

Here Comes The Sun

News for the Special Needs Community



VINCENT J. RUSSO & ASSOCIATES, P.C. Long Island's *Signature* Special Needs Law Firm

Special Needs News

May 2009

Adult Disabled Child Can Qualify For Social Security Benefits on Parent's Work History

An adult child who is disabled can receive Social Security benefits based on his or her parent's work history under certain situations. This is possible if certain conditions are met:

- A. The parent is receiving Social Security retirement benefits, or is deceased, or permanently disabled.
- B. The adult child must meet all Social Security disability benefit requirements to be eligible.

Those are the same requirements for any individual seeking disability benefits from Social Security. An adult child is defined as a child over the age of 18, provided that the disability began before the child became 22 years old.

Since Social Security is not a "means" tested program, it doesn't matter how much money the adult disabled child has, or whether he/she is the beneficiary of a trust or even whether he/she receives support and gifts from others. Eligibility for disability benefits from Social Services requires that the individual be permanently and totally disabled. Significant earnings can establish that the adult child is not disabled. The amount of the disability benefits for the adult child depends upon the parents benefit. If the parent is alive, the adult child is entitled to 50% of the parents benefit. If the parent is deceased, the adult child is entitled to 75% of the parent's benefit.

This Month's Articles:

- [Adult Children With Disabilities Can Qualify for Benefits on Parents' Work Records](#)
- [Supreme Court Hears Arguments in Special Education Funding Case](#)
- [Supportive Housing Programs Offer Integrated Solutions for People with Mental Disabilities](#)
- [SSDI's Medicare Waiting Period Would Gradually Disappear Under New Legislation](#)
- [Bill Would Give People with Special Needs an Alternative to Institutionalization](#)

[Adult Children With Disabilities Can Qualify for Benefits on Parents' Work Records](#)

Although the typical Social Security Disability Insurance (SSDI) recipient has worked for a fairly long time before the onset of a disabling condition, an adult who became disabled before turning 22 can also qualify for SSDI if she has a parent who meets certain qualifications. [more...](#)

[Supreme Court Hears Arguments in Special Education Funding Case](#)

The U.S. Supreme Court will soon decide whether federal law requires parents to try their public school's learning disabilities program before turning to private schooling. [more...](#)

[Supportive Housing Programs Offer Integrated Solutions for People with Mental Disabilities](#)

One of the programs on the cutting edge of community mental health is called "supportive housing," and it incorporates not only housing but social services and medical care as well. [more...](#)

[SSDI's Medicare Waiting Period Would Gradually Disappear Under New Legislation](#)

A bill introduced for the third straight session of Congress would phase out the two-year wait that SSDI recipients must endure before they qualify for Medicare. [more...](#)

[Bill Would Give People with Special Needs an Alternative to Institutionalization](#)

Sen. Tom Harkin (D-IA) and Rep. Danny Davis (D-IL) recently introduced the Community Choice Act in both houses of Congress. The bill would greatly expand community services and in-home care for people with special needs who qualify for institutional-level care. [more...](#)

Special Needs News is a monthly e-newsletter that brings you reports of developments and legislation of vital interest to the families of individuals with special needs and their advocates. This newsletter is brought to you by **Vincent J. Russo & Associates, P.C.**

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Quick Links...

[Swingin' Fore Theresa Golf Outing - The Theresa Foundation - June 15, 2009](#)

[AARP Fact Sheet on Working Age Americans With Disabilities](#)

[Most Parents of Children With Special Needs Lack a Plan](#)

[Community Choice Act Sponsors Seek Stories](#)

[Senator Probes Financing of Mental Health Advocacy Group](#)

[Tips for Traveling With a Child With Autism](#)

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