



FAMILY NIGHT OUT

Hundreds of PLAN|NJ families and several Seeing Eye puppies in training attended the **4th Annual PLAN|NJ Family Night Out** at the Somerset Patriots on Thursday, September 12, 2024. No rain in sight this year! Richard S. threw out the ceremonial first pitch; Chelsea Palermo returned to sing our national anthem. Ticket purchases and the 50/50 raffle raised funds to benefit PLAN|NJ's pro bono Family Support Services program. See a slideshow of photos from the evening at <https://plannj.org/events>.

Clockwise: Chelsea Palermo, Seeing Eye puppy in training, PLAN|NJ Board members and guests, first pitch by Richard S.



PHOTOS BY FRANK DIGIOVANNI

Recent Changes to the SSI In-Kind Support Rules

ASK AN EXPERT

By Richard Miller, Esq. and Dan Stone, Esq.

What is SSI?

SSI, or Supplemental Security Income, is a government program administered by the Social Security Administration (SSA) that provides monthly payments to adults and children who have income and resources below specific financial limits and who meet one of the following criteria:

- They are 65 or older;
- They are blind; or
- They have a medical condition that keeps them from working, which is expected to last one year or result in death.

Resource and Income Limitations

Such individuals, among other things, must have a limited income and limited resources. If one qualifies, they can receive a monthly entitlement of up to \$943 in 2024. For SSI purposes, resources include cash, bank accounts, stocks, mutual funds, U.S. savings bonds, land, vehicles, personal property, life insurance, and anything else that can be converted and used for food

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NEW: STATEWIDE DISABILITY INFORMATION HUB

To commemorate Disability Pride Month and the 34th anniversary of the Americans with Disabilities Act in August, the New Jersey Department of Human Services and Office of Innovation launched a new web resource for people with disabilities and those who support them. The **Disability Information Hub** brings together into one place the wide variety of resources available through the State and other organizations for people with disabilities, caregivers, families and advocates; it is available at <https://www.nj.gov/disabilities/>. A Caregiver Quick Start Guide to the Hub is available to view or to download and print at <https://www.nj.gov/disabilities/documents/QSG-caregivers-v5.pdf>

Recent Changes to the SSI In-Kind Support Rules

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or shelter. For individuals or children, a recipient of SSI cannot have more than \$2,000 in resources. Couples can have up to \$3,000 in resources.

Income also impacts the amount of entitlement. SSA defines "income" as "anything individuals receive in cash or in-kind that they can use to meet their food and shelter needs." This kind of income is known as in-kind support and maintenance or "ISM." If a recipient receives income exceeding their SSI award, they are at risk of seeing their monthly cash benefits decline. In certain circumstances, their eligibility for SSI, and even Medicaid, could be eliminated altogether.

The New Rule

Effective September 30, 2024, SSA has instituted a new policy, indicating that it will no longer count "free food" as income and will not consider food expenses in its ISM calculations. The policy applies to both private sources of food and food assistance from public sources. As such, receipt of food from friends, family and community support networks will no longer reduce individuals' SSI cash benefits. Instead, for ISM purposes, SSA will consider only "shelter expenses," paid by others, which will include expenses for room, rent, mortgage payments, real property taxes, heating fuel, gas, electricity, water, sewerage, and garbage collection services.

This change in SSA's policy is meant to streamline the way SSA calculates ISM, and in turn, determine the amount of SSI benefits to which a recipient may be entitled. This is particularly important considering the current price of groceries and the impact on SSI recipients. As stated in the final rule, the new rule serves to promote equity "by not penalizing vulnerable individuals when they receive food assistance."

The final rule can be read in its entirety [at https://www.govinfo.gov/content/pkg/FR-2024-03-27/pdf/2024-06464.pdf](https://www.govinfo.gov/content/pkg/FR-2024-03-27/pdf/2024-06464.pdf)

Richard Miller, a Certified Elder Law Attorney and Chair of the Elder Law practice group at Mandelbaum Barrett PC, focuses on Elder Law, Guardianships, Special Needs Planning, Estate Planning, Asset Protection, and Probate Litigation. He also provides fiduciary services, serving as an Executor, Administrator, and Mediator in complex estate matters. Dan Stone, an Associate in Mandelbaum Barrett PC's Elder Law Practice Group, specializes in Estate Litigation, Administration, Guardianships, and Asset Preservation.



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PLAN|NJ Educational Events: Legal and Estate Planning for People with Disabilities

We list our upcoming admission-free co-sponsored educational events on the need for legal and estate planning at <https://plannj.org/events/>. Check for events in your area and share with families and colleagues. Thank you!

TOGETHER WE PLAN PODCAST EPISODES

Together We PLAN is a podcast available on Spotify and Apple Podcasts (search for Together We PLAN) and at <https://plannj.org/together-we-plan/>. Future episodes focus on public and DDD benefits, mental health resources, legal and estate planning for people with disabilities, and housing placements. We encourage you to listen, learn, and share the series with families and colleagues!



E1: Advocacy in Action: Empowering Families and Individuals with Disabilities with Paul Aronsohn, New Jersey Ombudsman for Individuals with Intellectual or Developmental Disabilities and Their Families and co-host Hazeline Pilgrim, Executive Director, Family Support Organization of Essex County and Member, PLAN|NJ Board of Directors

E2: Navigating Special Needs Trusts and ABLE Accounts: A Guide for Families with Shirley Whitenack, Esq., Elizabeth G. Farishian, RN, MA, President, PLAN|NJ Board of Directors and Nancy Dilliplane, Director of Trust Services, PLAN|NJ

E3: Beyond Guardianship: Exploring Supported Decision Making with Nina Weiss, Esq., Joseph B. Young, Esq., Vice President, PLAN|NJ Board of Directors and Elizabeth G. Farishian, RN, MA, President, PLAN|NJ Board of Directors

E4: Unlocking Supportive Housing: Navigating Resources and Solutions for Individuals with Disabilities with Diane Riley, Executive Director, Supportive Housing Association of New Jersey and Nicola Nero, Assistant Director of Social Services and Housing Navigator, PLAN|NJ

E5: The Challenge to Change: Learning from Lived Experiences with Disabilities with LeDerick Horne, Disability Rights Advocate, Poet and Motivational Speaker, and recipient of the 2024 PLAN|NJ Celebration of Abilities Trailblazer Award; and Hazeline Pilgrim, Executive Director, Family Support Program of Essex County and Member, PLAN|NJ Board of Directors



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December 3, 2024,
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