

Frequently Asked Questions for Assisting LGBTQ+ Individuals with SSI/SSDI Applications

HELPFUL INFORMATION AND RESOURCES

This document provides answers to frequently asked questions about working with lesbian, gay, bisexual, transgender, queer, questioning, intersex, two-spirit, and other diverse sexual orientations, gender identities and expressions (LGBTQ+) applicants during the Supplemental Security Income/Social Security Disability Insurance (SSI/SSDI) application process. Learn more about using respectful language, engaging in productive and meaningful ways, and preparing SSA forms and the SOAR Medical Summary Report (MSR) with special care and attention to details around LGBTQ+ matters.

Language and Engagement

How can I learn more about using respectful language with LGBTQ+ communities?

Answer: The SAMHSA-funded Center of Excellence for LGBTQ+ Behavioral Health Equity has created an excellent and easy-to-use [language guide](#) covering sexual orientation, gender identity, and expression (SOGIE). It offers information about outdated and updated language and why language matters. The Center also has a six-minute [animation](#) that describes what LGBTQ+ and SOGIE mean.

What are pronouns and why are they important?

Answer: Pronouns are parts of speech that we use to refer to individuals when we are talking about them in the third person. An example of this is the word “she” in the sentence, “she bought me lunch today.” People often make assumptions about what pronouns to use for someone based on their name or their appearance. When someone identifies as non-binary or a gender that does not match the stereotypical appearance of their gender, these assumptions and the misgendering that results from using the wrong pronouns can be harmful. [Pronouns.org](#) has helpful information about personal pronouns and why knowing and using someone’s accurate pronouns is important.

What do I do if I don’t know someone’s pronouns?

Answer: Ask! It may be helpful to include your pronouns as general practice when introducing yourself, as this allows others the space to share their pronouns. For example, “My name is Mike, and I use he and him pronouns. I see the paperwork here says your name is Sarah. Is that how I should refer to you?”

What happens if I misgender someone? How can I make amends?

Answer: Recognize, apologize, correct, and move forward. Do not go on about how hard it is; those are our own anxious feelings. It takes practice! The more we use the correct pronouns with someone and when referring to

someone, the easier it will get. We can make it more fluid for ourselves by bringing awareness to our language and practicing!

What is a deadname?

Answer: A deadname is a name that a person no longer uses. Many transgender or non-binary people change their name from their given or birth name to feel more affirmed in their true gender. Using a person's correct name and pronouns when communicating with or about them is important. There may be situations in the Social Security disability application process where you need to reference the person's deadname to explain why there are discrepancies in medical records prior to their name change. You can address this difference in the remarks section on SSA forms and in the introduction to your Medical Summary Report.

Social Security Administration (SSA) Forms

What gender do I put on the SSA forms when someone is transgender or non-binary?

Answer: You should use the gender that the individual requests. In the Remarks section, you can explain that the person is transgender and when they changed their name or gender markers, and if applicable, with their correct name. If they have a deadname (described above), you can explain that some older records may reference that name. If you have date ranges for which the prior gender and name were used and discontinued, include this information in the remarks section as well.

Can individuals change their gender (sex) in their records with Social Security?

Answer: Yes! As of October 19, 2022, individuals can self-select their sex on their Social Security number (SSN) record. To make an update, they will need to apply for a replacement SSN card. They will still need to show a [current document](#) to prove their identity, but they will not need to provide medical or legal documentation of their sex designation. Additionally, documentation that reflects an "X" gender marker is acceptable identifying documentation. If a person changes their name, it is also important to report the name change to SSA as soon as possible so their earnings get recorded properly in their SSA record. This will ensure that the person receives all the benefits they are due if they become disabled and unable to work.

I am working with an applicant who is transgender and currently in the process of changing their name. What do we do if their name change is finalized during the application process?

Answer: SSA recommends that the applicant ask their SSA field office to make a special note of this for the Disability Determination Services (DDS) and, once the application has gone to DDS, to touch base with the disability examiner to remind them. As the SOAR case worker, you can indicate that a name change is in process in the Remarks Section of all SSA forms and the Medical Summary Report. You could also include the name change document with the completed SOAR application. By keeping up good communication with DDS, the examiner will know that the applicant's name and gender may not match all medical documentation. SSA also suggested informing the applicant's medical sources to ensure they are aware for medical records purposes. Here are some helpful links regarding name/gender changes:

- [Application for a Social Security Card](#)
- [RM 10212.015 Evidence Requirements to Process a Name Change on the SSN](#)
- [RM 10212.200 Changing Numident Data for Reasons Other than Name Change](#)

Are same-gender partners or spouses eligible for benefits based on their partner or spouse's record?

Answer: Yes! Same-gender couples and their families may be eligible for SSA benefits based on their marital status, including non-marital legal relationships like civil unions and domestic partnerships. These benefits may include retirement, survivors, Medicare, and disability benefits. SSA has helpful information about eligibility on their [website](#).

Medical Records and Medical Summary Report

How do I request medical records for an individual whose name was legally changed but whose records may be under their “deadname?”

Answer: On the release of information, the individual will need to include both names. They will sign the form with their current legal name but request the old records indicating the prior name used. This process would be similar to how it would be handled for a person who changes their last name upon marriage or divorce.

I have medical records that have the individual’s former sex/gender and their birth name (i.e., deadname). How do I handle that in the Medical Summary Report?

Answer: In the opening paragraph of your Medical Summary Report, you will explain that the individual has changed their name and identifies as their correct gender. Explain that their records from birth to their legal name change will reference their former information. State that throughout your MSR you will refer to them by their correct name and pronouns.

How do we include information about the trauma they have experienced as a transgender youth?

Answer: Consider how a potential applicant’s racial, ethnic, religious, and cultural backgrounds may impact their experiences. Additionally, be mindful of how your experiences may impact your opinions/feelings/attitudes toward the person’s functioning. The interviewing process can uncover very sensitive topics such as past and current trauma, and it is important to be sensitive to the way that this can affect a person’s willingness and ability to provide information. The questions asked during this process and how they are asked can be critical to obtaining the appropriate information. The overarching questions you should ask yourself are: Does asking this information help provide insight into the applicant’s functioning? Is the question being asked in a way that conveys a sense of care and non-judgment? Unless it relates to the individual’s ability to function, avoid questions about which gender-affirming surgeries or treatment a person has received.

Sample questions:

- Was there ever a time in the past or recently when something really bad or very upsetting happened to you? You don't need to give me any details. Does it still impact you?
- Do you feel safe or are you generally afraid? Of anyone or anything in particular?
- As a child or teenager, were you ever physically, emotionally, or sexually abused?

Relevant Evidence for Inclusion

- Did the applicant experience trauma that can be connected to discrimination or denial of access to medical/educational/or legal services due to discrimination or prejudice?
- Does the impact of historical trauma influence the applicant's ability to function currently? Consider the era and the location of where the applicant was raised.
- Individuals who identify as LGBTQ+ are often more likely to experience episodic homelessness – meaning they've experienced extreme instability. Because LGBTQ+ individuals are at higher risk of abuse and harassment in sheltered and street settings, it is not uncommon for individuals to enter or remain in abusive situations to avoid other forms of abuse.

How might medical records differ for someone who identifies as transgender or nonbinary?

Answer: Many people who identify outside of the gender binary experience discrimination and delayed healthcare when interacting with medical providers. Nearly half of transgender adults report negative or discriminatory experiences with a healthcare provider. This can look like higher institutionalization rates, misdiagnoses, and/or refusal to provide treatment for the individual's stated symptoms¹.

Additionally, you may find diagnoses related to a person's gender identity that they may or may not agree with or feel comfortable about receiving. For example, "Gender Dysphoria" is a current DSM-5 diagnosis used among physicians. This has evolved over time, and previous diagnoses may reflect the out-of-date language, such as "gender identity disorder" and/or "transsexualism." Due to the history of discrimination, any of these diagnoses could be a source of discomfort for individuals.

What should we do when someone who is LGBTQ+ doesn't have enough medical documentation?

Answer: Much like other folks who experience homelessness, you may find that individuals who have experienced discrimination or fear discrimination from medical providers based on their gender identity or sexual orientation do not have thorough medical documentation of their disabling condition(s). This is where it helps to get creative about collecting medical evidence: [Creative Strategies for Tracking Down Medical Evidence: SOAR Team Tips](#).

¹ <https://www.americanprogress.org/article/state-lgbtq-community-2020/>

Don't forget to rely on community partners! Many communities have LGBTQ+ Community Centers, which frequently include small clinics or medical staff. While these typically aren't full-service medical facilities, they can be excellent resources for updated records and co-signatures while ensuring culturally competent care for the individual.

Additionally, when faced with this challenge, remember that the Medical Summary Report, especially when co-signed by an acceptable medical source, is a valuable tool for demonstrating functional impairments.

How can I indicate that someone is transgender or non-binary when entering their application into the SOAR Online Application Tracking (OAT) system?

Answer: OAT initially offered two options for gender (male/female). As of May 2023, OAT now includes the option to include additional gender identities in the demographics section.