

Index No.: 89-16  
Region: ALL REGIONS  
REG. REF: 272.1  
273.9(d)(3) and (5)  
August 21, 1989  
Subject: Disabled Members

This Policy Memo supersedes Policy Memos 80-060 and 85-015. The information has been updated and consolidated.

1. Question:

One definition of a disabled member is a person who "receives" supplemental security income (SSI) benefits under title XVI of the Social Security Act or disability or blindness payments under titles I, II, X, XIV, or XVI of the Social Security Act. Must a household member actually receive a title XVI benefit or a title I, II, X, XIV or XVI payment to be considered disabled?

2. Answer:

A household member is considered disabled if the Social Security Administration has certified the member for one of these benefits or payments. Such certified persons include those who have been certified, but whose initial payments have not yet been received. Also considered as disabled are persons who remain certified for disability benefits or payments but whose checks are entirely recouped to recover a prior overpayment.

A household member is also considered to be disabled if he or she actually receives a regular SSI check, a SSI presumptive disability payment, or a SSI emergency advance payment. SSI presumptive disability payments are regular benefits for a three-month period which are paid to people who will most likely meet SSI disability criteria. An SSI emergency advance payment is a single \$100 payment that is provided to applicants who appear to meet the eligibility criteria and who are considered in need of immediate assistance.

Refer to the definition of elderly and disabled in 7 CFR 271.2 for other persons who are defined as elderly and disabled. This section addresses, among other things, State supplements and general assistance payments that are based on disability or blindness criteria which are at least as stringent as those used under title XVI of the Social Security Act.

Refer to 7 CFR 273.10(d) (7) for households that are determined to be categorically eligible retroactively.

2. Question:

A currently certified food stamp household member under the age of 60 is approved for presumptive SSI. The household is eligible for a one-time medical expense and requests that the expense be averaged over the remaining certification period. If the SSI presumptive disability check is stopped and the SSI application is denied, must the medical deduction cease?

Answer:

When the SSI presumptive disability payments are terminated and the SSI application is denied, the State agency must remove the medical expense deduction in accordance with the regular processing standards.

3. Question:

Is an SSI essential person considered to be a disabled person?

Answer:

No, spouses and dependents who receive SSI benefits because they are dependents are not considered disabled for food stamp purposes.

/s/ Joseph H. Pinto for

THOMAS O'CONNOR

Director

Program Development Division