

SOCIAL SECURIT

New Spousal Claiming Rules Every Advisor Must Know for 2016 and Beyond! *and* Top 10 Social Security Questions Asked by Baby Boomers . . . And How To Answer Them

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Update on Budget Act

- Bipartisan Budget Act of 2015 closes loopholes
 - File and suspend
 - Restricted application

File and suspend: Dead as of 4/29/16

- Fundamental requirement for spousal benefits: Worker spouse must have filed for own benefit
- What if spouse wants to start spousal benefit but worker wants to delay?
- Worker files for his benefit and then suspends (as authorized by the Freedom to Work Act of 2000) to build delayed credits
- Spouse is now free to file for spousal benefit
- New rule: No spousal benefits can be paid if worker's benefit was suspended after April 29, 2016

Lump sums no longer paid

- A person who suspends their benefit may request that benefits be resumed at any time.
- Previously, unpaid benefits going back to filing date could be paid in a lump sum
- Under new law these retroactive benefits will not be paid
- When benefit resumes, it will be paid going forward only, at the amount in effect at the time of resumption (i.e., including delayed credits)



Suspensions still allowed

- Voluntary suspension will still be allowed as usual. Anyone over FRA may suspend their benefit to build delayed credits. But . . .
 - Spousal benefits will no longer be paid if worker suspended benefit after April 29, 2016
 - Suspended benefits will not be paid in a lump sum

Restricted application

- A person who is entitled to both a retirement and a spousal benefit will be paid the higher of the two benefits UNLESS he restricts his application to his spousal benefit at FRA
- This allows a person to receive a spousal benefit while his own benefit builds delayed credits
- Can give a spouse up to \$60,000 in spousal benefits while own benefit increases by 32%.
- New rule: Must have turned 62 by the end of 2015 to file a restricted application at FRA

New rules for clients who were not 62 or older as of 12/31/15

- Deemed filing in force to age 70
- When a person files for benefits <u>at any age</u>, they are deemed to be filing for both their own retirement benefit and their spousal benefit
- When application is taken for both benefits, if the retirement benefit is higher, that's the benefit that will be paid
- It is no longer possible to file a restricted application for spousal benefits

Clients born in 1953 or earlier are grandfathered for restricted app

- Spousal benefits are not dead!
- Media attention on the demise of file and suspend may make people think they can't get spousal benefits
- Anyone who was 62 or older at the end of 2015 may file a restricted application for spousal benefits when they turn 66.
- Get the word out to these people!

Terminology confusion

- What do you call it when you want to take a spousal benefit while your own benefit builds delayed credits?
- This is NOT called file and suspend. It is called filing a restricted application. You are not "suspending," you are "delaying."
- Be alert to this: People who have heard that file and suspend is dead may think they can't take a spousal benefit while their own benefit builds delayed credits.
- If they were 62 or older in 2015 and the other spouse has filed, they can file a restricted application for spousal benefits when they turn FRA



Deadline confusion

- April 29 was the deadline for file and suspend. It was NOT the deadline for restricted application.
- Anyone who was 62 or older at the end of 2015 has until age 66 (age 70, really) to file a restricted application for spousal benefits

What the new rules mean for married couples

- Must do customized planning based on their ages
 - If under 62 now, do not talk about spousal strategies utilizing file and suspend or restricted application. Focus on working longer, delaying benefits, finding income sources for the bridge period if retiring before age 70
 - If over 62 now:
 - Can file restricted app at FRA (other spouse) must have filed)
 - Suitable for spouses whose own benefit is higher than the spousal benefit SOCIAL SECURIT

What the new rules mean for divorced people

- Divorced person under 62 will not be able to file a restricted application for divorced-spouse benefits.
- For divorced clients 62 and older, it's business as usual. They may file a restricted app for spousal benefit at FRA
- Because ex-spouse does not need to have filed (if over 62 and divorce occurred over 2 years ago), file and suspend not necessary

What about widows and widowers?

- Deemed filing does not apply to survivor benefits
- No change in strategy: it is still possible for a widow to file a restricted application for the survivor benefit (at any age) and let her own retirement benefit build delayed credits
- Read my Sept. 19, 2013 newsletter, "Social Security for Young Widows" for a complete discussion of strategies

Summary: Two phases of implementation

- Prior to April 29
 - Anyone over FRA could file and suspend and allow spouse to claim spousal benefit (now or later)
 - Anyone over FRA could file a restricted application for spousal benefit
- After April 29
 - No file and suspend spousal benefits cannot be claimed on a benefit suspended after that date
 - Anyone who was over 62 at end of 2016 may file restricted app when turn 66, providing other spouse has filed

Questions? Members log into www.savvysocialsecurity.com

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Questions & Answers

Elaine Floyd, CFP® and our team are here to answer your questions on Social Security claiming strategies. Questions are typically answered in 24 hours.

Ask a Question	Search Q & A	C Search					
Your question	Latest Answers (7627)	Show: All Categories 🗘					
	SPOUSAL PLANNING Q: I have a client who was born in 1949 with a PIA of 2624 and his wife was born in 1948 with a PIA of 2118. They also have 14 yr old daughter (for caregiver benefits). They want to maximize SS. He just filed and suspended so she can file a restricted						
Select Category 🗘	app. But the question came up is that the best way? Might she go back and get 6 months of back PIA? Would the daughter get 6 months retro? Husband? Could she file and suspend Get delayed credits), he file restricted and daughter get 50% dependent each? Would it be better for him to file and suspend and the other 2 get 50% each?? At least the new rules won't effect them at their age. Thanks so much						
	Mark Orr – 10/30/2015						

A: Here are their options: 1) H files and suspends, W files restricted app for

See October 29, 2015 newsletter



More:

Exact wording of Social

Security changes

Group Coaching for

Savvy Social Security

Boomer survey

• Question of the week

GAME CHANGER

From the Savvy Social Security Planning newsletter - October 29, 2015

Social Security 'Loopholes' Closing

Just like that, two strategies that have helped your clients take advantage of Social Security spousal benefits have been wiped out. As part of the <u>budget deal</u> struck by House Republicans and President Obama to raise the

U.S. debt limit, two key Social Security "loopholes" have been closed: file and suspend and restricted application for spousal benefits. The ban on file and suspend will start with suspension requests submitted 180 days after the enactment of the bill. The ban on filing a restricted application will apply to anyone who turns 62 in 2016 or later. As of Wednesday evening the House had approved the bill. The Senate is expected to vote soon, and Obama's signature is likely. Here is the full text of the



See Client Bulletin



Oct 29, 2015

Client Bulletin: Budget Bill Changes Social Security Strategies

Editor's note: The information below is not yet FINRA-reviewed. Feel free to use this verbiage below to copy and paste into your client communications.

As part of the budget bill (H.R. 1314) to raise the U.S. debt limit, two key Social Security "loopholes" have been closed: file and suspend and restricted application for spousal benefits. The ban on file and suspend will start with suspension requests submitted 180 days after the enactment of the bill. The ban on filing a restricted application will apply to anyone who turns 62 in 2016 or later.

Depending on your birthday, this may affect your Social Security planning.

- If you are over 62 now (or will turn 62 before the end of the year), you may still file
 a restricted application for spousal benefits when you turn full retirement age.
 The ability to collect a spousal benefit while your own benefit builds delayed
 credits is considered one of those "loopholes" that only the "wealthy" are taking
 advantage of. It will be closed in four years. If you will be turning 66 over the next
 four years you may still take advantage of it.
- File and suspend will be disallowed after six months from the enactment of the



Use Spousal Planning Calculator



Savvy Social Security Planning Calculators

These calculators will assist you in designing Social Security claiming scenarios for clients. To use the calculators you will need to know the client's current age and primary insurance amount (PIA). The PIA is shown on the client's Social Security statement as the benefit amount at full retirement age. The client can obtain the latest Social Security statement by opening an account at www.ssa.gov/myaccount.

The calculators show the benefit estimate based on the age at which a client claims Social Security. Each scenario shows the income stream and cumulative benefits over the client's life expectancy, allowing you to recommend a suitable claiming strategy for each client.

Online calculators

Each of these five calculators will allow you to generate PDF reports. These reports are an excellent client education resource—use them as a visual aid while talking your clients through complicated claiming scenarios. These reports have been FINRA reviewed. If you require these FINRA review letters for compliance reasons, they can be downloaded







SOCIAL SECURIT

Top 10 Social Security Questions Asked by Baby Boomers . . . And How To Answer Them



Question #1

I applied for early benefits and now regret the decision. Is there anything I can do?



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The unintended consequences of early claiming

- Lower lifetime benefits
- Earnings test
- Limited spousal strategies

How to rectify the mistake of early claiming

- Withdraw and repay (within 12 months)
 - If you change your mind: http://www.socialsecurity.gov/planners/retire/withdrawal.html
- Go back to work
- Suspend at FRA

Question #2

Can I file and suspend and collect a spousal benefit?

Answer: No

- To receive a spousal benefit while your own benefit builds delayed credits, you must file a restricted application for your spousal benefit.
- You must NOT file for your own benefit

Question #3

Can I claim my spousal benefit at 62 and switch to my own benefit at 70?



Answer: No

- Deemed filing rule: If you file before FRA, you must file for all the benefits you are entitled to (except survivor)
- This means you will be paid your own reduced benefit first
- To receive a spousal benefit while your own benefit builds delayed credits, you must file a restricted application for the spousal benefit at FRA or later (if 62 or older on 12/31/15)

Question #4

Can I claim my own small benefit at 62 and jump up to 50% of my spouse's benefit at FRA?

Answer: No

- If you claim your own benefit at 62 and your spousal benefit at FRA, you will receive a combination benefit comprising your own reduced benefit and a spousal add-on
- Example:
 - Jill's PIA is \$800. Jack's PIA is \$2,600
 - Jill files at 62 and receives 75% of \$800 = \$600
 - At FRA Jill files for her spousal benefit. She will receive the difference between her PIA and one-half of Jack's PIA: \$1,300 \$800 = \$500
 - Her combination benefit: \$600 + \$500 = \$1,100

Question #5

What happens if I keep working?



Answer: Your earnings record will continue to be updated

- Impact on benefit will vary
 - If you already have 35 years of high earnings the impact will be minimal
 - If you replace zero or low earnings years with higher earnings, your benefit will increase
 - If you work part time or at a low salary, there will be no effect

Effect of working longer if more than 35 years of earnings

Maximum earner born in 1953 - age 62 in 2015

If he works until age:	Years of earnings used in benefit computation	Age-70 benefit		
62	1980 – 2014	\$4,318		
66	1984 – 2018	\$4,382		
70	1988 – 2022	\$4,488		

Question #6

I'm divorced. Can I collect Social Security off my ex-spouse's record while my own benefit builds delayed credits?

Rules for divorced-spouse benefits

- Marriage must have lasted at least 10 years
- Claimant must be currently unmarried
- Ex-spouse must be at least 62
- If divorce occurred over 2 years ago, ex-spouse does not need to have filed for own benefit
- Benefit = 50% of ex-spouse's PIA if claimant files at FRA
- Both ex-spouses can claim divorced-spouse benefits on each other!

Optimal strategy for divorced client: Claim divorced-spouse benefit at FRA and switch to own maximum benefit at 70

Age	Monthly benefit if start at earlier age	Annual benefit if start at earlier age	Cumulative benefit if start at earlier age	Monthly benefit if start at later age	Annual benefit if start at later age	Cumulative benefit if start at later age
62	\$1,800	\$21,600	\$21,600	\$0	\$0	\$0
63	1.800	21,600	43,200	0	õ	0
64	1.800	21,600	64,800	ŏ	ŏ	ŏ
65	1,800	21,600	86,400	ō	ō	ō
66	1,800	21,600	108,000	1,200	14,400	14,400
67	1,800	21,600	129,600	1,200	14,400	28,800
68	1,800	21,600	151,200	1,200	14,400	43,200
69	1,800	21,600	172,800	1,200	14,400	57,600
70	1,800	21,600	194,400	3,168	38,016	95,616
71	1,800	21,600	216,000	3,168	38,016	133,632
72	1,800	21,600	237,600	3,168	38,016	171,648
73	1,800	21,600	259,200	3,168	38,016	209,664
74	1,800	21,600	280,800	3,168	38,016	247,680
75	1,800	21,600	302,400	3,168	38,016	285,696
76	1,800	21,600	324,000	3,168	38,016	323,712
77	1,800	21,600	345,600	3,168	38,016	361,728
78	1,800	21,600	367,200	3,168	38,016	399,744
79	1,800	21,600	388,800	3,168	38,016	437,760
80	1,800	21,600	410,400	3,168	38,016	475,776
81	1,800	21,600	432,000	3,168	38,016	513,792
82	1,800	21,600	453,600	3,168	38,016	551,808
83	1,800	21,600	475,200	3,168	38,016	589,824
84	1,800	21,600	496,800	3,168	38,016	627,840
85	1,800	21,600	518,400	3,168	38,016	665,856
86 87	1,800	21,600	540,000	3,168	38,016	703,872
88	1,800 1,800	21,600 21,600	561,600	3,168 3,168	38,016 38,016	741,888 779,904
89	1,800	21,600	583,200	3,168		817,920
90	1,800	21,600	604,800 626,400	3,168	38,016 38,016	855,936
90	1,600	21,000	649,000	3,100	30,010	000,930



Question #7

My husband has died. Can I take a survivor benefit now and switch to my own benefit later?

Optimal strategy for high-earning widows: Take reduced survivor benefit at 60 and switch to maximum retirement benefit at 70

Age	Monthly benefit if start at earlier age	Annual benefit if start at earlier age	Cumulative benefit if start at earlier age	Monthly benefit if start at later age	Annual benefit if start at later age	Cumulative benefit if start at later age
60	\$0	\$0	\$0	\$1,716	\$20,592	\$20,592
61	0	0	0	1,716	20,592	41,184
62	1,800	21,600	21,600	1,716	20,592	61,776
63	1,800	21,600	43,200	1,716	20,592	82,368
64	1,800	21,600	64,800	1,716	20,592	102,960
65	1,800	21,600	86,400	1,716	20,592	123,552
66	1,800	21,600	108,000	1,716	20,592	144,144
67	1,800	21,600	129,600	1,716	20,592	164,736
68	1,800	21,600	151,200	1,716	20,592	185,328
69	1,800	21,600	172,800	1,716	20,592	205,920
70	1,800	21,600	194,400	3,188	38,256	244,176
71	1,800	21,600	216,000	3,188	38,256	282,432
72	1,800	21,600	237,600	3,188	38,256	320,688
73	1,800	21,600	259,200	3,188	38,256	
74	1,800	21,600	280,800	3,188	38,256	
75	1,800	21,600	302,400	3,188	38,256	
76	1,800	21,600	324,000	3,188	38,256	
77	1,800	21,600	345,600	3,188	38,256	
78	1,800	21,600	367,200	3,188	38,256	550,224
79	1,800	21,600	388,800	3,188	38,256	588,480
80	1,800	21,600	410,400	3,188	38,256	626,736
81	1,800	21,600	432,000	3,188	38,256	664,992
82	1,800	21,600	453,600	3,188	38,256	703,248
83	1,800	21,600	475,200	3,188	38,256	741,504
84	1,800	21,600	496,800	3,188	38,256	
85	1,800	21,600	518,400	3,188	38,256	
86	1,800	21,600	540,000	3,188	38,256	
87	1,800	21,600	561,600	3,188	38,256	894,528
88	1,800	21,600	583,200	3,188	38,256	932,784
Question #8

I am 66. My wife is 45. We have two young children. Can my wife and kids get Social Security benefits?

Rules for dependent benefits

- Worker must have filed for own benefit
- Children can receive benefits to age 18
- Spouse can receive child-in-care benefits until youngest child turns 16
- Each benefit = 50% of worker's PIA
- All benefits are limited by the maximum family benefit

\$4,200 MFB

<u>-2,400</u> subtract worker's PIA

\$1,800 amount available to family members (evenly divided)

Question #9

I don't qualify for Social Security because in my teaching job I paid into an alternate retirement system. Can I get spousal benefits?

Government Pension Offset (GPO) reduces spousal and survivor benefits by two-thirds of the non-covered pension

- Example
 - Teacher receives a pension of \$3,000/month
 - Spousal benefit = \$1,200 (50% of \$2,400)
 - Two-thirds of pension is \$2,000
 - \$1,200 \$2,000 = negative number
 - Therefore no spousal benefits

Question #10

How can I maximize my Social Security benefit?

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Strategy #1 for maximizing Social Security benefits

Work longer, earn more



Strategy #2 for maximizing Social Security benefits

Apply at the optimal time

Full retirement age

Year of birth	Full Retirement Age (FRA)
1924 - 37	65
1938	65 & 2 mos.
1939	65 & 4 mos.
1940	65 & 6 mos.
1941	65 & 8 mos.
1942	65 & 10 mos.
1943 – 54	66
1955	66 & 2 mos.
1956	66 & 4 mos.
1957	66 & 6 mos.
1958	66 & 8 mos.
1959	66 & 10 mos.
1960 & later	67

Effect of early or delayed claiming

Age	% of PIA if <u>FRA = 66</u>	Benefit in today's dollars if PIA is \$2,788	Benefit adjusted for annual COLAs*
62	75	2,091	2,091
63	80	2,230	2,291
64	86.67	2,416	2,549
65	93.33	2,602	2,819
66	100	2,788	3,102
67	108	2,011	3,440
68	116	3,234	3,795
69	124	3,457	4,166
70	132	3,680	4,554

*Assumes age 62 now; 2.7% annual COLAs

Effect of early or delayed claiming

Age	% of PIA if <u>FRA = 67</u>	Benefit in today's dollars if PIA is \$2,788	Benefit adjusted for annual COLAs*
62	70	\$1,952	\$2,415
63	75	2,091	2,658
64	80	2,230	2,911
65	86.7	2,416	3,239
66	90.5	2,602	3,582
67	100	2,788	3,942
68	108	3,011	4,372
69	116	3,234	4,823
70	124	3,457	5,295

*Assumes age 54 now; 2.7% annual COLAs

Simple breakeven analysis

Bob's Age	Bob's monthly benefit/ Age 62	Bob's annual benefit/ Age 62	Bob's cumulative benefit/ Age 62	Bob's monthly benefit/ Age 70	Bob's annual benefit/ Age 70	Bob's cumulative benefit/ Age 70
62	2,014	24,165	24,165	0	0	0
63	2,068	24,817	48,982	0	0	0
64	2,124	25,488	74,470	0	0	(
65	2,181	26,176	100,646	0	0	(
66	2,240	26,882	127,528	0	0	(
67	2,301	27,608	155,136	0	0	(
68	2,363	28,354	183,490	0	0	(
69	2,427	29,119	212,609	0	0	(
70	2,492	29,905	242,515	4,386	52,634	52,634
71	2,559	30,713	273,228	4,505	54,055	106,688
72	2,629	31,542	304,770	4,626	55,514	162,202
73	2,699	32,394	337,164	4,751	57,013	219,216
74	2,772	33,268	370,432	4,879	58,552	277,768
75	2,847	34,167	404,599	5,011	60,133	337,901
76	2,924	35,089	439,688	5,146	61,757	399,658
77	3,003	36,037	475,724	5,285	63,424	463,083
78	3,084	37,010	512,734	5,428	65,137	528,219
79	3,167	38,009	550,743	5,575	66,896	595,115
80	3,253	39,035	589,778	5,725	68,702	663,817
81	3,341	40,089	629,867	5,880	70,557	734,373
82	3,431	41,171	671,038	6,038	72,462	806,835
83	3,524	42,283	713,321	6,202	74,418	881,253
84	3,619	43,425	756,746	6,369	76,427	957,680
85	3,716	44,597	801,343	6,541	78,491	1,036,171
86	3,817	45,801	847,144	6,718	80,610	1,116,782
87	3,920	47,038	894,182	6,899	82,787	1,199,568
88	4,026	48,308	942,490	7,085	85,022	1,284,590
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Strategy #3 for maximizing Social Security benefits

Coordinate spousal benefits

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Maximization strategy

- Where lower-earning spouse's PIA is more than 50% of higher-earning spouse's PIA
 - Both spouses delay to age 70
 - One spouse takes advantage of spousal benefits as allowed
- Maximizes lifetime benefits over average or long life expectancies

Hybrid strategy

- Where lower-earning spouse's PIA is <u>less than</u> 50% of higher-earning spouse's PIA
 - Lower-earning spouse claims early
 - Higher-earning spouse claims at 70
- Generates income sooner while maximizing higherearning spouse's benefit over both lifetimes

Strategy #4 for maximizing Social Security benefits

Maximize survivor income



Strategy #5 for maximizing Social Security benefits

Minimize taxes on benefits

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Taxation of Social Security benefits

Filing status	Provisional income*	Amount of SS subject to tax
Married filing jointly	Under \$32,000 \$32,000 - \$44,000 Over \$44,000	0 Up to 50% Up to 85%
Single, head of household, qualifying widow(er), married filing separately & living apart from spouse	Under \$25,000 \$25,000 - \$34,000 Over \$34,000	0 Up to 50% Up to 85%
Married filing separately and living with spouse	Over 0	Up to 85%

*Provisional income = AGI + one-half of SS benefit + tax-exempt interest



Tax planning strategies

- Utilize insurance products
- Start drawing down IRAs before age 70-1/2 to reduce RMDs
- Convert traditional IRAs to Roth
- Delay Social Security: reduces number of years benefits are subject to tax
- Reduce expenses: pay down debt, adopt simpler lifestyle
- Continue to manage taxes throughout retirement



What is Savvy Social Security Planning?



Savvy Social Security Planning is **Teaching** baby boomers through seminars, workshops, and individual consultations

Baby boomers want to know ...

- Will Social Security be there for me?
- How much can I expect to receive?
- When should I apply for Social Security?
- How can I maximize my benefits?
- Will Social Security be enough to live on in retirement?

Savvy Social Security Planning is Helping baby boomers avoid common mistakes

- Applying too early
- Not understanding the interplay of earned, spousal, and survivor benefits
- Failing to understand the long-term impact of decisions made today

Savvy Social Security Planning is Guiding clients' decisions through in-depth scenario planning

- Shows year-by-year income and cumulative benefits using clients' actual ages and benefit amounts
- Enables clients to make their own decisions; you provide guidance, but the ultimate decision is theirs
- Shows income shortfalls that will need to be made up from other sources, leading to comprehensive retirement income planning

Establishing yourself as an expert on Social Security

- Learn the rules and stay on top of the literature and new developments
- Identify a niche:
 - Boomers approaching age 62
 - Women
 - Married couples
- Communicate and educate: seminars, workshops, newsletters
- Develop a referral strategy

Opportunities abound for advisors knowledgeable about Social Security

- Baby boomers are turning 62 at the rate of 10,000 per day
- Social Security is more complicated than people realize
- Decisions made early in the process have farreaching impact
- The strain on Social Security personnel will increase
- Advisors who understand Social Security will be in great demand



How we can help







21 West 38th Street, 14th Floor, New York, NY 10018 phone: (888) 336-6884 ext.1 www.horsesmouth.com

Request a Desktop Demo: Savvy Social Security Planning For Boomers

You'll see how the following items work in the program:

- Calculators: Breakeven, Spousal, Reinvestment, Retirement Spending
- Client workshop presentation and speaker notes
- Financial Advisor's Guide to Savvy Social Security
- 135 Questions Answered
- Marketing Toolkit
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