

HDA Tips



Removing Barriers to Access

HDA
Health &
Disability
Advocates

Health & Disability Advocates

Health & Disability Advocates (HDA) is a national health, education and employment nonprofit based in Chicago.

Low income children, people with disabilities, older adults, Veterans and other vulnerable populations often experience barriers to health, education and employment that would otherwise allow them to lead fulfilling lives, reach their self-determined goals, and obtain financial security. Through our extensive policy work, expert client representation and training programs, HDA addresses these barriers so that everyone can be healthy where they live, learn, work and play.

Services include individual legal representation, custom trainings and technical assistance to consumers, businesses, service providers and government agencies. Outreach and education initiatives include illinoishealthmatters.org, ourfamilysecurity.com, ilwarriortowarrior.org and thinkbeyondthelabel.com.

“Next Practice” Consulting and Training

In addition to this guide and web-enabled application at tips.hdadvocates.org, we are relied upon by businesses, government agencies and community organizations across the country to help create lasting solutions for more efficient health, disability, employment and education systems.

Areas of expertise include:

- Long term care services and supports
- Health and Medicaid reform and innovation
- Public benefits training and technical support
- SOAR (SSI/SSDI Outreach, Access and Recovery) to assist homeless
- Civilian and military benefits, resources and culture
- Community living and employment
- Disability employment
- Medical Legal Partnerships

To learn more, contact mwturner@hdadvocates.org or call (312) 223-9600 and ask for consulting services.

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Income Supports



Social Security Disability

Disability on Own Record

Social Security Disability Insurance is a cash benefit program available to any individual who:

- Has physical or medical conditions severe enough that he or she meets the Social Security definition of disability; and
- Has earned enough credits through payment of Social Security taxes in the relevant period of time to attain "insured status."

Social Security's Definition of Disability: In order to be considered disabled for Social Security benefit purposes, an individual must demonstrate the inability to do any substantial gainful activity by reason of any medically determinable physical or mental impairment(s) which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months.

The key here is not simply that the person has a disability, but that disability must also impact the ability to do substantial gainful activity. Substantial gainful activity is defined as any activity generating countable income over \$1040 non-blind/\$1740 blind in 2013. If countable income is above this amount, or if an individual does not have any medically determinable physical or mental impairment, he or she will be denied initial eligibility for Social Security Disability Insurance.

Once it has been established that a medically determinable physical or mental impairment exists and the work activity is not substantial, the Social Security Administration (SSA) looks to see if those impairments meet or equal one of its designated listings.

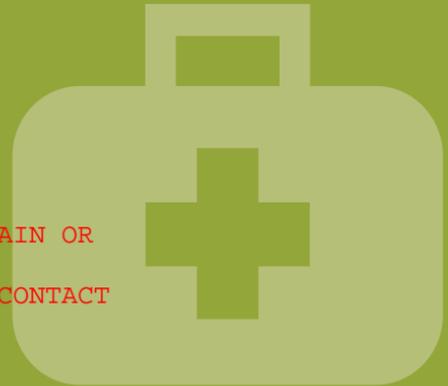
If the impairments meet or equal the listing, benefits are awarded. If they do not, SSA then analyzes the individual's ability to do prior work or any work in the national economy. This analysis also takes into account the individual's age, education, and work history. Benefits are awarded only if SSA determines through this analysis that there is no job in the national economy that the individual can do.

- Unmarried parents under 18 who live with a parent, guardian, or in an adult-supervised setting.
- Pregnant women.

TANF is normally time limited so that no one over 18 can receive benefits for more than 60 months in their lifetime. In addition, most recipients must work, do job training, or perform other "self-sufficiency" activities to remain eligible. Exceptions from this work rule include parents with a child under 1 or with special needs, domestic violence victims, and ill or disabled adults.

To find an office for application, visit the dhs.state.il.us/officelocator or call (800) 843-6154.

Health Care Coverage



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Medicaid

Children and Parents

All Kids is the name for the Illinois Medicaid and State Children's Health Insurance Program (CHIP) for children up to age 19. Family Care is the name for the Illinois Medicaid program for parents of children up to age 19, including pregnant women. Children are generally eligible up to age 19 if they meet the income requirement. Each of these programs has different income and citizenship/immigration requirements.

- Children are eligible up to age 19 if they have a family income under 300% FPL. There are no asset limits and no citizenship/immigration requirements.
- Pregnant women are eligible if they have income under 200% FPL. There are no asset limits and no citizenship/immigration requirements.
- Parents of children under age 19 are eligible if they have income under 133% FPL. There are no asset limits. However,

parents must meet citizenship/immigration requirements. These requirements are detailed and complex, but in general parents must be citizens, refugees/asylees, or Legal Permanent Residents who have resided in the U.S. for at least 5 years.

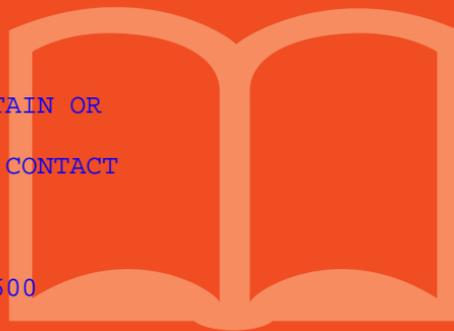
Women age 19-49 who lose All Kids when they turn age 19 or lose Family Care as a parent when their child turns 19, if financially eligible are automatically enrolled to receive routine women's care, including family planning, under the Illinois Healthy Women's Program at www.illinoishealthywomen.com/application.html. It is important to note that enrolling and using services under the Illinois Healthy Women's Program is considered creditable coverage in the Illinois Pre-existing Condition Program (IPXP), so clients should be counseled on this choice in order to determine which coverage is most appropriate for them.

All Family Programs can be applied for online at <http://1.usa.gov/QbQe8i>

at (312) 814-2420 or insurance.illinois.gov/main/Contact.asp. If an application is denied or a patient or client has a claim denied through employer, private, or state insurance, a complaint can be filed with IDOI at insurance.illinois.gov/Complaints/file_complaint.asp. If a claim or application is denied, you can also refer the case to HDA to determine if we can represent the person on appeal. Appeal deadlines apply, so refer the patient as soon as possible.

Educational Supports

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Special Education

Background and IDEA

Children with special needs may be eligible for special education services isbe.state.il.us/spec-ed in Illinois. These services are generally mediated by the Illinois State Board of Education (ISBE), while eligibility is determined by the Individuals with Disabilities Education Act (IDEA). This Act provides that children ages 3-21 may be entitled to special services if they have any of the following disabilities or learning impairments:

- Hearing impairments
- Speech and language problems
- Vision problems
- Serious emotional disturbances
- Autism
- Traumatic brain injury
- Orthopedic impairments
- Cognitive impairments
- Other health impairments (e.g. ADHD) and specific learning disabilities

Individualized Education Program:

ISBE partners with school districts to provide programs and services to students with specialized educational needs. The specific set of services provided to an individual student is referred to as the Individualized Education Program (IEP). Forms at isbe.net/spec-ed/html/iep.htm. In accordance with IDEA, an IEP must guarantee that a disabled child's educational placement is in the "least restrictive environment" possible, which generally means education alongside non-disabled peers. An IEP must also be regularly maintained and updated, and must explain the student's behavior and learning style, any assessed disabilities, and the recommended services. Such services may include:

- Transportation
- Speech and hearing services
- Psychological services and counseling
- Physical and occupational therapy
- Social work services
- Classroom aide
- Diagnostic medical care
- Assistive technology
- Parental training and counseling services

Employment Supports

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Work Incentives

Many individuals with disabilities receiving Social Security Disability Insurance, Supplemental Security Income, Medicare and/or Medicaid want to work but are afraid to do so. Often times, this fear is based on misunderstandings and misinformation about what happens to public benefits when a person returns to work. It is complicated, but here are some basic facts:

About SSDI: SSDI works in stages and is a zero-sum game. You either get a check or you don't get a check, based on the amount of your countable earnings and the stage of the return to work process you are in. During the Trial Work Period, which is triggered by a certain amount of earnings (\$750 in 2013) and lasts 9 months, the check continues. After the Trial Work Period, the Extended Period of Eligibility begins and lasts the next 36 months. During this period, an individual can move in and out of cash payment status based on if countable wages fall above or below a set yearly amount called Substantial Gainful Activity (\$1040 non-blind/\$1740 blind in 2013). After the Extended Period of

Eligibility, if earnings go above Substantial Gainful Activity, eligibility for benefits will terminate. But even after this, and for the next 5 years, an individual can re-apply for benefits through a special, quicker process called Expedited Reinstatement of Benefits, a privilege reserved only for those who worked their way off of benefits.

About Medicare: Medicare connected to SSDI continues as long as the person continues to receive an SSDI check. Medicare also continues for at least 93 months from the Trial Work Period if an individual works their way off of cash benefits.

About SSI: SSI uses a formula to determine the monthly amount of SSI. Earnings will reduce the amount of the SSI check. However, the way the formula works, the SSI check goes down at a slower rate than earnings rise. This means the combination of SSI and wages will always be higher than SSI alone.

Other Resources

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Housing-Related Resources

Homelessness Prevention

Many sources are available to help families and individuals with financial assistance for the security deposit and first month's rent. There are other useful resources for information or referrals to programs that may provide direct assistance.

- **Catholic Charities** – assists with security deposits and first month's rent on new apartments (paid directly to the new landlord). Call (312) 655-7700 and ask for assistance with homeless prevention funding.
- **311 – the Homeless Prevention Call Center** assists families and individuals with determining eligibility for financial assistance with rent, mortgage, or utilities. It also makes appropriate referrals, including to the Emergency Fund for short-term assistance.

- **Suburban Cook County Homeless Prevention Call Center** screens for financial assistance for rent, utilities, security deposits, moving costs and storage fees. Call (877) 426-6515 or:

Northwest Suburbs:

(847) 963-9163

West Suburbs and Oak Park:

(708) 338-1724

LaGrange: (708) 354-0858

South/Southwest:

(708) 754-4357

- **DCFS** – can assist with rental payments and security deposits for families with an open DCFS services case. Individuals should contact their case manager or call DCFS at (312) 814-6800. Former IL wards, or former wards from other states under age 21 who are facing homelessness, should contact the Youth Housing Assistance Program at (312) 814-5571, web: www.youthincare.illinois.gov/Housing/Housing.shtml.

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