

PUBLIC BENEFITS

If you are disabled and/or earn a low income, you may be able to receive public benefits. If you are HIV-positive, have an AIDS diagnosis or are HIV-symptomatic, you may qualify for disability benefits if your condition keeps you from working and doing daily activities for living.

Who is Considered Disabled?

To be disabled, you must have a medical condition that is assumed to last at least one year or for life, and is serious enough to prevent you from substantial work activity. A monthly gross income of \$1000 or more (annually adjusted) is considered substantial work. Gross income is the amount you make before taxes are taken out.

How Do I Access Public Benefits?

For confidential help in applying for benefits:

- Contact your HIV case manager
- Call (800) 772-1213
- Find a Social Security office near you
- Visit <http://www.socialsecurity.gov>

Applications are available by mail or online at <http://www.socialsecurity.gov/online>, or by calling (800) 772-1213.

In order to qualify for public assistance, be prepared to show the following information:

- Your Social Security card or number and those of any family members applying for benefits
- Your birth certificate and those of any family members applying for benefits
- Copy of your W-2 form (if you are applying to SSI, you will also need income, assets and expenses information such as bank statements, unemployment records, rent receipts and car registration)
- Names of doctors, clinics and hospitals where you have been for treatment
- An explanation of how HIV affects your daily activities, such as cleaning, shopping, cooking or taking the bus
- Descriptions of the jobs you have had over the past 15 years

Even if you do not have all this information when you apply, you should apply now and provide additional information later.

After you file a claim, the Disability Determination Service (DDS) will review your information and decide if you qualify for benefits. The brochure “A Guide for Social Security and SSI Disability Benefits for People with HIV Infection” explains this process. For a copy of the brochure, visit www.ssa.gov or call (800) 772-1213.

You can speed up the process by doing the following:

- Provide medical reports from your doctor, clinic or hospital with your claim
- Write notes about how you feel each day. Document what you are able to do each day and the kinds of things you need help doing.
- Ask your doctor or case manager to keep track of your problems over the course of your illness to provide information on when and how often you have been tired, depressed, had fevers, lost weight, etc.
- If you were working and lost your job, write down what it is about your condition that caused you to stop working.
- Cooperate with DDS staff if they request additional information.

[How Long Will it Take Before I Receive Benefits?](#)

Because the government assumes you are disabled based on your HIV infection, applications from people with HIV/AIDS are processed as quickly as possible. Presumptive SSI is a program for HIV positive people who are awarded 'provisional' SSI payments for up to 6 months while their disability claim is being evaluated. Applicants must be SSI eligible to qualify for this benefit. Presumptive SSI payments start immediately and continue for up to 6 months if:

- You are not working
- You meet SSI guidelines for income and assets
- Your doctor or other medical provider verifies that your illness (HIV/AIDS) meets eligibility rules.
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For copies of the medical source checklist form telling how HIV has affected you, call Social Security at (800) 772-1213 and ask for copies of form SSA 4814 for adults and SSA 4815 for children.

[How Will Working Affect my Benefits?](#)

Returning to work after a disability is an option you may consider. If you return to work, special rules (incentives) allow your benefits to continue. For a complete explanation of these incentives, call Social Security at (800) 772-1213 or visit any Social Security office and ask for the publication "Working While Disabled...How We Can Help."

Work incentives for SSDI include:

- -Your benefit payments are not affected by your earnings for a 9 month trial work period.
- -You will receive a Social Security check for any month that you earn less than \$1000 for the next 3 years if you stay employed after the trial work period and your benefits stop.
- Medicare coverage will continue for 93 months after the trial work period.

Work incentives for SSI include:

- - Medicaid coverage will continue even if earnings are too high to qualify for SSI payments
- Assistance in setting up a Plan to Achieve Self-Support
- Medi-Cal 1619-b which provides continued Medi-Cal coverage even if earnings reduce SSI check to zero

- [Evaluation of HIV Infection in Women](#)

Social Security's eligibility guidelines are different for women than those used for men. Specific criteria for women include yeast infection, genital herpes, pelvic inflammatory disease (PID), invasive cervical cancer and genital warts.

[Evaluation of HIV Infection in Children](#)

Social Security's eligibility guidelines are different for children than they are for adults. To be found disabled, a child must have a condition that exactly matches or is equal in severity to the adult qualifying criteria, childhood HIV listing or other impairment found in the guidelines for child disability.

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

SSI payments are provided to:

- People who have not worked enough to qualify for Social Security or whose Social Security benefits are low.
- Children with disabilities who live in low-income households.
- Non-citizens and immigrants who meet certain criteria.

[Supplemental Security Income for 2010](#)

In California, the basic monthly SSI payment is \$845 for one person and \$1407.20 for a couple, annually adjusted. Payments are made on the first of each month. California residents who receive SSI payments are not eligible for the food stamps program but are eligible for Medicaid benefits. SSI can also supplement a person's income up to a certain level, which can increase every year based on the cost of living. People on SSI must have limited assets (valuable items). For individuals, assets must be valued under \$2000. For couples, assets must be valued under \$3000. Not all income is counted, and assets such as home, one car and personal belongings are not counted. Contact your nearest Social Security office for rules and benefit levels.

[Social Security Disability Insurance \(SSDI\) for 2010](#)

Most people qualify for SSDI by working and paying Social Security taxes and earning credits toward benefits. The most credits you may earn each year are 4. The number of credits you need to qualify for benefits depends on your age and when you became disabled. You will need no more than 40 credits and children may need as few as 6.

The amount of your Social Security benefits depends on your earnings history. Generally, higher earnings mean higher payments. Your Social Security office can provide you with an estimate of benefits based on your income history or you can visit <http://www.socialsecurity.gov>.

You can also check to make sure your earnings estimate is correctly recorded. This is important for people living with HIV who have not developed debilitating symptoms so that any potential benefits will not be delayed by corrections to earnings or wages.

After you receive SSDI payments for 24 months, you will also qualify automatically for Medicare. SSDI payments are made on the 2nd, 3rd or 4th Wednesday of each month.

[General Relief/General Assistance](#)

Also known as welfare, this county-funded program provides financial help to those who cannot support themselves on their own, by friends or relatives, by public funds or by other public assistance programs. People with a disability such as HIV/AIDS are eligible for this program, but SSI payments are usually better suited for people with disabilities.

[Cash Assistance Program for Immigrants \(CAPI\)](#)

If you live in California and intend to stay, you may be eligible for Cash Assistance Programs for Immigrants (CAPI). This assistance is available to:

- Lawful, permanent residents
- Persons with a sponsor who has signed an affidavit of support for the immigrant
- Asylees (non-citizens who have been allowed to live in the U.S. because of well-founded fear of persecution in their home country)
- Persons granted conditional entry
- Cuban or Haitian entrants
- Persons paroled in the U.S. for at least one year
- Persons granted withholding of deportation or removal
- Battered spouses, battered children or parents of a child who is battered
- Non-citizens who, while outside the U.S., were granted permission to enter and live in the U.S. because of well-founded fear of persecution in their home country (refugees)

[Medicaid \(Medi-Cal\) and Medicare](#)

Medicaid and Medicare are the nation's two major government-run health insurance programs. Generally, individuals on SSI and individuals with low income qualify for Medicaid. California's

Medicaid program is called Medi-Cal. You may qualify for Medi-Cal if you are currently not receiving SSI payments.

Medicare coverage is earned by working in jobs covered by Social Security or working for the federal government. You may qualify for both Medicaid and Medicare (Medi-Cal). Medi-Cal services are provided at no cost and include:

- Inpatient and outpatient hospital care
- Doctor services
- Diagnostic tests
- Skilled nursing care
- Home health visits
- Hospice care
- Medications on the Medi-Cal formulary that are not covered by Medicare Plan D (if receiving Medicare Plan D)
- Other medical services

CARE HIPP

CARE HIPP is a short-term assistance program to help disabled people pay the premium costs of their private health insurance while they transition to the public health system. This is done through the state's Medi-Cal/HIPP program, county-organized health system HIPP program or through Medicare. To qualify for CARE HIPP, you must:

- Be disabled (CDPH Physician's Statement signed by a doctor licensed in California stating that you cannot work full time due to HIV/AIDS related conditions or letter of award from a private disability policy or the SSDI program)
- Be unable to work full-time
- Have an income that does not exceed 400% of the current Federal Poverty Level (\$3,610 for a family of one in 2010)
- Have assets valued at less than \$6,000 for one person (excluding one house, one motor vehicle and personal effects)
- Have monthly premiums of less than \$700 for one person or \$900 for a family policy (for a COBRA and Self-Pay policy)
- Have monthly premiums of less than \$950 for one person or \$1,325 for family policy (for an OBRA and Conversion policy with Rx)
- Have health insurance policy coverage that includes outpatient prescription drug coverage that DOES NOT include HIV-related treatment
- Have a health insurance policy at risk of being cancelled due to inability to pay premiums
- Must have applied or be applying for private or public disability benefits such as State Disability (SDI), Supplemental Security Income (SSI), Social Security Disability Insurance (SSDI) or has appealed any denial of disability benefits

Limitations to CARE HIPP include:

- CARE HIPP lasts at most 36 months, by which time the insured has to either transition to Medi-Cal HIPP or Medicare (or return to work if the disabled individual improves)
- If the applicant for CARE/ HIPP has less than \$2,000 in assets, he or she must go apply for Medi-Cal (Medicaid) at the time of application or as soon as eligible for the program
- CARE HIPP will only pay for private insurance policies that operate in the state of California

Section 8 Housing

Housing for people with disabilities and low income is covered under this policy. Housing assistance is provided in the form of direct payment to a private landlord from a local housing authority. Under Section 8 certificate program, the tenant must lease a qualified apartment that rents for an amount that does not exceed the U.S. Department of Housing and Urban Development's fair market rent for the area. The tenant then pays 30 to 35 percent of the household income for rent. The balance is paid directly to the landlord by the housing authority. Under the Section 8 voucher program, the unit rent may exceed the payment standard. However, the household income will have to pay the difference in rent above the payment standard, in addition to the 30 to 35 percent of household income. *(The two programs are being merged and the certificate program is being phased out.)*

Food Stamps

If you do not use SSI payments, you may be eligible for the Food Stamp program. The benefit or allotment is approximately 30 percent of the household income. The amount allotted to you depends on the number of people in your household and other factors. Once certified for the program, you will receive an Electronic Benefits Transfer (EBT) card, with a personal identification number (PIN). Once you have selected items at the grocery store you will swipe your card at the check-out line. The cost of the items will be deducted from your EBT account. You will receive a receipt showing the total amount of the purchase and the amount remaining in your EBT account.

Food stamps may only be used to purchase food or for plants to grow your own food. Food stamps may not be used for non-food items such as pet food, soaps, paper products, household supplies, grooming items, alcohol or cigarettes, vitamins, medicines or hot foods.

Utility Assistance

Social Security also provides referrals to agencies to help you pay for electricity, water, gas or other utilities. Companies that offer direct assistance are:

Los Angeles Department of Water and Power (DWP)

www.ladwp.com

(213) 481-5411

(800) 432-7397 TTY

(800) 342-5397 toll free

- Disabled-person discount provides utility discounts for residents who receive disability exemptions from the state of California and whose annual income is less than the allowed maximum
- Life support discount provides utility discounts for customers who have an essential life-support unit in their home, powered by electricity or water supplied by the DWP
- LIHEAP Program provides direct utility payments or single-party warrants for low-income households
- Payment extension helps utility customers experiencing difficulty paying their bills
- Project ANGEL helps low-income DWP residential customers meet energy and water needs
- Referral to payment assisting agencies provides referrals to agencies that provide financial assistance
- Residential low-income rate offers 15 percent discount of the average cost of electricity and water for low-income residents.
- Senior citizen lifeline discount provides utility discounts for seniors 65 years and older

Pacific Gas and Electric Company (PG&E)

www.pge.com

(800) 743-5000

(800) 652-4712 TTY toll free

- CARE Program offers a 20 percent discount on gas and electric rates to low-income customers

- Energy partners help low-income customers make their homes more energy efficient
- Relief for Energy Assistance through Community Help program (REACH) provides assistance for low-income customers who cannot pay their bill due to a sudden, unexpected financial hardship
- Services for medical baselines and life support customers provides services for customers dependent on life-support equipment and/or with special heating and cooling needs due to certain medical conditions

[Southern California Edison](#)

www.sce.com

(800) 447-6620 toll free

- CARE program offers 20 percent discount on electricity rates to low-income customers
- Low-income energy efficiency programs to low-income households

[Southern California Gas Company](#)

www.socalgas.com

(800) 427-2200 toll free

(800) 252-0259 TTY toll free

- CARE program offers a 20 percent discount on gas rates to low-income customers
- Home-efficiency rebate program provides incentives to individual homeowners to purchase new, energy efficient appliances

For referrals to other agencies to help pay your telephone bill, call your local Social Security Office.

If public benefits services are not delivered appropriately, please contact OAPP's warmline @ (800) 260-8787.