

Special Parent Information Network

1010 Richards Street, Room 118, Honolulu, HI 96813

**Questions & Answers from our April 17 “Financing the Future” Workshop**

**Questions about SSI/SSDI for a child under 18:**

Q: My child turns 18 in August. How soon do I begin the application for his benefits?

A: You can apply anytime. However, when the child is under 18, Social Security Administration (SSA) will consider parent income and assets when they look at eligibility for the program.

Q: For a child who has not applied and is close to 18, should parents apply for SSDI before the 18th birthday or wait until after the child turns 18.

A: Adult eligibility and child eligibility are a little different. When the child turn 18, the child can apply as an adult and SSA will only consider the person’s asset and income.

**General questions about SSI/SSDI:**

Q: Is there an income limit for SSI?

A: SSA looks at income when determining eligibility and income when they calculate your SSI payment.

Q: Are the SSI Income limits a national number or a Hawaii number?

A: Hawaii follows the national standards for most people. There are some exceptions for people living in specific types of care facilities.

Q: Is there a monetary ceiling to qualify?

A: There are also question about income ceiling for SSA when determining eligibility - this is a complex determination process unfortunately.

Q: Can you have MedQuest and Medicare at the same time?

A: Yes you can have both Medicaid (called Quest, administered by MedQuest in Hawaii) and have Medicare (national program, administer by CMS) at the same time. Medicaid is based on income and asset, Medicare is based on eligibility (to make it simple, if you have contribute enough Medicare taxes via employment earnings).

**Questions about SSI/SSDI & Special Needs Trusts:**

Q: Do assets in a special needs trust count in determination for SSI?

A: Assets in special need trust is exempt. However, the special need trust needs to be approved by SSA prior before you start putting asset in there.

A: (from a parent) The attorneys who supported our family (not sped trust) emphasized working with an attorney who was familiar with gov benefits when developing the sped trust/guardianship. As we have begun this process, (this has been) discussed and planned for by the attorney.

Q: Will we be able to set up our Trust benefits to the ABLE account?

A: Special need trust and Able account are two different programs. You can put your assets into ABLE and also consider a Special Need Trust. There are now options so you don’t have to put all your eggs in one basket. :)

Q: Is there any Special Need Trust attorneys recommended in Hawaii?

A: Some of the attorneys that SPIN families have used are Stephen Yim, Colin Goo and Scott Suzuki.

A: (from a parent) I would encourage you to go to family groups and ask other parents. I think parents should consider different professionals including attorneys. You want to make sure their experience matches your need. The cheapest isn’t always the best … because this is a legal document and in may be irrevocable, you want to make sure it is correct the first time and provides the flexibility your family needs.

**Questions about ABLE Act:**

Q: Looks like a person can have an ABLE account and access to resources via a Special Needs Trust and still be eligible for SSI or SSDI, is this correct?

A: ABLE accounts operate like a checking/saving account - you can put resource into ABLE account, and withdraw money for qualified expenses. You can also use Special Need trust at the same time.

Q: My daughter has a regular 529 plan set up before we realized she had ASD. Can it be transferred into a 529/ABLE without penalty?

A: According to IRS regulations, you are eligible to roll over or complete a program-to-program transfer into another ABLE account once every 12 months without changing the beneficiary. To be valid, a rollover to the ABLE account must be made within 60 days of the distribution from the other account.

**Questions about Kal’s Law:**

Q: What does Kal’s Law do?

A: Kal’s Law is an earned income disregard program for people with disabilities who are between the ages of sixteen and sixty-four. A percentage of their income will be disregarded when determining eligibility for Medicaid.

Resource Links:

* This site will help you find the amount of work history needed to qualify for SSDI based on a person’s age:
	+ <https://www.ssa.gov/benefits/retirement/planner/credits.html>
* This site will help you access Social Security services online, including applying for benefits:
	+ <https://www.ssa.gov/myaccount/>
* This site will help you find a success story of someone that got employed through the Ticket to Work program:
	+ <https://choosework.ssa.gov/library/amy-success-story>
* This site will help you find the ABLE program in Oregon, which is open to Hawaii residents:
	+ <https://ableforall.com/>
* This site will help you find information and news about employment for people with disabilities in Hawaii:
	+ <http://www.hireabilitieshawaii.org/>

**Contact info for our speakers:**

Chin Lee: chinlee@hawaii.edu

Ronald Deese: rdeese@hawaii.edu

Annie Moriyasu: amoriyas@hawaii.edu

Hire Abilities at UH CDS

Phone number 808-956-9353

<http://www.hireabilitieshawaii.org/>

Daintry Bartoldus: daintry.bartoldus@doh.hawaii.gov

Hawaii State Council on Developmental Disabilities

 Phone number 808-586-8100