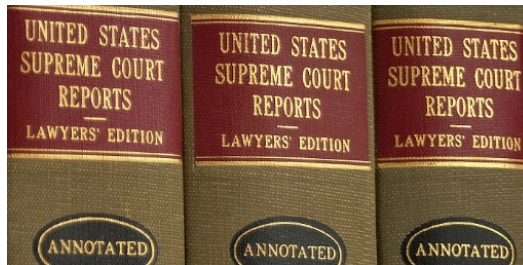




SUFFOLK ACADEMY OF LAW
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ZOOM PROGRAM

SOCIAL SECURITY AND VETERANS COMPENSATION

FACULTY

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Suffolk County Bar Association, New York

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Janet Santeramo was raised in Queens, New York. She is a Marine who served in the Persian Gulf and participated in Operation Desert Shield, Desert Storm and Cease Fire with 8th Engineers Support Battalion. Thereafter, Janet served as a reservist with 2nd Battalion 25th Marines.

Janet is a graduate of Saint Joseph's College and graduated Cum Laude, with a Major in Psychology and Minor in Philosophy. After graduation, Janet worked as a Social Worker for an agency coordinating benefits for adults that were dually diagnosed with developmental disabilities and psychiatric conditions.

Janet obtained her law degree from Touro College, Jacob D. Fuchsberg Law Center. Janet was admitted to the New York State Bar in 2006 and began work with the Administration for Children's Services where she was responsible for litigation in child abuse and neglect cases.

Janet began work as an attorney with Turley, Redmond, Rosasco and Rosasco in 2008 and became a Partner at the firm in 2018. Janet's areas of concentration are:

- **Veterans' (VA) Disability Benefits**
- **New York State Disability Retirement Claims**
- **New York State Teachers' Disability Retirement Claims**
- **Social Security Disability Claims**
- **Worker's Compensation Claims**

Throughout her diverse work career, Janet has always been and remains a champion of the underdog. She enjoys helping others, traveling, going to the gym, rock climbing, extreme sports; and attending concerts.

Social Security Disability & Veterans' Compensation Benefits



SSD Benefits

Social Security Disability – SSD is a federal total **disability** program, which may or may not be taxable.

Benefits are based on average lifetime earnings, not on household income or how severe the individual's disability is.

Benefit can retro – a year prior to application.

Recipient of SSD benefits may receive additional monies for dependents.

Mandatory waiting period of five months after your disability begins before receipt of benefits can begin.

Max Benefit for individual – 2020 amount \$3,011

SSI Federal Benefit Amount

Supplemental Security Income –SSI is federal total disability program.

Amount of benefits- “means” tested and depending upon the state in which the recipient resides can include additional funds from the state.

Recipient cannot have more than a total of \$1500 dollars in bank account(s)

Can automatically qualify the recipient for other state benefits.

Date benefit retro – date of application

SSI amounts for 2020 The monthly maximum Federal amounts for 2020 are **\$783** for an eligible individual.

Veterans' Compensation Benefits

Non-taxable

Based upon degree of the veteran's disability.

Rated from 0% evaluation to 100% evaluation.

VA Compensation Rates

A veteran receiving a less than 30 % evaluation is not eligible to receive compensation for his/her dependents.

10%	142.29
20%	281.27

VA Compensation Rates 30-60%

Dependent status	30% disability rating (in U.S. \$)	40% disability rating (in U.S. \$)	50% disability rating (in U.S. \$)	60% disability rating (in U.S. \$)
Veteran alone (no dependents)	435.69	627.61	893.43	1,131.68
With spouse (no parents or children)	486.69	696.61	979.43	1,234.68
With spouse and 1 parent (no children)	527.69	751.61	1,048.43	1,317.68
With spouse and 2 parents (no children)	568.69	806.61	1,117.43	1,400.68
With 1 parent (no spouse or children)	476.69	682.61	962.43	1,214.68
With 2 parents (no spouse or children)	517.69	737.61	1,031.43	1,297.68

VA Compensation Rates 30-60% with Dependents

Dependent status	30% disability rating (in U.S. \$)	40% disability rating (in U.S. \$)	50% disability rating (in U.S. \$)	60% disability rating (in U.S. \$)
Veteran with 1 child only (no spouse or parents)	469.69	673.61	950.43	1,200.68
With 1 child and spouse (no parents)	525.69	747.61	1,043.43	1,311.68
With 1 child, spouse, and 1 parent	566.69	802.61	1,112.43	1,394.68
With 1 child, spouse, and 2 parents	607.69	857.61	1,181.43	1,477.68
With 1 child and 1 parent (no spouse)	510.69	728.61	1,019.43	1,283.68
With 1 child and 2 parents (no spouse)	551.69	783.61	1,088.43	1,366.68

VA Compensation 30-60% with Additional Dependents

Dependent status	30% disability rating (in U.S. \$)	40% disability rating (in U.S. \$)	50% disability rating (in U.S. \$)	60% disability rating (in U.S. \$)
Each additional child under age 18	25.00	34.00	43.00	51.00
Each additional child over age 18 in a qualifying school program	83.00	111.00	138.00	166.00
Spouse receiving Aid and Attendance	48.00	63.00	80.00	96.00

Veteran's Compensation Rates

70-100%

Dependent status	70% disability rating (in U.S. \$)	80% disability rating (in U.S. \$)	90% disability rating (in U.S. \$)	100% disability rating (in U.S. \$)
Veteran with child only (no spouse or parents)	1,507.17	1,749.80	1,966.96	3,221.85
With 1 child and spouse (no parents)	1,636.17	1,897.80	2,132.96	3,406.04
With 1 child, spouse and 1 parent	1,733.17	2,008.80	2,257.96	3,545.02
With 1 child, spouse and 2 parents	1,830.17	2,119.80	2,382.96	3,684.00
With 1 child and 1 parent	1,604.17	1,860.80	2,091.96	3,360.83
With 1 child and 2 parents (no spouse)	1,701.17	1,971.80	2,216.96	3,499.81

Veteran's Compensation Rates 70% to 100% with Additional Dependents

Dependent status	70% disability rating (in U.S. \$)	80% disability rating (in U.S. \$)	90% disability rating (in U.S. \$)	100% disability rating (in U.S. \$)
Each additional child under age 18	60.00	68.00	77.00	86.05
Each additional child over age 18 in a qualifying school program	194.00	222.00	250.00	277.96
Spouse receiving Aid and Attendance	111.00	127.00	143.00	158.82

Veteran's Pension

Low-income wartime veterans and their survivors may qualify for a tax-free pension.

Eligibility based upon veteran's service time, financial need, and age or status of the veteran or survivor.

This is means tested program

Countable income includes how much is earned, Social Security benefits, investment and retirement payments, and any income your dependents receive. Some expenses, like non-reimbursable medical expenses can be used to reduce countable income.

Net worth limit to qualify for a Veterans Pension as of December 1, 2019, is \$129,094.

What To Do

Consider:

What is the veteran's compensation rating

Does the veteran have debilitating conditions outside of those that are service connected

Age of the veteran

Past work experience of the veteran

Is the veteran working

Is there any type of work that the veteran could do

Does the veteran have any transferrable skills

Will there be an offset

What other benefits might the veteran qualify for

“If you don’t step forward, you’re always in the same place.”

- NORA ROBERTS