

# Comparison of SSD and SSI Disability Benefits

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Comparison of SSD and SSI Disability Benefits:

## **SOCIAL SECURITY DISABILITY INSURANCE BENEFITS**

**(SSD OR SSDI)**

## **SUPPLEMENTAL SECURITY INCOME DISABILITY BENEFITS (SSI)**

Also known as “Title 2” Benefits at the Social Security office. Also known as Title 16 Benefits.

Strict definition of total disability in all cases. While there are many technicalities, including age, education and vocational skills, the general concept is that to be considered disabled by SSA, evidence must show that a person is unable to engage in substantial gainful activity due to a medical condition(s) which can be expected to result in death or expected to last for at least twelve months.

Must be "insured," meaning a person must have earned a certain amount of money in the past 10 years and have paid into the Social Security system. SSA will count how many quarters there are where a person earned more than a certain amount. If the disability began after age 30, then 20 work quarters are required in the 40 quarters immediately before the onset of disability. For those younger than age 31, fewer covered quarters are required.

For adults, SSI uses the same strict SSD definition of disability. Since children are not required to work in America, a child's SSI disability requires medical evidence which shows very severe limitations in the child's ability to function.

No work history is required. This is a federal needs based benefit for persons with disabilities, who are low-income, low-resource, and who are not insured for SSD disability at all, or whose SSD benefit amount is below the SSI benefit amount.

Wage income will result in SSD benefits ceasing, after the nine month Trial Work Period has ended. Workers' compensation and/or other federal or state or insurance payments may reduce or eliminate SSD payments in some situations. Other than these, there is no other resource or income limitation.

Waiting period: Five full calendar months after the date that SSA decides the disability began.

May be eligible for payments up to 12 months prior to application, if disabled during that time, and after application of the five whole calendar month waiting period after the onset of disability.

A minor child is only eligible if they are the dependent of a worker who is receiving Social Security retirement or Social Security Disability Insurance, or is the survivor of a worker who died and had worked enough quarters to qualify for Social Security benefits. An adult child is only eligible for child disability benefits if they are disabled themselves, the disability began prior to age 22, and the adult child is unmarried.

Benefits may be paid to the disabled person's family or survivors if they meet certain conditions.

An SSD recipient is eligible for Medicare after being disabled for two years, and is eligible for Medicaid if income eligible. Medicaid in New York State may pay Medicare premiums, and co-pays, for some low income Medicare recipients, depending on circumstance.

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Must be low income and have limited resources (assets). Resource limits: \$2,000 individual; \$3000 couple. Some resources (e.g., residence, household possessions, and one car used for transportation) are exempt and not counted.

No waiting period. Eligibility for payments begins in the month after application for SSI benefits (or if SSA determines that the disability begins later than the date of application, eligibility begins the month after the month in which SSA determines the disability began).

No retroactive benefits prior to making an application at SSA. May be eligible only as soon as the month after the month of application if considered disabled at that time.

A disabled child may be eligible for disability regardless of relationship to a disabled or retired parent, using the SSI child disability criteria that requires medical evidence showing very severe limitations in the child's ability to function.

Benefits are paid only to the disabled person, or to a representative payee on behalf of the disabled person.

In New York State, a person receives full Medicaid if eligible for just one dollar of SSI.

This article provides general information about this subject. Laws affecting this subject may have changed since this article was written. For specific legal advice about a problem you are having, get the advice of a lawyer. Receiving this information does not make you a client of our office.

Last Review Date: August 2025

Last updated on August 14, 2025.

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