

## The AGE 18 REDETERMINATION

The age of 18 is a pivotal point for SSI recipients. Children (under the age of 18) are determined to be disabled based upon their functioning and development when compared with non-disabled children of the same age. At age 18, a child becomes an adult and the ability to work must be included in the disability determination. As a result, ALL children receiving SSI will undergo an **AGE 18 REDETERMINATION** in order to determine if that child with a disability is eligible for SSI as an adult with a disability. Participation in a work experience (paid or unpaid) will not impact this determination and may actually help protect benefits during that work experience. See below.

The adult disability determination considers the individual's ability to work and earning income at "substantial gainful levels". "**Substantial gainful activity**" (SGA) is the numerical standard used to consider one's ability to work and earn. It is the amount of "countable" income that remains after work incentives have been applied to gross wages. The base number of dollars changes each year and it is important to apply the correct dollar figure to each year involved.

The child (or her parents) will receive notice of the **AGE 18 REDETERMINATION** when the process begins. It is very important for the parent and child to cooperate and follow all instructions carefully, in a timely manner, and be sure to let SSA know your address if you have moved. Seeing treating physicians, health centers, and schools to collect recent reports concerning education and health will be critical to this decision-making process. If the child is involved with any special vocational or educational plans, be sure to provide SSA with a copy of those plans and be sure that the child continues to be involved with the plan(s).

If there has been no recent medical visits or examinations, SSA can order a "consultative examination" with a doctor to determine current medical conditions and their impact on work ability. If there is a treating physician, the parent can request that the treating physician provide this updated examination.

Once SSA collects sufficient information to reach a determination, it will issue a decision concerning the continuing disability status of the young adult. This decision will contain a statement of appeal rights and if continuing disability as an adult is denied, appeals can be filed. The appeal **MUST** be filed within 60 days of receiving the denial notice. If the young adult wants benefits to continue during the appeal process, she must request appeal within 10 days of receiving notice and request that benefits continue. Cooperation with the appeals process is required.

Vocational and educational plans, such as IEPs, may provide extra protection if disability continuance is denied. **SECTION 301** allows benefits and healthcare to continue despite the denial of disability if the child is making progress and cooperating in a vocational or educational plan and SSA determines that completing the plan will likely result in benefits no longer being needed. A vocational plan will need to be considered by SSA. Educational plans will need to be reviewed as well, however, an IEP will be assumed to meet the requirements of **SECTION 301** for all IEPs covering students from age 18 – 21.

Cooperation and information are key to the **AGE 18 REDETERMINATION**. The more information provided, and the sooner it is provided, the more likely the determination process is to run smoothly.

For More Information Please Visit:

[www.mdtransitions.org](http://www.mdtransitions.org)

## Did You Know?

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You can receive benefits/work incentive counseling as part of PreETS from DORS? For more info on DORS and PreETS from DORS [CLICK HERE](#)  
Not eligible for DORS? Try Ticket to Work Helpline: [TICKET](#)

For individuals not eligible/able to access benefits counseling through DORS, contact Ticket to Work Helpline at 1-866-968-7842 [DMitchell@innow.org](mailto:DMitchell@innow.org) or visit <http://www.innow.org/md-win/ssi.html>

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