



# Common Benefits Termination Problems & How To Solve

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1

## About Adriane S. Grace



- Attorney
  - 14+ years devoted to Social Security law
  - Former Attorney-Advisor to SSA Chief Administrative Appeals Judge
- Practice Areas
  - Estate Planning (Wills & Trusts & POAs, Special Needs Planning)
  - Probate & Estate Administration
  - Social Security Applications & Appeals
  - Guardianship and Counseling on Alternatives, Supports & Services, and Public Benefits

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2

# What are we learning today?

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- Administrative Law within the Social Security Administration
- Income & Resource Rules for SSI & Medicaid Eligibility
- Tools for fixing excess income & resource issues and restoring SSI eligibility

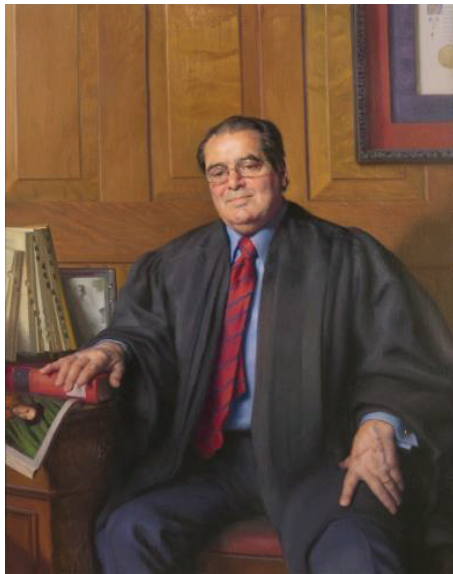


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3

## Administrative Law

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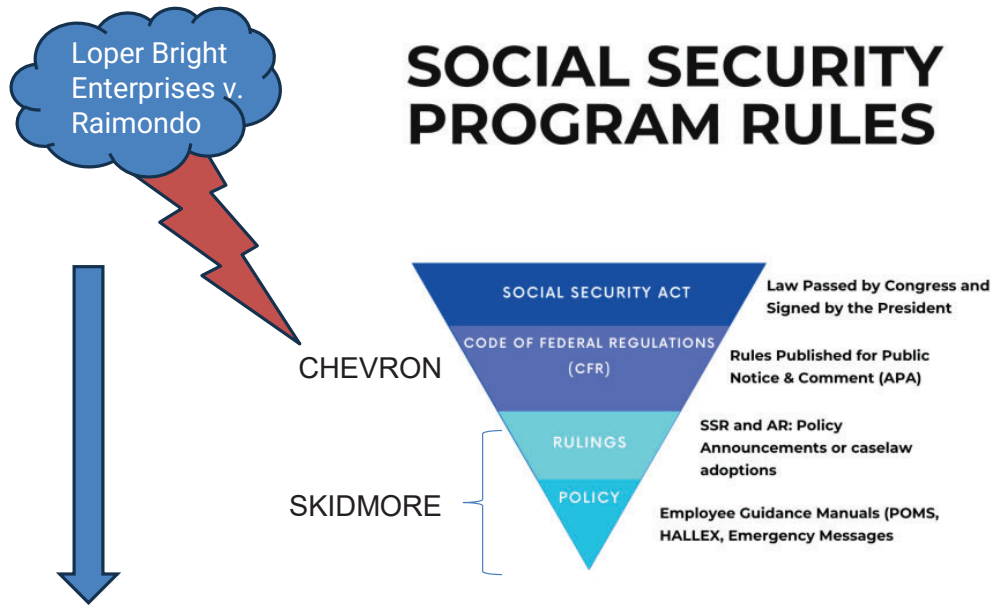


“Administrative law is not for sissies—so you should lean back, clutch the sides of your chair, and steel yourselves for a pretty dull lecture. There will be a quiz afterward.” —The Honorable Antonin Scalia, *Judicial Deference to Administrative Interpretations of Law*, 3 DUKE L. J. 511 (1989)

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4

# Administrative Law: SSA



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## Social Security Program: Title 16

- Title XVI of the Social Security Act (T16)
  - Supplemental Security Income (SSI)
    - Disabled children under the age of 18
      - Parent/Step-Parent Income & Resource Deeming Rules Apply
    - Disabled adults with limited or no work history
      - » Child support counts 100%
    - Adult citizens age 65 or older (do not have to prove disability)
  - Limited Income & Resources



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## Title search: Common Benefits Termination Problems

First appeared as part of the conference materials for the  
20<sup>th</sup> Annual Changes and Trends Affecting Special Needs Trusts session  
"Common Benefits Termination Problems"