

Guide to Social Security Disability and SSI



1-800-832-3471

← HOSPITAL



Who should read this pamphlet?

You should, if you or someone you care about are disabled and unable to work.

This pamphlet will tell you what types of disability programs are available from Social Security, who is eligible, how to apply, the appeal process, and what you need to know once benefits start. You should also be aware that both adults and children may be eligible for benefits.

We urge you to contact the Law Center for Social Security Rights for a FREE CONSULTATION at 1-800-832-3471



Frequently Asked Questions

1. Question: What are the two disability programs available?

Answer: Benefits may be payable under either or both the Social Security Disability Insurance program or the Supplemental Security Income (SSI) program. The medical requirements for disability payments are the same under both programs and a person's disability is determined by the same process. While eligibility for Social Security Disability is based on prior work, SSI disability payments are made on the basis of financial need. There are other differences in the eligibility rules for the two programs.

Under the Social Security disability program there are three categories in which you may qualify:

1. a disabled worker under 65 who has been employed or self-employed long enough and recently enough under Social Security.
2. a person who has been disabled since childhood but before age 22 if one of the parents covered by Social Security retires, becomes disabled or dies.
3. a disabled widow or widower between the age of 50 and 60 if the deceased spouse was covered under Social Security at the time of death.

Under the SSI program the disabled individual is the only person eligible for benefits. There are no benefits payable to the children or the parent.

The rules are quite complex, and your attorney and the Social Security Administration can review the facts in your case and advise you if you may be eligible. A second opinion is always a good idea.

2. Question: Am I eligible for disability benefits?

Answer: You may be eligible for disability benefits if you satisfy the requirements stated above and meet the definition of disability.

3. Question: What is the definition of disability?

Answer: The law defines disability as the inability to do any substantial gainful work activity due to a medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for at least 12 months.

4. Question: Are there other parts to this definition I have to meet?

Answer: Yes. You must have a severe impairment which makes you

- A. unable to do your previous job or
- B. any other substantial gainful work which exists in the national economy.

To determine if you can do any other work, the Social Security Administration will consider your age, education, and past work experience.

5. Question: How do I begin?

Answer: Call the Law Center for Social Security Rights for a free consultation at 1-800-832-3471 BEFORE you apply. You may also contact Social Security directly either by phone, 1-800-772-1213, mail, or by visiting the nearest Social Security office.

6. Question: What kind of evidence do I need to supply to Social Security?

Answer: The Social Security Administration will need to get copies of your medical records to make a decision about your claim. If you have or can readily get copies of your records, bring them with you when you file your application. Any records you do not have available will be requested directly from your doctors, and other treating sources.

The Social Security Administration may also have you evaluated by one or more of their physicians, or a psychologist if deemed necessary.

You may also be called upon to discuss your formal education and work history for the past 15 years, including the duties and responsibilities you had on your jobs.

You will need to provide your birth certificate and military record, if any.

information concerning your income and things you own, as well as your living arrangements.

You may also be called upon to complete additional forms concerning your daily activities, pain level, etc. Your family members may also be requested to fill out forms concerning your daily activities.

7. Question: Do I need an Attorney?

Answer: Although it is not mandatory to have an attorney to apply for benefits, The Law Center for Social Security Rights can offer assistance immediately, even before an application is filed. An attorney who is knowledgeable in Social Security disability rules and regulations can assist you in providing the appropriate information to the Social Security Administration. The attorney will obtain the proper medical documentation to support your claim and assist you in completing all necessary forms. The Center has the required forms available in our office.

8. Question: If I hire an attorney, how much does it cost?

Answer: Most attorneys that specialize in this field, including our Law Center, accept these claims on a contingency basis. This means that we only charge a fee if the claim is successful and benefits are paid. Fees are regulated by Social Security and prior approval is required before an attorney can collect a fee. It is always wise to talk about fees with the attorney during your first conversation if you decide you want the assistance of an experienced lawyer.

9. Question: How is the disability decision made?

Answer: Trained disability evaluation specialists will review your medical record and gather information on your education and past work history. They will often call you for a description of your daily activities and contact others who may know about your medical condition. A decision in writing will then be made.

10. Question: What do I do if my claim is denied?

Answer: If your claim is denied or you disagree with any part of the decision made by the Social Security Administration, you may appeal that decision. There are various levels of appeal. You usually have 60 days from the time you receive the decision to file an appeal to the next level. If you do not file a timely appeal, you may be waiving some of your rights. Eventually, you will have a hearing before an Administrative Law Judge where testimony is taken and the medical evidence is reviewed. Remember, you may retain an attorney at any level of the decision making process. However, WE STRONGLY RECOMMEND YOU OBTAIN LEGAL CONSULTATION AS EARLY AS POSSIBLE TO IMPROVE YOUR CHANCE OF SUCCESS.

11. Question: What will I receive if I am approved for Social Security disability benefits or SSI benefits?

Answer: You will receive monthly cash benefits under either or both programs. Under the Social Security disability program your children may also be eligible to receive monthly cash benefits. The amount of your monthly disability benefit is based on your earnings covered by Social Security. Monthly benefits are increased each December to reflect changes in the cost of living. SSI benefits are paid up to a certain maximum amount.

12. Question: Will I receive help with my medical bills?

Answer: If your claim for Social Security disability insurance benefits is approved, Medicare benefits will be available to you after 24 months of eligibility.

If your claim for SSI disability is approved, you generally will be able to receive Medicaid immediately.

The Law Center for Social Security Rights

*Call before you even apply
or
Call if you have been denied*

*The government may be wrong.
We can help!*

We are here to answer your questions
and give you guidance. The Law
Center is the largest law firm in
Michigan that practices Social Security
and SSI law exclusively.

We are dedicated to helping
adults and children in need
and urge you to call for help.

1-800-832-3471



This pamphlet provides a general overview of the Social Security disability program. The information it contains is not intended to cover all provisions of the law.

For specific information about your case contact The Law Center for Social Security Rights for a FREE CONSULTATION at 1-800-832-3471.



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FOR YOU



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Southfield, MI 48033

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SSI RIGHTS OF THE
SERIOUSLY DISABLED
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www.ssrights.com
info@ssrights.com

FOR A FRIEND



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