

# **SSI-Admin Handbook Release 11-01**



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# INTRODUCTION

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## 1.1 INTRODUCTION

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### 1.1.1 Purpose

The purpose of the state Supplemental Security *Income* (SSI) Supplement is to provide a cash supplement to all Wisconsin residents who receive federal SSI. State SSI Supplement payments are authorized by state statute at Wis. Stats. (exit DHS), Ch. 49.77 and 49.775.

Most SSI recipients receive both federal and state SSI payments. However, in Wisconsin about 10% of SSI recipients receive only a state SSI payment.

This policy manual is intended to assist your understanding of the policies and procedures that guide the DHS in its administration of the state SSI Supplement.

### 1.1.2 Background

Supplemental Security Income guarantees cash assistance to low-income persons aged 65 and older and to persons who have not yet reached age 65 who are blind or disabled and unable to engage in substantial gainful activity (SGA).

Supplemental Security Income was authorized nationally in 1972 as Title XVI of the Social Security Act and became effective in 1974. Federal SSI has uniform nationwide financial and nonfinancial eligibility requirements.

Federal SSI payments are administered by the federal government through the Social Security Administration (exit DHS) (SSA). Any person may apply for Federal SSI at an SSA district office by calling the SSA's toll-free number 1-800-772-1213 or applying online at <http://www.ssa.gov/>.

Refer to <https://secure.ssa.gov/apps6z/FOLO/fo001.jsp> (exit DHS) to locate any SSA district office by zip code.

Federal law gives states the option to administer their own state SSI Supplement or to contract with the SSA to administer the payment for the state.

Beginning January 1, 1996, Wisconsin began to administer its own state SSI Supplement. At the same time, eligibility for the state SSI Supplement for new applicants who were not eligible for a federal SSI cash payment was eliminated from state law.

Approximately 17,000 recipients of SSI who were receiving only a state SSI payment at that time were granted "grandfathered eligibility status."

Currently, the only means by which a person who is not among those who maintain their grandfathered status may begin to receive a state SSI Supplement is by first obtaining eligibility for federal SSI cash benefits.

If a person is found eligible for federal SSI, he or she is automatically eligible for state SSI and information about the person's eligibility is transferred from the SSA to the Department of Health Services (DHS) to begin the state SSI payment.

The reader is advised that while the Department of Health Services administers its own state SSI payment, it does so in concert with the federal SSA.

Especially as it pertains to eligibility determinations, maintenance of payment and identifying information and terminations and appeals for recipients who receive both federal and state SSI payments, information sharing is constant.

Electronic communication of information occurs weekly via the state Data Exchange.

Payment levels for the state SSI Supplement are based on a combination of factors, including:

- Marital status.
- Living arrangement.
- Income.

Additionally, some state SSI recipients are certified by county agencies for increased payment amounts under the SSI-*Exceptional Expense Supplement* or *Caretaker Supplement* provisions of state law.

The state SSI Supplement, unlike federal SSI, is not indexed annually to reflect a cost of living adjustment. State SSI payment levels are found in [4.1.7 SSI Payment Levels](#).

DHS contracts with HP Enterprise Services, a private data processing firm, to maintain state SSI Supplement recipient files and produce monthly state SSI payments and related client notices.

HP Enterprise Services also provides a toll-free Member Services line 1-800-362-3002 to respond to recipient inquiries. Member Services is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

### **1.1.3 Organization**

This manual is divided into two main sections:

[2.1 Federal and state SSI Recipients](#)

[3.1 state-Only SSI Recipients](#)

### **1.1.4 Companion Handbooks**

[SSI-E Handbook](#)

[CTS Handbook](#)

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# POLICY FOR RECIPIENTS OF BOTH FEDERAL AND STATE SSI PAYMENTS

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## 2.1 FEDERAL AND STATE SSI RECIPIENTS

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### 2.1.1 Personal Eligibility

1. To become eligible for state Supplemental Security *Income* (SSI) Supplement, a person must first apply for and be found eligible to receive federal SSI.

Only those individuals who were receiving only a state SSI Supplement, and not a federal SSI payment, as of December 1995 and who continue to maintain their "grandfathered state-only SSI status" are excluded from this requirement.

2. To qualify for federal SSI and thereby automatically become eligible for the state SSI Supplement, an applicant must meet federal SSI financial and non-financial eligibility requirements.

### **2.1.2 Non-Financial Eligibility**

The requirements for SSI non-financial eligibility are that a person must be 65 years of age or older or blind or disabled.

He or she must meet the SSA's test for U.S. citizenship or meet immigrant status requirements and be a resident of the U.S. In order to receive the state SSI Supplement, a person must reside in Wisconsin.

### **2.1.3 Financial Eligibility**

To meet the financial qualifications for SSI a person must achieve and maintain the following financial criteria:

1. Have assets that are not more than \$2,000 for an individual or \$3,000 for a couple. The following assets/properties are to be excluded such as:
  - Own home if the person resides there.
  - One vehicle, regardless of value, if it is used for transportation for the recipient or a member of the recipient's household.
  - Life insurance policies of no more than \$1,500.
  - Household goods and personal belongings.
  - Burial plot and a burial fund of not more than \$1,500 per person.
2. The recipient must have a monthly income that is not more than the applicable Federal maximum SSI payment level, plus \$20. (In 2011, maximum federal SSI payment levels, plus disregards, were \$674 for an individual and \$1,011 for a couple.)

### **2.1.4 Effective Date**

The effective date for receiving state SSI is the date an applicant becomes eligible for federal SSI. In some instances, several months may pass before the SSA completes an individual's eligibility review and determination.

However, once the SSA finds a person eligible for federal SSI, the SSA will make retroactive SSI payments to the person for all the months in which they were eligible to receive federal SSI.

The state SSI Program will also pay retroactive state SSI payments beginning the month when an individual became eligible for federal SSI payments.

### **2.1.5 State SSI Payment Levels**

SSI payment levels effective January 1, 2011, by living arrangement, are in [4.1 SSI Payment Levels](#). A monthly state SSI payment may include as many as three components: state SSI payment, *Exceptional Expense Supplement*, and *Caretaker Supplement*.

#### **2.1.6 Method of Payment**

Recipients may receive state SSI payment in the form of a paper check mailed to their address or that of their *representative payee* or they may opt for electronic funds transfer (EFT) of their payment to a personal savings or checking account at a financial institution.

Recipients who receive both a federal SSI payment and a state SSI payment who opt for EFT must provide their bank account number and bank routing number for SSI payment to occur.

**Note:** When a recipient opts for EFT of federal SSI benefits, his or her state SSI payment must also be made electronically.

#### **2.1.7 Relationship Between State SSI and Medicaid**

Any Wisconsin resident who is eligible for federal or state SSI is also eligible for [Wisconsin Medicaid](#), also referred to as Forward Health (formerly *Medical Assistance* (MA) or *Title XIX*.)

*Medicaid is a health care benefit that covers a wide range of medical, therapeutic, and supportive care. Recipients receive a monthly identification card that must be presented when covered services are provided.*

#### **2.1.8 Termination of State SSI**

Because eligibility for state SSI is based on eligibility for federal SSI, a person who loses his or her federal SSI eligibility will also be terminated from the state SSI Supplement. See [3.1 state-Only SSI Recipients](#).

Other factors that may result in the loss of state SSI Supplement:

1. Admission to a nursing home longer than 90 days, effective the first of the month following the 90th day after admission.
2. Incarceration.
3. Move out of state.
4. Voluntary withdrawal from the SSI Program by a recipient.
5. Placed in a nonpayment status for 12 months or longer.
6. Increase in unearned income due to a federal cost of living adjustment (COLA) for a recipient of Social Security or Social Security Disability Insurance (SSDI) benefits.

#### **2.1.9 Movement of State SSI Recipients Out of State**

If a federal and state SSI recipient moves out-of-state, the recipient must report such movement to Federal SSA and to DHS' Member Services at 1-800-362-3002.

#### **2.1.10 Losing State SSI Eligibility Due to SSA COLA Increases**

Annually the federal government applies a COLA to Social Security and SSDI benefits. These COLA increases may cause ineligibility for state SSI benefits.

#### **2.1.11 503 Status Provisions**

Under the state SSI 503 status provisions, persons who lose their state SSI eligibility due to the federal government's COLA will maintain their Medicaid coverage for three months.

Before the end of three months the individual must contact his or her county human or tribal social services department to apply for ongoing Medicaid eligibility.

#### **2.1.12 Termination of State SSI-E Payments**

State SSI-E recipients will be terminated from the SSI-E Supplement when DHS receives a SSI-E decertification action from a county agency.

**Note:** All SSI-E recipients must meet all federal eligibility criteria for SSI before they can be certified for the SSI-E Supplement. In some instances before January 1, 1996, a person who is certified by the county for SSI-E may not receive a regular monthly SSI payment.

This nonreceipt of monthly SSI payments does not affect SSI-E certification. If a person in a nonpayment or SSI suspense status re-enters current SSI pay status and is SSI-E certified, he or she will be paid using the SSI-E living arrangement payment standard.

#### **2.1.13 Termination Date**

A recipient will receive one additional monthly state SSI payment after any month in which he or she is found ineligible for state SSI.

#### **2.1.14 Eligibility Review by the SSA Department of Health Services (DHS)-Disability Determination Bureau (DDB)**

The SSA and the DHS-Disability Determination Bureau (DDB) will periodically review SSI cases to determine a person's continuing eligibility for federal and state SSI. The SSA's role is to review recipients' continued financial eligibility.

## Policy for Recipients of Both Federal and State SSI Payments

The frequency and type (in-person or mail) of such reviews is dictated by the SSA. The DDB's role is to determine whether people who receive Medicaid or federal or state SSI because of disability continue to meet disability standards.

The frequency of the DDB's review depends upon the likelihood of medical improvement, whether the person seeks work and the DDB's workload. Such periodic reviews of financial eligibility or continuing disability may result in termination from the SSI Program.

### **2.1.15 Appeals and Due Process**

Recipients of the state SSI Supplement have the right to appeal any administrative action that adversely affects their state SSI Supplement. The rights of recipients to appeal includes, but is not limited to, the following:

- State SSI benefits are denied.
- State SSI benefits are suspended.
- State SSI benefits are reduced.
- A recipient's eligibility is terminated.
- State SSI benefits are incorrectly determined.

A recipient of federal and state SSI should appeal an adverse decision regarding his or her state and federal SSI benefits to the SSA, because the action of the state SSI Program was based on a federal eligibility determination or action.

### **2.1.16 20 Day Notice Requirement**

Notice of actions by the DHS that adversely affect receipt of state SSI benefits must be provided at least 20 days prior to the effective date of the action, with the following exceptions:

1. There is factual information confirming the recipient has died.
2. The recipient or payee has communicated in a signed written statement that the benefit is no longer desired, or has communicated this by phone and has not contradicted this communication.
3. The recipient or payee provides information that requires adverse action and states in writing or communicates verbally that he or she knows adverse action will result.
4. The recipient has been admitted to a nursing home or other institution and no longer qualifies for the benefit.
5. The recipient's whereabouts are unknown and the post office returns mail with no forwarding address.
6. There is factual information that the recipient has moved out of state.
7. The action is a denial for initial eligibility for benefits.
8. There is apparent fraud by the recipient.
9. The recipient is incarcerated.

### **2.1.17 Information Included in Notice of Adverse Action**

Any notice of adverse action sent by the DHS to a state SSI recipient or his or her representative payee must include the following:

1. A statement describing the intended action.
2. An explanation of the right to seek a hearing and how to request one.
3. The recipient's rights and responsibilities in the hearing process.
4. Information about the availability of free representation.
5. A statement that if the hearing is requested within 10 days of the date on the notice of adverse action, benefits may continue until the hearing decision is made.
6. A statement that the recipient may have to repay benefits continued during the appeal if he or she does not prevail or abandons or withdraws the appeal.
7. The phone number and address to contact for more information, to request informal resolution, or to obtain information about legal assistance regarding the pending adverse action.

#### **2.1.18 Advocacy Resources During an Appeal**

SSI recipients who receive notice of an action by the DHS that adversely affects their receipt of SSI may be eligible for free legal representation during the appeal process. A referral to an agency that provides legal services to low-income residents of Wisconsin may be obtained by calling Member Services at 1-800-362-3002.

#### **2.1.19 State SSI Payment While an Appeal is Pending**

If a federal and state SSI recipient asks for and is granted SSI payment continuation by the SSA while an appeal is pending, the state SSI Program will follow suit and continue state SSI payments. **State SSI payments will only be continued if SSA grants a continuation of federal SSI payments.**

A federal and state SSI recipient who has a payment continuation while appealing to the SSA will, in the event of losing his or her appeal with the SSA, be required to refund to the state SSI Program all state SSI payments paid to them during the time of their appeal.

#### **2.1.20 Continuation of Medicaid Eligibility While a Disability-Related Appeal is Pending**

The Department of Health Services will continue Medicaid eligibility during the period of time an appeal of denial of SSI eligibility due to loss of disability is pending, regardless of whether a recipient has elected to continue cash benefits during an appeal.

#### **2.1.21 Overpayment Policy**

Effective July 1, 2006, [HFS 2](#) regulates recovery of overpayments.

**2.1.22 Non-Receipt of State SSI Checks**

If a state SSI recipient has not received his/her monthly state SSI check within three business days after the first of the month, the recipient must call Member Services to report nonreceipt of the check and DHS shall:

1. Verify that the recipient was eligible for payment that month.
2. Verify that the recipient's correct address is on file.
3. Inform the recipient to call back after three additional business days, to allow for possible mail delays.
4. Place a stop pay on the original check if the recipient makes a call back. DHS will issue a replacement check to the recipient in the next weekly check cycle.

**2.1.23 Lost or Stolen State SSI Checks**

Based on provisions in s20.912(5), [Wis. Stats.](#) (exit DHS), DHS is not liable for cashed checks where a recipient claimed the check was lost, stolen, or not received.

Upon receiving written notification from the recipient that a state SSI check has been stolen and that the recipient has filed a report of the theft with the police, DHS will attempt to stop payment on the original check and may re-issue the payment to the recipient.

**2.1.24 Request for Written Verification of State SSI Monthly Payment Amount**

Upon request by authorized agencies such as a state SSI recipient's representative payee, emergency assistance or housing authorities, DHS will provide verification of a state SSI recipient's monthly state SSI payment amount.

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# POLICY FOR RECIPIENTS OF STATE-ONLY SSI PAYMENTS

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## 3.1 STATE-ONLY SSI RECIPIENTS

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### 3.1.1 Personal and Financial Eligibility

To be eligible for state SSI Supplement as a state-only cash and/or *Medicaid* recipient, a person must meet **all** of the following criteria:

1. "Grandfathered" as a state-only SSI recipient in December 1995.
2. Maintain *resources* that are not more than \$2,000 for an individual or \$3,000 for a couple (cash on hand or in savings or checking accounts).

The following resources are to be excluded such as:

- Own home if the state-only recipient resides there.
- One vehicle, regardless of value, if it is used for transportation for the recipient or a member of the recipient's household.
- Life insurance policies with a face value of not more than \$1,500.
- Household goods and personal belongings.
- Burial plot and a burial fund of not more than \$1,500.

3. Maintain residence in the state of Wisconsin.
4. Meet program *income* and disability eligibility criteria.
5. Reside in an allowable living arrangement for recipients of SSI.

State-only SSI recipients, by definition, are individuals who, because of either earned or unearned income, have income that is higher than the federal SSI payment level, but lower than the combined federal and state SSI payment level (taking into account any income disregards).

A state-only SSI recipient may either be receiving a state-only regular SSI payment or receiving this payment in conjunction with the Exceptional Expense Supplement (E-Supplement) or *Caretaker Supplement* (CTS), or both.

However, effective January 1, 1996, no new certifications for the Exceptional Expense Supplement may occur in the case of individuals who were not state-only recipients as of that date or are not federal and state SSI recipients at the time of certification.

For married individuals applying for or receiving state-only SSI, the spouse's income is not counted. However, the total assets of the couple are counted.

### **3.1.2 Effective Date**

The effective date for eligibility for all state-only SSI recipients was December 1995.

However, individuals who were participating in Social Security Administration's (SSA) work incentive programs or a Plan for Achieving Self-Support (P.A.S.S.) in December 1995 may, on a case-by-case basis, be considered for state-only SSI recipient status.

In these situations, an individual's income must be less than the combined maximum federal and state payment level, minus disregards, that was in effect in December 1995.

### **3.1.3 State-Only SSI Payment Levels**

SSI payment levels effective January 1, 2011, by living arrangement, are in [4.1 SSI Payment Levels](#). A monthly state-only SSI payment may include as many as three components: State SSI payment, [Exceptional Expense Supplement](#) and [Caretaker Supplement \(CTS\)](#).

### **3.1.4 Method of Payment**

Recipients may receive state-only SSI payments in the form of a paper check mailed to their address or that of their *representative payee* or they may opt for

electronic funds transfer (EFT) of their payment to a personal savings or checking account at a financial institution.

Recipients who receive only a state SSI payment who opt for EFT must provide their bank account number and bank routing number to Member Services at 1-800-362-3002 for payment to occur.

### 3.1.5 Relationship Between State-Only SSI and Medicaid

Any Wisconsin resident who is eligible for federal or state SSI is also eligible for Wisconsin Medicaid, also referred to as [Medical Assistance](#) (MA) or *Title XIX*. Medicaid is a health care benefit that covers a wide range of medical, therapeutic, and supportive care.

Recipients receive an identification card (Forward Card) that must be presented when covered services are provided.

**Note:** Some grandfathered state-only SSI recipients receive Medicaid benefits, but no cash benefits. These recipients are referred to as **state-only 1619(b) recipients**. Eligibility reviews may determine that a state-only 1619(b) recipient has a change in employment earnings that once again make them eligible for cash benefits. Assuming these recipients still meet all other SSI requirements, the State SSI cash benefit would be restored in future benefit months.

### 3.1.6 Termination From State-Only SSI Due to Unearned Income

Termination of state-only SSI cash payment and Medicaid will result if the recipient's monthly **unearned** income, minus a \$20 disregard, exceeds the combined amount for the following:

- The federal SSI benefit amount
- The state SSI benefit amount
- The *exceptional expense supplement*

See [4.1 SSI Payment Levels](#) for the current amounts.

Terminations based on excess unearned income will occur monthly.

### 3.1.7 Termination of State SSI Cash Benefits and Medicaid Due to Earned Income

Many SSI recipients earn wages from work.

Termination of SSI cash benefits will occur when a recipient who is otherwise eligible, based on unearned income and assets, has countable earned income that increases the countable total income to an amount higher than the current combined monthly amount of SSI cash benefits.

Countable earned income is defined as all income from wages, minus the following:

- The first \$65 of earned income.
- Half of the remaining earned income.
- Blind work expenses.
- Impairment related work expenses.

Terminations from state-only SSI cash benefits, Medicaid and grandfathered status due to earned income will occur annually.

### **3.1.8 1619(b) Medicaid Work Incentive Program for State-Only SSI Recipients**

A state-only SSI recipient who, because of earnings from employment, no longer meets the financial eligibility requirement for state SSI cash benefits may be placed in state 1619(b) Medicaid status.

The federal and state 1619(b) Medicaid programs allow certain former recipients of cash payments from federal or state SSI to maintain Medicaid coverage. To obtain Medicaid eligibility under Section 1619(b) of the Social Security Act, the recipient must meet the following requirements:

1. Continue to have a disabling condition.
2. Need Medicaid in order to work.
3. Be unable to afford equivalent medical coverage and publicly funded personal and attendant care which would be lost without assistance.
4. Meet all nondisability requirements for SSI other than earnings.
5. Have been eligible to receive SSI cash payment in a previous month with the current period of eligibility.
6. Have combined maximum gross earnings less than the "charted threshold" established by SSA or an individualized threshold determined by the state SSI Program. In 2011, the charted threshold is \$32,284.

During an eligibility review, if there has been a change in the earnings from employment in which the recipient would again meet the financial eligibility requirement, and still meet all other SSI requirements, the state SSI cash benefit could be restored for future benefit months.

### **3.1.9 Additional Reasons for Termination From State-Only SSI**

1. The person dies, **or**
2. The person fails to complete and return the state SSI Annual Eligibility Review, **or**
3. Note: Persons placed in state-only 1619(b) Medicaid status must also complete an annual eligibility review, **or**

4. The Disability Determination Bureau (DDB) has determined, during continuing disability or medical review for Medicaid, SSI or Title II (SSDI or Social Security), that a finding of disability or blindness no longer exists.

### **3.1.10 Moves Out of State**

If a state-only SSI recipient moves out of state, the recipient must report such movement to Member Services at 1-800-362-3002. DHS will then note the recipient's out of state address change.

Unless otherwise notified, DHS will assume the change is correct and immediately place the recipient in a nonpayment status. If the recipient remains in a nonpayment status for more than 12 months, the recipient will lose his or her grandfathered status.

If the recipient returns to Wisconsin within 12 months, he or she will be paid the next month following the month of his or her return to Wisconsin.

### **3.1.11 Termination From Grandfathered State-Only Status**

Loss of grandfathered state-only status will result if any of the following occurs:

1. The recipient dies, **or**
2. The recipient remains in nonpayment status for state SSI for more than 12 consecutive months, **or**
3. The recipient has been placed in state-only 1619(b) Medicaid status.

### **3.1.12 Eligibility and Termination of SSI-E**

All state-only SSI-E recipients must meet all eligibility criteria for state SSI before they may be certified for the SSI-E Supplement. In some instances before January 1, 1996, a person who is certified by the county for SSI-E may not receive a regular monthly SSI payment.

This nonreceipt of monthly SSI payments does not effect SSI-E certification. If a person in a nonpayment or SSI suspense status goes back into current SSI pay status and is SSI-E certified, he or she will be paid on the SSI-E living arrangement payment standard.

Only a county agency-initiated termination or decertification action will change an SSI-E recipient's eligibility status to decertified or terminated.

### **3.1.13 Termination Date**

A recipient will receive one additional monthly state-only SSI payment after any month in which he or she is found ineligible for state-only SSI. Exceptions are as follows:

1. Terminations due to excess unearned income will be effective on the first of the month following the month in which the income is reported to the SSI Program.
2. Terminations based on information gathered in the state SSI Annual Eligibility Survey will be effective January 1 of the following year.
3. Termination will be immediate when the SSI Program learns that a recipient has died, been incarcerated, or placed in a nursing home.

#### **3.1.14 Monthly Review of Unearned Income**

On a monthly basis, the state SSI Program will review the unearned income received by each state-only SSI recipient. Terminations based on excess unearned income will occur monthly.

The state SSI Program will use data from the SSA, state Data Exchange (SDX and BENDEX) to determine the amount of each recipient's unearned income.

#### **3.1.15 Annual Eligibility Review for State-Only SSI Benefits**

Once a year, the state SSI Program will conduct an eligibility review in the form of a written survey mailed to recipients.

The annual review will also verify state-only recipient living arrangement, income, resources, marital status, address change, and any other factors that may affect continued eligibility and payment level.

DHS will verify reports of income using information provided by the state Wage and Income Compensation Agency (SWICA) report.

Based on this review, the state SSI Program will adjust state SSI payment amounts and recipients may also be placed in state SSI work incentive programs such as 1619(b) Medicaid.

State-Only SSI recipients who lose eligibility for state-only SSI payment because of information gathered in the annual survey or failure to complete and return the survey will be informed in writing regarding loss of state SSI benefits and right to a hearing.

[4.2 Forms and Pubs](#) contains a sample Annual Eligibility Review Form.

#### **3.1.16 Appeals and Due Process**

State-only SSI recipients have a right to appeal any administrative action and decision that adversely affects their state SSI benefits. This right to a fair hearing includes the following:

1. State-only cash or 1619(b) Medicaid benefits are denied.

2. State-only SSI cash or 1619(b) benefits are suspended.
3. State-only SSI cash benefits are reduced.
4. State-only SSI benefits are incorrectly determined.

**Note:** State-only SSI recipients must appeal any adverse action the DHS takes regarding their state-only SSI benefits to the Division of Hearings and Appeals, P.O. Box 7875, Madison, WI 53707-7875.

All appeals must be in writing and should include the person's Social Security Number and the reason(s) for the appeal for hearing on the adverse action.

### **3.1.17 State-Only SSI Payment Continuation While Appeal is Pending**

If a state-only SSI recipient asks for and is granted state SSI payment continuation by the Division of Hearings and Appeals, the state SSI Program will continue making a state SSI payment while the person's appeal is pending.

A state-only SSI recipient whose appeal is settled in favor of the DHS must refund the state SSI Program all state SSI payments he or she received while the appeal was pending.

### **3.1.18 Dismissal of Appeals**

The Division of Hearings and Appeals may dismiss a request for a hearing where:

1. The action contested is a result of a change in federal or state law or policy affecting a significant number of recipients (a "mass change") unless the contested issue for requesting a hearing is that the new law or policy has been incorrectly applied in this case.
2. A request for a hearing was made past 45 days from the date indicated on the notice sent to the recipient.
3. The petitioner or his or her representative do not appear at the scheduled hearing without good cause being shown.

### **3.1.19 Timeliness of Appeals**

All requests for a hearing on an adverse action by the DHS must be sent to the Division of Hearings and Appeals within 45 days from the date shown on the notice sent to the recipient.

#### **Exceptions:**

1. All requests for state-only SSI payment continuation while an appeal is pending must be received by the Division of Hearings and Appeals within 10 days from the date shown on the notice sent to the recipient.
2. The state-only SSI recipient is incarcerated.
3. There is evidence of fraud.

### **3.1.20 Notice of Termination**

The notice of benefit termination sent to any state-only recipient or his/her representative payee will include the following:

1. A statement describing the intended action.
2. The basis for the intended action.
3. The recipient's rights and responsibilities in the hearing process.
4. Information about the possible availability of free legal representation.
5. A statement that informs the recipient that if he or she requests a hearing before the effective date of the action state-only SSI benefits may continue until the hearing decision is made.
6. A statement that informs the recipient that if he or she requests a hearing before the effective date of the action state-only SSI benefits may continue until the hearing decision is made.
7. A statement that the recipient may be required to repay state-only SSI payments that are ordered to be continued during the appeal if the recipient does not prevail or abandons or withdraws from the hearing.
8. A toll free number to call to receive more information.

### **3.1.21 Advocacy Resources During an Appeal**

Any SSI recipient who receives notice of an action by the DHS that adversely affects his or her receipt of SSI may be eligible for free legal representation during the appeal process.

A referral to an agency that provides legal services to low-income residents of Wisconsin may be obtained by calling Member Services at 1-800-362-3002.

### **3.1.22 Establishing a Representative Payee for State-Only Benefits**

Representative payees for SSI recipients are established at the request of a recipient or when a recipient cannot manage his or her own SSI payment benefits. Representative payees may be either individuals, county agencies, or nonprofit agencies.

State-only SSI recipients who receive SSDI or Social Security payments must refer all inquiries for establishing a representative payee to SSA.

State-only SSI recipients who do not receive SSDI or Social Security payments should contact the human or social services department in their county of residence to inquire about obtaining the services of a representative payee.



## Policy for Recipients of State-Only SSI Payments

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# APPENDIX

## 4.1 SSI PAYMENT LEVELS

[4.1.1 PDF Version and Introduction](#)

[4.1.2 Medicaid](#)

[4.1.3 FoodShare](#)

[4.1.4 Other Social Services](#)

[4.1.5 SSI Payments](#)

[4.1.6 For More Information](#)

[4.1.7 Table of SSI Payment Levels](#)

### 4.1.1 PDF Version and Introduction

This document is also available in Adobe Acrobat: [SSI in Wisconsin 2008](#) (PDF, 38KB).

People in financial need who are 65 or older or people of any age who are blind or disabled may be eligible for monthly cash payments from the federal Social Security Administration (SSA) and from the state Department of Health Services (DHS). The payments are called Supplemental Security *Income* (SSI). You can receive the state SSI payment only if you qualify for a federal SSI payment. (One exception is a small group of grandfathered SSI recipients who still receive the state SSI payment they qualified for in December of 1995.) You may be eligible for SSI payments if you have little or no income and if your assets are \$2,000 or less for a single person or \$3,000 or less for a married couple. Certain assets do not count, such as your home and car. You can apply for SSI at your nearest Social Security office. You do not have to apply separately for the state SSI payment. You will automatically receive the state SSI payment as long as you qualify for a federal SSI payment. You will receive both SSI payments during the first week of each month.

### 4.1.2 Medicaid

If you receive SSI payments, you automatically qualify for *Medicaid (Medical Assistance/ Title 19)*. A separate Medicaid application is not necessary. As long as you receive SSI, the state will authorize your Medicaid every month. You will receive a "Forward" card to show to your medical providers when you first become eligible for Medicaid. If you also have *Medicare*, the state will automatically pay your out-of-pocket Medicare costs - such as Medicare premiums, deductibles and co-payments.

### 4.1.3 FoodShare

When you receive SSI, you also may qualify for FoodShare. FoodShare can help you buy more food without having to spend other income. County Social Services/Human Services agencies take FoodShare applications. However, people who live in a household where everyone is applying for or receiving SSI may apply for FoodShare at the Social Security Office.

#### **4.1.4 Other Social Services**

Additional social services are available to SSI recipients through county Social Services/ Human Services agencies. These services include: • Homemaker and chore services • Long term support and care • Rehabilitation services • Protective Services For more information about these and other social services, contact your county Social Services/Human Services agency.

#### **4.1.5 SSI Payments**

[4.1.7 Table of SSI Payment Levels](#) shows both federal and state maximum SSI payments in 2011 for SSI recipients in different living arrangements. Not all SSI recipients receive the maximum SSI payment amounts. Federal payments may be lower if you have other income - such as Social Security retirement or Social Security disability. But not all of your other income counts toward your eligibility for SSI. Your Social Security office can give you more information about how other income affects federal SSI payment amounts. Everyone who qualifies for a federal SSI payment of any amount automatically qualifies for the maximum state SSI payment. If you lose eligibility for a federal SSI payment, you will also stop receiving the state SSI payment.

#### **4.1.6 For More Information**

You can get more information about federal SSI and how to apply by calling Social Security's toll-free number 1-800-772-1213. You can speak to a service representative between the hours of 7 a.m. and 7 p.m. on business days. If you have a touch tone phone, recorded information is available after 7 p.m. weekdays and all day weekends and holidays. Social Security also has an Internet address: <http://www.ssa.gov/> People who are hearing impaired may call the toll-free TTY number 1-800-325-0778 between 7 a.m. and 7 p.m. on business days. Phone lines are busiest the first week of the month and early in the week, so if your business can wait, it's best to call at other times.

You can get information about your state SSI payment by calling the state SSI toll-free number 1-800-362-3002 (voice/TTY) between the hours of 8 a.m. and 4:30 p.m. on business days, or Fax 1-608-221-0991. Or you can write to DHS/State SSI, P.O. Box 6680, Madison, WI 53716-0680. The state SSI Internet address is <http://dhs.wisconsin.gov/ssi/> You cannot apply for state SSI at this address or phone number. You must apply for SSI at your Social Security Office and you must qualify for a federal SSI payment to receive the state SSI payment.

Medicaid ID Cards: If you receive SSI and have a question about your Medicaid (Forward) card, call 1-800-362-3002.

#### 4.1.7 Table of SSI Payment Levels

##### SSI Payment Rates Effective January 1, 2011

Living Arrangement	Federal Payment	State Payment	Total Payment
Eligible Individual	\$674.00	\$83.78	\$757.78
Eligible Couple	\$1,011.00	\$132.05	\$1,143.05
Couple/ One Spouse Eligible	\$674.00	\$130.43	\$804.43
Eligible Individual	\$449.34	\$83.78	\$533.12
Eligible Couple	\$674.00	\$132.05	\$806.05
Couple/ One Spouse Eligible	\$449.34	\$135.05	\$584.39

##### **Exceptional Expense Supplement**

Eligible Individual	\$674.00	*\$179.77	\$883.77
Eligible Couple	\$1,011.00	*\$477.41	\$1,488.41

##### **Caretaker Supplement**

Effective November 1, 1999	*\$250 for the first eligible child and \$150 for each additional eligible child		
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\*The SSI-E state payment is available to SSI recipients who reside in certain substitute care facilities or who require additional support services in order to live independently. Only County Social Services/Human Services agencies may certify eligible SSI recipients for the SSI-E supplement. The Caretaker Supplement state payment is available to SSI recipients whose dependent children are eligible for certain types of Medicaid.

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[View History](#)

## **4.2 FORMS AND PUBS**

For SSI forms and publications, see  
[http://dhs.wisconsin.gov/ssi/publications\\_1.htm](http://dhs.wisconsin.gov/ssi/publications_1.htm)

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