

Social Security Disability or Retirement Benefits Are Available for LGBTQ Community's Family Members

If you are a part of the [LGBTQ community](#) and you currently receive Social Security disability or retirement benefits, there could be additional financial help available for your family. The Social Security Administration ([SSA](#)) offers different programs with monthly benefits available to the dependents of those individuals who receive monthly retirement or disability benefits. With new laws in order LGBTQ couples eligible to receive additional financial help.

Auxiliary Benefits Available to Your Family

The benefits that your family could receive are called [auxiliary benefits](#). Auxiliary benefits may be eligible for spouses, minor children, and in some cases, parents. Who is eligible for auxiliary benefits depends on which kind of benefits you receive from Social Security. If you are disabled, or if you have retired and you are getting Social Security benefits, your spouse would be eligible to receive auxiliary benefits through your Social Security account. A wife or husband could get as much as 50 percent of your retirement benefits after he or she reaches age 62.

If you are getting [retirement benefits](#), any children who are still minors – ages 18 and younger or those who are still in high school and unmarried – can receive as much as 50 percent of your benefits. Your household maximum income limit is about 180 percent of your entitlement, so even if you have multiple children and a spouse who is eligible, the amount that your household can receive from the SSA is capped.

According to the SSA guidelines, a child can be a biological, adopted, or step-child. You aren't required to adopt your spouse's child from another marriage or if adopted by your spouse, but you must wait a year after your marriage to apply for auxiliary benefits on behalf of your step-child. If your child is disabled by a condition that begins before turning 22, such as a heart problem or cerebral palsy, he or she may be eligible for auxiliary benefits well past age 18.

Survivors' Benefits Available for Families

If you or your spouse were to die, then your family would be eligible for [additional benefits](#). Surviving spouses can receive from 75 percent to 100 percent of the decedent's benefits starting at age 60. Minor children can receive as much as 75 percent of the deceased parent's benefits until they reach age 18. If your parents, who are older than age 62, are dependent on you for at least 50 percent of their support, they would be eligible for survivors' benefits from your account as well.

Are There Any Benefits A LGBTQ Family Can't Claim?

As of now, the only Social Security benefits that a LGBTQ family cannot claim are the auxiliary benefits of a retired or disabled spouse following divorce. Usually, you can claim 50 percent of a spouse's entitlement after a divorce after you have passed age 62, just so long as you had been married at least 10 years and didn't remarry before reaching age 60. The Supreme Court decision to recognize gay marriage didn't come until 2015, so most likely no one in the LGBTQ community will be able to claim these benefits until 2025. If you have any further questions, you can always call the SSA toll free at 1-800-772-1213 or schedule an appointment at your [local SSA office](#) to speak with a representative in person.

Resources Found Via:

- <https://equalitync.org>
- <https://www.ssa.gov/>
- <https://www.disability-benefits-help.org/glossary/auxiliary-benefits>
- <https://www.ssa.gov/planners/retire/index.html>
- <https://www.ssa.gov/benefits/survivors/>
- <https://www.disability-benefits-help.org/social-security-disability-locations/georgia>