Child							
	All Income Is:							
	Earned Income				Unearned Income			
	1 Parent		2 Parent		1 Parent		2 Parent	
	Reduction Begins	Eligibility Ceases	Reduction Begins	Eligibility Ceases	Reduction Begins	Eligibility Ceases	Reduction Begins	Eligibility Ceases
0	2,059.00	3,993.00	3,025.00	4,959.00	1,007.00	1,974.00	1,490.00	2,457.00
1	2,543.00	4,477.00	3,509.00	5,443.00	1,491.00	2,458.00	1,974.00	2,941.00
2	3,027.00	4,961.00	3,993.00	5,927.00	1,975.00	2,942.00	2,458.00	3,425.00
3	3,511.00	5,445.00	4,477.00	6,411.00	2,459.00	3,426.00	2,942.00	3,909.00
4	3,995.00	5,929.00	4,961.00	6,895.00	2,943.00	3,910.00	3,426.00	4,393.00
5	4,479.00	6,413.00	5,445.00	7,379.00	3,427.00	4,394.00	3,910.00	4,877.00
6	4,963.00	6,897.00	5,929.00	7,863.00	3,911.00	4,878.00	4,394.00	5,361.00

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## Asset Deeming

- If a child lives in a one-parent home, \$2,000 of the parent's assets are excluded
- If child lives in a two-parent home, \$3,000 of the parent's assets are excluded



Asset Deeming



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## Disability Criteria



Disability Criteria

1. Not working over the level of Substantial Gainful Activity
2. Impairment(s) that cause marked or severe functional limitations
3. Impairment has lasted or can be expected to last for 12 months or result in death



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## Listings of Impairments

- Social Security published a list of impairments and criteria that automatically show disability if met
- Organized by affected body system
- The list can be found at <https://www.ssa.gov/disability/professionals/bluebook/ChildhoodListings.htm>



Listings of Impairments



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## Functional Equivalence

- If the listings are not met, a child applicant must show two marked or one extreme limitation in the functional domains
- A marked limitation “interferes seriously with your ability to independently initiate sustain, or complete activities”
  - Equivalent of scores that are at least 2 but less than 3 standard deviations below the mean.
- An extreme limitation “interferes very seriously with your ability to independently initiate, sustain, or complete activities”
  - Equivalent to at least 3 standard deviations below the mean



Functional Equivalence



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## Functional Domains

1. Acquiring and using information
2. Attending and completing tasks
3. Interacting and relating with others
4. Moving about and manipulating objects
5. Caring for yourself
6. Health and physical well-being



Functional Domains



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## Prepare to Submit an Application

- Request and compile medical records from the child's doctors.
  - Hipaa form available at: [https://www.nycourts.gov/forms/hipaa\\_fillable.pdf](https://www.nycourts.gov/forms/hipaa_fillable.pdf)
  - Reproductive health attestation available at: <https://www.hhs.gov/sites/default/files/model-attestation.pdf>
- Request and compile school records including IEPs, discipline records, and attendance records
- Complete testing (e.g. IQ testing, imaging scans, etc.)
- Request letters from doctors and teachers discussing how impairments affect the functional domains
  - Teacher questionnaire: <https://www.ssa.gov/forms/ssa-5665-bk.pdf>



Prepare an Application



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## How to Submit an Application

1. Apply online at: <https://www.ssa.gov/apply/ssi>
2. Set up an appointment to apply by phone or in person
 

**Federal Hotline:** (800) 772-1213

**Freeport:** (866) 964-0028

**Melville:** (866) 964-0165

**Mineola:** (866) 758-1318

**Patchogue:** (866) 771-1991

**Riverhead:** (888) 397-9819

**West Babylon:** (866) 964-7375
3. Fill out the forms and mail them or fax them to the local SSA office
  - SSA 3820-BK
  - SSA 8000-BK
  - SSA 827



Submit an Application



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## Identity Verification

**On March 18, 2025, the Social Security Administration (SSA) announced new identity verification procedures**

**Starting April 14, 2025, claimants will have to perform digital identity proofing using my SSA accounts or in person identity verification**

**This verification is not necessary for applications but is necessary to change payment information**

**The press release can be found at:**

**<https://www.ssa.gov/news/press/releases/2025/#2025-03-18>**



Identity Verification



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## Initial Application

- The case will be sent to an analyst.
- The analyst may request new or updated records or forms
- The child may be sent to a consultative examination with a doctor
- The initial decision usually comes within 3-9 months



Initial Application



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## Appeal Process

- Reconsideration
- Administrative Law Judge (ALJ) Hearing
- Appeals Council
- Federal Court

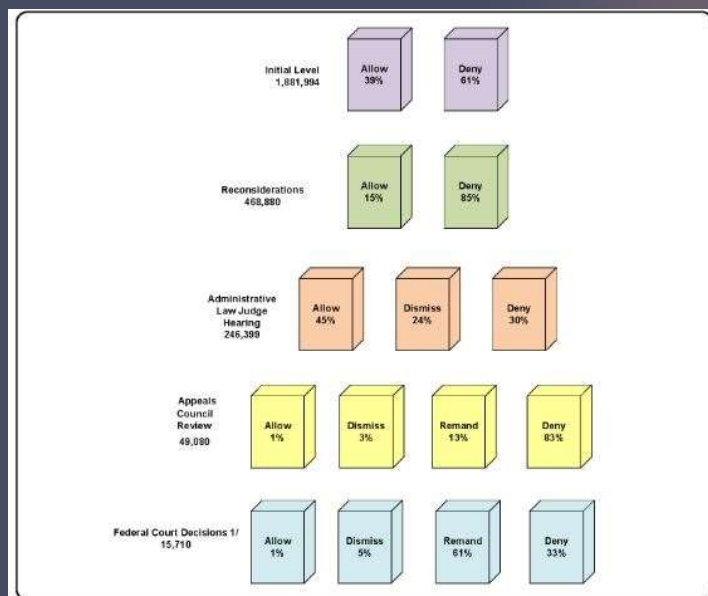


Appeal Process



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## Waterfall Chart



Waterfall Chart



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## Reconsideration

- Request Reconsideration within 60 days of the SSI denial
- Obtain and submit updated medical records
- Online at: <https://www.ssa.gov/apply/appeal-decision-we-made>
- Or call your local Social Security Office to make an appointment
- A new analyst will review the complete file and make a new decision
- Usually takes another 3-9 months



Reconsideration



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## Administrative Law Judge (ALJ) Hearing

- Request an ALJ hearing within 60 days of the Reconsideration denial
- <https://www.ssa.gov/apply/appeal-decision-we-made>
- Submit updated medical records
- Usually, 6-8 months before a hearing is scheduled
- Hearings are done via telephone, Microsoft Teams, or in person



Administrative Law  
Judge Hearing



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## Appeals Council

- 60 days from Administrative Law Judge (ALJ) decision to submit an appeal
- Online at: <https://www.ssa.gov/apply/appeal-decision-we-made>
- Appeals Council (AC) only reviews to determine if the ALJ followed the rules
- Must decide whether to appeal or reapply for benefits
- Consult an attorney
- Takes about a year to get a decision



Appeals Council



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## Federal Court

- Within 60 days of an Appeals Council (AC) denial
- Reviewing for legal error
- If unrepresented contact the “pro se office” at (631) 712-6060
- Can submit a federal court complaint and reapply for benefits



Federal Court



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# Questions?



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## Thank you for attending!

If you have any questions, please contact  
631-232-2400 or 516-292-8100

Check out our website at  
[www.legalservicesli.org](http://www.legalservicesli.org)



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