



Spouse-to-Spouse Deeming Steps

January 2020

When an ineligible spouse lives in the same household as the SSI eligible individual, Social Security applies these deeming rules in the following order:

1. The amount of countable earned and unearned income of the ineligible spouse is determined. Remember that not all money a person receives may count as income under the SSI rules.
2. Social Security subtracts a standard “allocation” from any income the ineligible spouse has for each ineligible child in the household (some exceptions apply). The allocation is simply the couple FBR less the individual FBR which for 2020 would be $\$1,175 - \$783 = \$392$. Social Security reduces each allocation by the amount of that child’s income. Not all money an ineligible child receives would count as income. If there are ineligible children in the household spousal deeming can get very complicated. In these cases, CWICs should stop and get help from Social Security personnel.
3. If the remaining income of the ineligible spouse is less than the 2020 standard allocation amount of \$392 after all applicable allocations have been deducted, NO income is deemed to the eligible spouse and Social Security stops right here. If the remaining income is more than \$392, then spouse-to-spouse deeming does apply and Social Security moves on to the next step to determine both eligibility and how to adjust the eligible person’s SSI check.
4. If the remaining income of the ineligible person (both earned & unearned) is more than \$392, the eligible individual and the ineligible spouse are treated as if they were an eligible couple from this point forward. [Use the eligible couple SSI calculation sheet to determine countable income](https://vcu-ntdc.org/resources/viewContent.cfm?contentID=3). A copy of that form is provided on the VCU NTDC web site (<https://vcu-ntdc.org/resources/viewContent.cfm?contentID=3>).
5. Social Security combines the remainder of the unearned income of the ineligible spouse (after ineligible child allocations are applied) with that of the eligible individual and one \$20 General Income Exclusion (GIE) is applied.

6. Social Security combines the remainder of the earned income of the ineligible spouse (less ineligible child allocations if not already taken from unearned income) with any earned income from the eligible individual. If Social Security did not already apply the GIE to unearned income, Social Security applies it to any earned income the couple has. In addition, Social Security applies one \$65 Earned Income Exclusion (EIE) to the earned income.
7. Social Security divides the remaining earned income of the couple by two to determine countable earned income.
8. Social Security applies work incentives for the eligible individual as appropriate within the SSI calculation chart. Most work incentives don't apply to the ineligible spouse with the exception of the Student Earned Income Exclusion (SEIE). As long as the ineligible spouse meets the requirements for use of the SEIE, Social Security will apply it to that person's earnings.
9. Social Security adds the countable earned income to the countable unearned income to determine total countable income for the couple. Total countable income is subtracted from the couple FBR (\$1,175 in 2020) to determine both SSI eligibility as well as the adjusted SSI for the eligible individual.
10. If the remaining figure is zero, no SSI check is due and Social Security will find the spouse to be ineligible. If the figure is more than zero, this is what the adjusted SSI payment for the eligible person will be. Keep in mind that the payment can never be more than the individual FBR of \$783 for 2020.

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