
JEFFERSON COUNTY MEDIATION SERVICES
VOLUNTEER COLLOQUIUM MINUTES
May 21, 2013

Volunteers Present: Mark Allen, Judy Archuleta, Jolena Brusha, Jill Chase, Dee Curlin, Tonya Dalhaus, Lee Huntington, Georgine Kryda, Debbie Plotkin, Elaine Rains, Kristin Thompson

Staff Present: Mark Loye, Julie Carter and Helena Jo Goldstein

I. Welcome:

Mark Loye welcomed everyone to the meeting and asked those present to introduce themselves.

II. Presentation: Disability Entitlement Programs: SSDI, SSI and Medicaid
Presenter: Deirdre Santoscoy, Esq.

Ms. Santoscoy started off by comparing Social Security Disability Insurance (SSDI) to Supplemental Security Income (SSI). SSDI is a program wage earners can qualify for, if they have worked sufficient quarters. The individual must have worked the equivalent of 5 of the last 10 years to be covered under the SSDI program. As these are earned benefits, there are also benefits for family members. (See the chart on page 2 of the handout.) There must be a medical determination that the individual has a physical or mental impairment that has lasted or is expected to last 12 months or more, or result in death, that precludes all past relevant work and any other work in the national economy. There is no partial disability. The beneficiary can work, but if they earn more than \$1040/month (\$1740 if blind) the existence of a disability will be called into question. SSDI can be garnished in certain circumstances, including for child support, alimony and restitution.

SSI is considered a welfare program, in that it is needs based. The applicant can only have \$2,000 in assets. No work history is required. There are no benefits for family members (unless they qualify on their own). Since it is needs based, it is not subject to garnishment. The medical test is the same as for SSDI. However, applicants are eligible from the date of application, while entitlement for SSDI begins 5 months from the onset of the disability. The recipient can work, but for every \$2 they earn (over \$20/month), they lose \$1 of their benefit. Claimants are eligible for Medicaid, and in Colorado Medicaid is available back 90 days from the date of entitlement. In other words, help may be available for medical bills incurred even before the claimant was deemed disabled.

Ms. Santoscoy referred to www.ssa.gov as an excellent resource. People can: apply online for benefits, find out their retirement age, what their social security payment will be when they retire, get a pamphlet that explains the impact of working while receiving disability benefits, and much, much more.

The issue of representative payees arises frequently in JCMS mediations. A representative payee is required when the person is either physically or mentally incapable of managing their SSDI or SSI payments and it appears that using a representative will be in the interest of the beneficiary. "In the interest of" is a lax standard. A beneficiary can request a payee, but that individual may be investigated to determine suitability. A Representative payee cannot charge for their services and must use the payments for the beneficiary's current maintenance, institutional care, legal dependents, and possibly creditors. It is fairly easy to switch representative payees.

Ms. Santoscoy next addressed Medicare and Medicaid. Medicaid offers a broader range of services and is available to people before retirement. Medicare is extremely limited, providing home health and nursing home care. As a result, Medicaid is frequently sought to cover long term care. To qualify the recipient must have limited income and limited resources (assets). See chart on page 7 of the handout for more details on income and asset limits. The application for Medicaid is submitted to the County Department of Human Services.

The Child Care Assistance Program (CCAP) is available to eligible low-income Colorado families in need of childcare services. The parents must be employed, looking for work or be in a qualifying educational program. See page 12 of the handout for details of the program requirements. Benefits are applied for through the County of residence. Benefits are provided for children up to the age of 13, but that is extended up to age 19 for a child that is physically or mentally incapable of providing self-care. The program requires the child to be a qualified alien or citizen. This means undocumented parents can receive benefits as long as the child qualifies.

At the end of the handout Ms. Santoscoy has listed several resources. She pointed out that in family mediations, access to benefits may decrease the tension by decreasing the burden on family members trying to care for elderly or ill family members. When child support is being discussed in low- income households, it makes sense to make sure the family is accessing all the benefits that are available to them, to increase the pie being divided. The presentation concluded with a question and answer period.

Mr. Loye then thanked everyone who attended for participating in the discussion, and wished them a good evening.

IV. Next Colloquium: Tuesday, September 17, 2013, 6:00 – 8:00 p.m. in the Open Space Hearing Room (Ponderosa Room). Topic to be announced - suggestions are welcome.

The meeting was adjourned.

Submitted by: Helena Jo Goldstein
Helena Jo Goldstein, Programs Manager

Approved by: Mark Loye
Mark Loye, Director