

# Social Security For People Living With HIV/AIDS



If you have HIV/AIDS and cannot work, you may qualify for disability benefits from the Social Security Administration. Your disability must be expected to last at least a year or end in death, and must be serious enough to prevent you from doing substantial gainful work. The amount of earnings we consider substantial and gainful changes each year. For the current figure, refer to the annual *Update* (Publication No. 05-10003).

If your child has HIV/AIDS, he or she may be able to get Supplemental Security Income (SSI) if your household income is low enough.

## Benefits paid under two programs

We pay disability benefits under two programs: the Social Security disability insurance program for people who paid Social Security taxes; and the Supplemental Security Income program for people who have little income and few resources. If your Social Security benefits are very low and you have limited other income and resources, you may qualify for benefits from both programs.

## How do I qualify for Social Security disability benefits?

When you work and pay Social Security taxes, you earn Social Security credits. (Most people earn the maximum of four credits a year.) The number of years of work needed for disability benefits depends on how old you are when you become disabled. Generally, you need five years of work in the 10 years before the year you become disabled. Younger workers need fewer years of work. If your application is approved, your first Social Security disability benefit will be paid for the sixth full month after the date your disability began.

## What will I get from Social Security?

The amount of your monthly benefits depends on how much you earned while you were working. You also will qualify for Medicare after you have been getting disability benefits for 24 months. Medicare helps pay for hospital and hospice care, lab tests, home health care and other medical services. For more information on Medicare, contact us for the publication, *Medicare* (Publication No. 05-10043).

## How do I qualify for SSI disability payments?

If you have not worked long enough to get Social Security or your Social Security benefits are low, you may qualify for SSI payments if your total income and resources are low enough.

If you get SSI, you most likely will be eligible for food stamps and Medicaid. Medicaid takes care of your medical bills while you are in the hospital or receiving outpatient care. In some states, Medicaid pays for hospice care, a private nurse and prescription drugs used to fight HIV disease. For more information about Medicaid, contact your local social services office.

## How do I file for benefits?

You can apply for Social Security disability benefits online at [www.socialsecurity.gov](http://www.socialsecurity.gov), or you can call our toll-free number, **1-800-772-1213** (for the deaf or hard of hearing, call our TTY number, **1-800-325-0778**), to ask for an appointment. We can answer specific questions and provide information by automated phone service 24 hours a day.

We treat all calls confidentially. We also want to make sure you receive accurate and courteous service. That is why we have a second Social Security representative monitor some telephone calls.

## How do you decide my claim?

All applications we receive from people with HIV/AIDS are processed as quickly as possible. Social Security works with an agency in each state called the Disability Determination Services.

The state agency will look at the information you and your doctor give us and decide if you qualify for benefits.

We can pay you SSI benefits right away for up to six months before we make a final decision on your claim if:

- You are not working;
  - You meet the SSI rules about income and resources; and
  - Your doctor or other medical source certifies that your HIV infection is severe enough to meet our medical eligibility rules.
- How can I help speed up my claim?
- You can help speed up the processing of your claim by having certain information when you apply. This includes:
  - Your Social Security number and birth certificate and the Social Security numbers and birth certificates of any family members who may be applying for benefits; and
  - A copy of your most recent W-2 form. (If you are applying for SSI, we also will need information about your income and resources; for example, bank statements, unemployment records, rent receipts and car registration.)

We also need information about:

- The names and addresses of any doctors, hospitals or clinics you have been to for treatment;
- How HIV/AIDS has affected your daily activities, such as cleaning, shopping, cooking, taking the bus, etc.; and
- The kinds of jobs you have had during the past 15 years.

Additionally, we will ask your doctor to complete a form telling us how your HIV infection has affected you. Call the 800 number to ask for form "SSA-4814" for adults or "SSA-4815" for children.

You should take the form to your doctor to complete and bring or send the completed form to us.

## What happens if I go back to work?

If you return to work, there are special rules that let your benefits continue while you work. These rules are important for people with HIV/AIDS who may be able to go back to work when they are feeling better.

For more information on these rules, ask any Social Security office for a copy of the publication, *Working While Disabled—How We Can Help* (Publication No. 05-10095).