

Public Benefits

SSI (Supplemental Security Income)	70
SSD (Social Security Disability Benefits).....	71
Health Benefits for Veterans	72
Can I Get Food Stamps?.....	73
Were You Denied Unemployment Benefits? (English & Spanish).....	74
How to Get Unemployment Aid	76

SSI (Supplemental Security Income)

What is SSI?

SSI is short for Supplemental Security Income. It is a federal program that gives extra money each month to people who qualify.

Who can qualify for SSI?

You qualify if you are 65 or older, are blind, or have a disability. You must also:

- have limited income,
- have limited resources,
- live in the U.S. or U.S. territories*, and
- be a U.S. citizen (most legal residents can qualify).

How much SSI can I get?

The maximum SSI benefits are:

- \$674/month – for an individual
- \$1,011/month – for a couple

How much income can I earn and still qualify for SSI?

The maximum income you can earn from wages is:

- \$1,433/month – for an individual
- \$2,107/month – for a couple

The more income you have, the lower your SSI benefit will be.

Can I get SSI if my income is not from wages?

Yes, if the income not from wages is not over:

- \$643/month – for an individual
- \$954/month – for a couple

What is SSI's limit on resources?

Your resources must not be more than:

- \$2,000/month – for an individual
- \$3,000/month – for a couple

Do I have to count *all* my resources?

No. Do **not** count:

- The home where you live or the land that it is on
- Household goods and personal belongings
- One car that you or someone in your home uses for transportation
- Life insurance policy worth \$1,500 or less
- Burial plots for you and your immediate family
- Burial funds for you and your spouse, up to \$1,500 each

You must count all other resources, including property, stocks and bonds, bank accounts, and other things you own that can be turned into cash.

If I qualify for SSI, can I get other benefits?

Yes. If you qualify for SSI you could also get:

- Medicaid, which helps pay doctor and hospital bills. If you are over 65 and qualify for SSI, you also qualify for Medicaid.
- Food Stamps to help pay for your groceries.

What if I don't qualify for SSI?

If you are not eligible for SSI, you may qualify for other federal programs that help pay for out-of-pocket Medicare costs. Ask your social security caseworker about QMB and SLMB.

What if I disagree with SSI's decision?

If you think the decision was incorrect, you have a right to appeal. There are lawyers who specialize in this area of the law. For a referral, contact your local Legal Aid office.

What information do I need to apply for SSI?

Have these things available:

- Proof of your age
- Your Social Security number
- Information about your mortgage or lease
- Your income information, such as pay stubs and bank statements
- If you are applying because you are blind or have a disability, take a list of the doctors, hospitals, and clinics where you have been treated
- Proof of U.S. citizenship or noncitizen eligibility
- Your savings or checking account number to set up direct deposit

How do I apply for SSI?

Call the Social Security Administration from 7 a.m. to 7 p.m., Monday – Friday:

(800) 772-1213

TTY (800) 325-0778

Internet: Go to the SSI web site: www.ssa.gov/ssi

In person: Go to your local Social Security office. For locations, call Social Security or go to: www.ssa.gov/reach.htm

For more information...

You can learn more at these web sites:

- www.ssa.gov
- www.aarp.org

* Including Puerto Rico, American Samoa, Northern Mariana Islands, and the U.S. Virgin Islands.

What is SSD?

SSD is short for Social Security Disability. It is a federal program that gives extra money each month to people who qualify.

Who can qualify for SSD?

You qualify for SSD if you have a “total” disability, and you have:

- Worked long enough and recently enough, and
- Paid enough in social security taxes.

Other people may also qualify for SSD, including:

- People with low or no vision
- Widows or widowers with disabilities
- Children with disabilities
- Wounded military service members

What is a total disability?

Your disability is considered “total” if:

- You cannot do the work you did before,
- You cannot adjust to other work because of your disability, and
- Your disability will probably last for at least 1 year or cause you to die.

Can my family get SSD, too?

If you start getting SSD benefits, some of your family members may qualify for SSD too, including:

- Your spouse (or divorced spouse)
- Your children
- Your disabled child/ren

How much SSD can my qualified family members get?

Each family member may be able to get up to 50% of your monthly SSD benefit. Their benefit amount depends on:

- Your SSD benefit amount, and
- The number of family members who qualify.

Can I start receiving SSD as soon as I become disabled?

No. There is a 5-month waiting period.

How long can I continue to receive SSD?

In most cases, you can receive SSD until your medical condition improves and you can work again.

How does Social Security decide if my disability qualifies?

The Social Security Administration evaluates medical information provided by you, your health care providers, and their own health professionals, who will give you a medical exam.

How much will my SSD benefit be?

If you qualify, your benefit will be based on your age and your average lifetime earnings. To know how much your benefit would be, use the Social Security Administration’s online benefit calculator:

www.ssa.gov/planners/benefitcalculators.htm

If I qualify for SSD, can I get other benefits?

It depends. You can receive other benefits if those benefits are from allowed sources, such as:

- A private pension or private insurance
- Veterans’ benefits
- State or local benefits (if Social Security taxes were deducted from your paycheck)
- SSI (Supplemental Security Income)

What if I disagree with SSD’s decision?

If you think the decision about your SSD benefit was incorrect, you have a right to appeal. There are lawyers who specialize in disability law. For a referral, contact your local Legal Aid office.

What do I need to apply for SSD?

Have these things available:

- Certified copy of your birth certificate
- Proof of your legal immigration status if you were not born in the U.S. or in a U.S. territory *
- Social Security numbers for you, your spouse, and minor children
- Your W-2 or tax return from last year
- Your medical records (military and civilian)
- Proof of all other benefits you receive
- Form DD 214, if discharged from the military
- Your savings or checking account number to set up direct deposit

* Including Puerto Rico, American Samoa, Northern Mariana Islands, and the U.S. Virgin Islands.

How do I apply for SSI?

Call the Social Security office from 7 a.m. to 7 p.m., Monday through Friday:

(800) 772-1213

TTY (800) 325-0778

Internet: Go to the SSI web site: www.ssa.gov/ssi

In person: Go to your local Social Security office. For locations, call Social Security or go to: www.ssa.gov/reach.htm

For more information...

Visit: www.ssa.gov/applyfordisability

Health Benefits for Veterans

Most veterans can get health care at Veteran Administration (VA) facilities. The VA also offers some services to veterans' family members.

Who can get VA health care services?

Veterans are eligible for VA care if they have:

- Served at least 2 years (or any amount of time if your service was before 9/7/1980), and
- Have an honorable discharge.

Are National Guards and reservists eligible?

Yes, if they were active duty (not just training).

Do I have to sign up for VA benefits?

Yes. You can get an application from any VA office. Or sign up online at:

<https://www.1010ez.med.va.gov/sec/vha/1010ez>

Is VA health care free?

Yes, if you are:

- Low-income,
- Disabled (because of your service),
- Received a Purple Heart, or
- A former POW.

Can Veterans also get Medicare coverage?

Yes, if you are eligible for both programs you can get care from both programs. But if you use a VA facility, the VA pays. And if you use non-VA services, Medicare will pay up to the allowable amounts.

What if I have a Fee Basis card?

You can get treated anywhere you want, and the VA will pay for your treatment. If the amount that VA pays is less than what Medicare would have paid, the provider can bill Medicare after billing the VA.

Caution: It takes much longer for providers to get paid when both VA and Medicare are billed.

What if I have private insurance?

The VA will bill your insurance company for the services you receive.

What if I am not low-income?

The VA will ask you for financial information. They will also look at your "priority." Vets with higher income, higher priority numbers, and conditions not related to their military service usually have copays. But private health insurance often covers those copays.

What are the copays?

Preventive care.....	Free
Basic Services	\$15 per day*
Specialized Services (radiology, cardiology, etc.).....	\$50 per day*
Prescription drugs (not related to the service condition).....	\$8 for 30-day supply
Hospital stay (up to 90 days) ...	\$1,100 per year
Nursing Home.....	\$97 per day

*Even if you get more than one service per day, you still only pay 1 copay. So it's a good idea to schedule your services on the same day, if you can.

Do I have to go to the closest VA facility?

No. You can get health care at *any* VA facility.

Will the VA cover all of the services I need?

Maybe. The VA covers the care you need to keep or make you healthy. But they do not cover everything. Some services not covered by the VA include:

- Private duty nursing, and
- Care not provided or ordered by medical professionals.

Ask the VA if you are covered *before* you get the care. Call the VA: **1-877-222-VETS**. Or search for *General Exclusions* at the VA website: www.va.gov.

To see exactly what is covered, click on the standard *Medical Benefits Package* at: www.va.gov/healtheligibility/coveredservices/

Can I get mental health services?

Yes. If you need to talk to a counselor or think you may have PTSD, **do not wait!** You and your family can go to any *Vet Center* for screening and counseling. To find one, visit: www.vetcenter.va.gov.

The Veterans Suicide Prevention Hotline is open 24/7. Call **1-800-273-TALK**, then 1.

What if the VA cannot provide the service I need?

If the VA cannot provide a covered service, you can get it at another hospital. The VA will pay the VA amount, and Medicare will pay the Medicare amount.

What if I need help?

Call the VA: **1-877-222-VETS** or visit: www.va.gov. Visit the Iraq and Afghanistan Veterans Association: www.iava.org.

Or contact your local Legal Aid office. [LSA url finder]

Can I get Food Stamps?

Who is eligible for Food Stamps?

- Low-income families, especially families with children,
- Immigrants who are at least 75 years old, *and* have been legal residents since August 22, 1996, and
- Children who are in this country legally, even if their parents are not.

Do I have to give my Social Security number or proof of my immigration status?

No, not if you are applying *only* for your children.

How much can I earn and still be eligible?

Find your family size and your gross monthly income (before deductions) on this chart. If you earn less than this amount, you can get Food Stamps.

Family size	Monthly Income before deductions
1	\$1,037
2	\$1,390
3	\$1,744
4	\$2,097
5	\$2,450

Effective Oct. 1, 2005

If there are more than 5 people in your home, add \$353 for each additional person.

What other information do I have to provide?

You must tell the program about what you earn and what you own. You must also tell them about what everyone in your home earns and owns.

What if we have money in the bank?

Your household (all of you together) is allowed to have up to \$5000 in resources, including money in the bank.

How do I apply (or renew)?

Go to the Texas Health and Human Services Commission (THHSC) office nearest you. Take ID and proof of income and expenses, like your paycheck stub, rent receipts, utility bills, etc.

What if I cannot go to the THHSC office?

You can apply for Food Stamps or renew your Food Stamps over the phone if:

- You do not have transportation or you live more than 30 miles away from the nearest office,
- You are at work or training during THHSC office hours,
- You cannot get to the office THHSC because of bad weather, or
- You are sick or you are taking care of a household member.

Call your local THHSC office and ask them to mail you an application. Fill out your application and send it back with a statement explaining why you cannot go to the THHSC office. They will contact you to set up a phone interview.

Are the rules for Food Stamps the same as for TANF?

No. TANF time limits do NOT affect your eligibility for Food Stamps.

And, even if you lose TANF, you may still be eligible for Food Stamps. You can get Food Stamps for as long as your income meets the guidelines.

Do I have to do anything in exchange for the Food Stamps?

If you are an unemployed parent, you may have to participate in job search or training activities.

What if my household situation changes?

You must let THHSC know about any changes, such as changes to your:

- Income or assets
- Job
- Address, and
- Who lives in your home

Contact them within 10 days of the change.

What if THHSC says I am not eligible for Food Stamps?

You can ask for a written notice saying why you do not qualify. You can also appeal (fight) their decision to deny or reduce your Food Stamps. But you must do this within 90 days of the notice.

You can still get Food Stamps while you appeal (if you ask for it). But if you lose your appeal, you may have to pay them back for the Food Stamps you received.

Do I need a lawyer to help with my appeal?

If THHSC says you received an overpayment, it's best if you talk to a lawyer. Your local Legal Aid office may be able to help you.

Call: **800-252-9690**

Or visit: **www.texaslawhelp.org**

Then, search under *Find Legal Aid Program*.

Were You Denied Unemployment Benefits?

What can I do if I was denied unemployment benefits?

If you think you have the right to receive unemployment benefits, ask for a hearing.

What is a hearing?

A hearing is like a trial. It is your chance to show the judge why you should receive benefits.

Is there a deadline to ask for a hearing?

Yes. The Department must receive your request for a hearing within **30 days** of the date the denial letter was mailed to you.

Where will the hearing be?

The hearing will be in a special room at the Department of Labor office. The Department will mail you a *Notice of Hearing* with the time, date and place of the hearing.

Who will be at the hearing?

The following people can go to the hearing:

- You
- Your employer
- Witnesses (yours or your employers)
- A judge, called an Administrative Law Judge

A tape recorder will record everything that is said during the hearing.

Can I postpone my hearing?

You can ask to postpone (adjourn) your hearing if you need more time to find a lawyer or get evidence. Here's how:

- Call or write to the Department before your hearing, **and**
- Go to your hearing, and ask the judge in person. If you are not able to go, ask someone to take a letter from you explaining why you cannot go to the hearing.

Will the judge postpone my hearing?

If you did not go to your hearing or were not prepared for your hearing on the hearing date, most judges will say you have "defaulted," and will decide your case without delay.

Will the judge postpone my hearing if I had an emergency?

If you missed your hearing for a good reason, such as a medical emergency, you can ask for a new hearing date.

How can I get ready for the hearing?

1. Practice what you want to say.

Make a list of the reasons you disagree with the denial. Practice saying them.

Do not take more than 5–10 minutes to explain your reasons. If you get nervous at the hearing, just read from your notes.

2. Bring these things with you:

- All documents the Department sent you about your case,
- Any other papers that support your case, plus 2 copies of each one,
- Your list of reasons for disagreeing with the denial,
- Witnesses who support your case, and
- A pen and paper to take notes.

If you cannot get the papers or witnesses you need to prove your case, tell the judge at the hearing. The judge can make orders to bring these papers/witnesses to a hearing.

3. Do not lie! The judge can punish you.

On the day of your hearing...

- Arrive at least 30 minutes early.
- Put your *Notice of Hearing* in the reception basket. They will call you when it's your turn.
- **Wear nice, clean clothes. No hats. No gum.**

At the hearing...

- The judge or your employer may ask questions. Tell the truth. Speak slowly. Give complete answers.
- Speak only when the judge says it is your turn.
- Do not interrupt anyone.
- If you do not understand, say, "I do not understand the question."
- Be calm and polite to everyone. Stay calm.
- Avoid gestures and facial expressions.

What if I have more questions?

[insert contact information here]

¿Qué puedo hacer si rechazaron mi solicitud de beneficios de desempleo?

Si cree que tiene derecho a recibir beneficios de desempleo, solicite una audiencia.

¿Qué es una audiencia?

Una audiencia es como un juicio. Es su oportunidad para demostrar al juez por qué debería recibir beneficios.

¿Hay una fecha límite para pedir audiencia?

Sí. El Departamento tiene que recibir su solicitud de audiencia dentro de los **30 días** de la fecha en que se le envió la carta de rechazo.

¿Dónde se hará la audiencia?

La audiencia se hará en una sala especial de la oficina del Departamento de Trabajo. El Departamento le enviará un *Aviso de audiencia* con la hora, fecha y lugar de la audiencia.

¿Quién estará en la audiencia?

Las siguientes personas pueden ir a la audiencia:

- Usted
 - Su empleador
 - Testigos (suyos o de sus empleados)
 - Un juez, llamado Juez de derecho administrativo
- Una grabadora grabará todo lo que se dice en la audiencia.

¿Puedo aplazar mi audiencia?

Puede *pedir* aplazarla (suspensión) de su audiencia si necesita más tiempo para encontrar un abogado u obtener pruebas. Siga estos pasos:

- Llame o escriba al Departamento antes de su audiencia; **y**
- Vaya a su audiencia y solicítelo al juez personalmente. Si no puede ir, pídale a alguien que lleve una carta suya explicando por qué no puede ir a la audiencia.

¿El juez postergará mi audiencia?

Si no fue a su audiencia o no estaba preparado para su audiencia en la fecha programada, la mayoría de los jueces dictarán su “falta de comparecencia” y decidirán su caso sin demora.

¿El juez aplazará mi audiencia si tuve una emergencia?

Si faltó a su audiencia por buen motivo, como por ejemplo una emergencia médica, puede solicitar una nueva fecha de audiencia.

¿Cómo puedo prepararme para la audiencia?

1. Practique lo que quiere decir.

Haga una lista de los motivos por los que no está de acuerdo con el rechazo. Practique decir los motivos.

No tome más de 5 a 10 minutos para explicar sus motivos. Si se pone nervioso en la audiencia, lea de sus notas.

2. Lleve las siguientes cosas consigo:

- Todos los documentos que le envió el Departamento sobre su caso;
- Cualquier otro documento que respalde su caso, más dos copias de cada uno;
- Su lista de motivos por los que está en desacuerdo con el rechazo;
- Testigos que respalden su caso; y
- Una lapicera y papel para tomar apuntes.

Si no puede obtener los documentos o testigos que necesita para probar su caso, dígame al juez en la audiencia. El juez puede dictar órdenes para que se presenten estos documentos/testigos en la audiencia.

3. ¡No mienta! El juez lo puede castigar.

El día de su audiencia...

- Llegue por lo menos 30 minutos antes.
- Ponga su *Aviso de audiencia* en la canasta de recepción. Lo llamarán cuando sea su turno.
- **Use ropa limpia y adecuada. No use gorros. No masque chicle.**

En su audiencia...

- Es posible que el juez o su empleador le hagan preguntas. Diga la verdad. Hable despacio. Dé respuestas completas.
- Hable sólo cuando el juez diga que es su turno.
- No interrumpa a nadie.
- Si no entiende algo, diga “no entiendo la pregunta”.
- Guarde la calma y sea cortés con todos. Mantenga la calma.
- Evite los gestos y expresiones faciales

¿Qué hago si tengo más preguntas?

[insert contact information here]

Legal Help for Disaster Victims

How to Get Unemployment Aid

Can I get unemployment aid?

Maybe. There are 2 kinds of unemployment aid.

Regular Unemployment

Do I qualify for regular unemployment?

You may qualify for **regular** unemployment if:

- you don't have a job, and
- you are able to work.

You may not qualify if:

- you quit your job without a good reason,
- you were fired for repeated bad behavior after being warned,
- you were fired because you failed a drug test or did something dishonest, or
- you turned down a job without a good reason.

If you are disqualified, you will no longer get unemployment and may not qualify in the future.

How do I apply for regular unemployment?

Go to your local Employment Services Office. Tell them you want to apply for unemployment. You will have to register for work and wait one week.

Disaster Unemployment

Do I qualify for disaster unemployment?

You may qualify for **disaster** unemployment if, because of the disaster:

- you lost a job,
- you were injured and cannot work now,
- the job you were about to start no longer exists,
- you can't get to your workplace, or
- you are now the main earner in your family because the previous main earner died.

How do I apply for disaster unemployment?

- Call [insert state agency name here]:
1-111-222-3333
TDD: **1-111-222-3333**
- Or visit: [insert state agency url here]

If you were self-employed before the disaster, you will need a copy of your 2010 income tax records.

Deadline! Turn in your application by [insert date].

When will I get my first check?

It may take up to [XX] weeks after you apply.

For how long can I get unemployment?

You can usually get regular unemployment aid for up to [XX] weeks. You can get disaster unemployment for up to [XX] weeks.

Where can I learn more?

To learn more about disaster unemployment:

- Visit www.nelp.org

To learn more about regular unemployment:

- Call [insert state agency name here]:
1-111-222-3333
TDD: **1-111-222-3333**
- Or visit: [insert state agency url here]

Contact us for legal help with problems related to the storms:

[your agency name here]

- Call **1-111-222-3333**
- Or visit: [insert url for your agency here]

This flyer gives you legal information, not legal advice. To know how the law applies to you, talk to a lawyer.
Find other Emergency Flyers in plain language at: <http://writeclearly.org> & www.transcend.net