Supplemental Security Income (SSI) for Children
Definition of Disability for Children

20 CFR 416.906

A child is disabled if he or she has a medically determinable physical or mental impairment or combination of impairments that:

- Causes marked and severe functional limitations, and
- Can be expected to cause death, or that has lasted or can be expected to last for a continuous period of not less than 12 months.
Sequential Evaluation - Step 1

20 CFR 416.924(b)

Is the child working and doing **substantial gainful activity (SGA)**?
- If yes, the claim is denied
- If no, proceed to step 2

*SGA amounts for 2015:*
Disabled - Earnings of $1,090 or more per month
Blind - Earnings of $1,820 or more per month
Sequential Evaluation - Step 2

20 CFR 416.924(c)

Does the child have a medically determinable impairment (MDI) or combination of impairments, and if so, is it severe?

• If there is no MDI, claim is denied
• If the MDI is only a slight abnormality or combination of abnormalities that causes no more than minimal functional limitations, then impairment(s) is not severe, claim is denied
• If impairment(s) is severe, proceed to step 3
The Listing of Impairments

The **listings** are in **Appendix 1 of Subpart P of 20 CFR Part 404**, and consist of two parts:

- **Part A:** Applies to individuals age 18 and over, and to individuals under age 18, if disease processes have a similar effect on adults and children
- **Part B:** Applies **only** to individuals under age 18

We always *first* apply Part B criteria to children
Listings

2.09. *Loss of speech* due to any cause, with inability to produce by any means speech that can be heard, understood, or sustained.
Listings

102.10 B. 3. *Hearing loss not treated with cochlear implantation.* For children from age 5 to the attainment of age 18, an average air conduction hearing threshold of 50 dB or greater in the better ear and a marked limitation in speech or language. (3890)
Listings

111.09 Communication impairment, associated with documented neurological disorder. And one of the following:

A. Documented speech deficit which significantly affects the clarity and content of the speech.

B. Documented comprehension deficit resulting in ineffective verbal communication for age.

(7840)
112.12 Developmental and Emotional Disorders of Newborn and Younger Infants (Birth to attainment of age 1):

Developmental or emotional disorders of infancy are evidenced by a deficit or lag in the areas of motor, cognitive/communicative, or social functioning. These disorders may be related either to organic or to functional factors or to a combination of these factors. The required level of severity for these disorders is met when the requirements of A, B, C, D, or E are satisfied. (3153)
Sequential Evaluation - Step 3
Meets a Listing

20 CFR 416.925

If the child’s medical findings (symptoms, signs, and laboratory findings) are the same as the criteria in a listing, the child’s impairment meets that listing

AND

If the duration requirement is met, the claim is allowed
Sequential Evaluation - Step 3
Medically Equals a Listing

20 CFR 416.926

If the child’s medical findings are not the same as the criteria in a listing, but are at least equal in severity to the criteria, the child’s impairment(s) medically equals that listing

AND

If the duration requirement is met, the claim is allowed
Sequential Evaluation - Step 3
Functionally Equals the Listings

20 CFR 416.926a

If the child’s impairment(s) does not meet or medically equal a listing, we evaluate the child’s functioning to determine if his or her impairment(s) functionally equals the listings.
Functional Equivalence

The Building Blocks:

- Five Age Groups
- Six Domains of Functioning
- Standard of Disability: Definitions
Age Groups

- **Newborns and young infants**
  Birth to attainment of age 1

- **Older infants and toddlers**
  Age 1 to attainment of age 3

- **Preschool children**
  Age 3 to attainment of age 6

- **School-age children**
  Age 6 to attainment of age 12

- **Adolescents**
  Age 12 to attainment of age 18
Six Domains of Functioning

20 CFR 416.926a(b)(1)

• Acquiring and Using Information
• Attending and Completing Tasks
• Interacting and Relating with Others
• Moving About and Manipulating Objects
• Caring for Yourself
• Health and Physical Well-being
Evaluation of Disability

**Context:** The child’s functioning in all settings compared to the functioning of children the same age who do not have impairments.

**So the question is:** What does it take to keep the child functioning the same as children the same age who do not have impairments?
Functional Equivalence Standard

Standard is **listing-level severity**; that is:

- **Marked** limitation in **two** domains of functioning, or
- **Extreme** limitation in **one** domain of functioning
Marked Limitation

Qualitative definition:

Impairment(s) interferes seriously with ability to independently initiate, sustain, or complete age-appropriate activities.
Marked Limitation

Quantitative definition:

Child of any age (birth to attainment of age 18): Valid score **two standard deviations or more below the mean**, but less than three standard deviations, on a comprehensive standardized test designed to measure ability or functioning in that domain, and day-to-day functioning in domain-related activities is consistent with that score.

Child under age 3: Functioning at a level **more than one-half but not more than two-thirds of chronological age** when there are no standard scores from standardized tests in case record.
Extreme Limitation

Qualitative definition:

Impairment(s) interferes **very seriously** with ability to independently initiate, sustain, or complete age-appropriate activities
Extreme Limitation

Quantitative definition:

Child of any age (birth to attainment of age 18): Valid score **three standard deviations or more below the mean** on a comprehensive standardized test designed to measure ability or functioning in that Domain, and day-to-day functioning in domain-related activities is consistent with that score

Child under age 3: Functioning at a level **one-half of chronological age or less** when there are no standard scores from standardized tests in case record