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PROPER PLANNING MAY CREATE PEACE OF MIND



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CHANGE IN SSI LAWS BENEFIT CLIENTS

Recently, the SSA made changes to the financial eligibility requirements for the Supplemental Security Income (SSI) Program which can benefit our clients. These regulations are effective March 9, 2005.

In order to qualify for and maintain SSI eligibility, an individual's assets must not exceed \$2,000.00 and income may not exceed \$579/month. "Income" was defined as including not just wages and interest but also gifts of 'food, clothing or shelter.' A person who receives SSI is given a limited monthly cash benefit. However, it is the associated Medicaid benefits that are valued.

First, the definition of 'income' has now changed so it does not include clothing. Consequently, family members and friends of an SSI recipient can give that person gifts of clothing without it affecting or reducing the recipient's monthly SSI cash benefit.

Second, under the old rule only \$2,000.00 worth of household goods and personal effects were excluded when determining a person's assets. Now, SSA is eliminating the

limit of household goods and personal effects.

Third, under the old rule the value of an automobile was limited to \$4,500.00 in order for it not to be a counted asset. The exceptions to this rule were if the automobile was used to transport the individual for medical treatment, if it were necessary for employment or, it was a handicapped equipped vehicle. Now, under the new rule SSA will exclude one automobile, regardless of value, if it is used for transportation of the individual or a member of the individual's household.

The SSI eligibility rules have been viewed as harsh, demeaning and failing to provide an incentive for the recipient to improve their situation and come off of SSI or, for family members to help needy relatives. The rules did nothing to protect the dignity and privacy of benefit applicants and recipients.

These changes have been long overdue. The changes to the SSI rules will pave the way for a more humane and dignified existence for recipients of this public benefit.

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ANNOUNCEMENTS:

Stephanie is the Past Chair of The Florida Bar Elder Law Section

Our firm is a proud Business Patron of the Eagle

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