

Application and Appeals

Process

- File your initial application on-line at www.ssa.gov or with the local Social Security district office.
- Bring with you the names and addresses of all doctors you have seen, the names of medications you are taking or used to take, and the date and reason you stopped working.
- If SSA denies your application for benefits you can request reconsideration within 60 days of receipt of the denial.
- If you are not awarded benefits at reconsideration, you will have another 60 days to appeal to an Administrative Law Judge (ALJ) for a hearing.
- Most claimants are represented at the ALJ level and at any necessary subsequent levels of appeal.
- At the hearing, you and other witnesses and experts will testify and present all medical, vocational and education documentation.
- If the ALJ denies your claim, you will have 60 days to appeal to the Appeals Council.
- If the Appeals Council denies your claim, you can appeal to the Federal District Court.

Representation

- Claimants often decide to have legal representation at their hearing and at the subsequent levels of appeal.
- Most private attorneys and others who represent claimants accept cases on a contingent fee basis, so that no fee is charged unless the claim is successful.
- The amount of the fee is regulated by the Social Security Administration.
- Many legal services offices provide free representation to claimants who meet their income and resource limit requirements.
- You can find a qualified representative by calling:

The National Organization of Social Security Claimants' Representatives (NOSSCR) at 1-800-431-2804. You will be referred to a private attorney in your area who practices in the field of Social Security Disability Law. There is no charge for the referral; the attorney will charge a fee for representation.

Your local Bar Association. Contact your local Bar Association and ask for an attorney who practices Social Security law.

Local Legal Services Program. A legal services program will not charge a fee for representation as long as you meet its income and resource limitations.

Work Incentives

- The Social Security Administration has created several work incentives to encourage people to attempt to return to work without jeopardizing their receipt of benefits.
- If, despite your disability, you are working when you apply for benefits or at the time of your hearing, a work incentive may allow you to be eligible for benefits.
- Contact the Social Security Administration at 1-800-772-1213 or www.ssa.gov or a qualified representative for further information.

Work Incentives Available to Individuals who are receiving Disabled Workers or Disabled Adult Child's benefits:

- Extended Period of Eligibility
- Extended Period of Medicare Coverage
- Plan for Achieving Self Support (PASS)
- Impairment Related Work Expense

Work Incentives Available to Individuals who are receiving SSI benefits:

- Plan for Achieving Self Support (PASS)
- Impairment Related Work Expense
- Continued Medicaid coverage in certain situations
- Earned Income Exclusion
- Property Essential to Self Support



Social Security Disability And Supplemental Security Income

What You Need To Know!



Brochure Prepared by:
National Organization of
Social Security Claimants
Representatives (NOSSCR)
(800) 431-2804

Social Security Disabled Worker's Benefits

To qualify for Social Security Disabled Worker's Benefits, you must

- have a disability that makes you unable to work"; and
- apply for benefits soon after you stop working. If you have a spouse or any children, be sure to list their names on the application.

Once you are approved for Social Security disability benefits, you receive

- on-going monthly benefits for yourself and your dependents; and
- Medicare coverage after 24 months of disability.
- Your claim will be periodically reviewed for on-going eligibility.

Some people may be eligible for both Social Security Disability benefits and SSI benefits.

Social Security Disabled Adult Child's Benefits

To qualify for Social Security Disabled Adult Child's Benefits, you must

- have a disability that began before your 22nd birthday, has continued uninterrupted, and has made you unable to work; and
- have a parent who is receiving either retirement or disabled worker's benefits, or who has died after working for enough years to qualify as "insured"; and
- never have been married; and
- apply for benefits.

You do not have to have ever worked yourself to be entitled to Disabled Adult Child's benefits.

Once you are approved for Social Security Disabled Adult Child's Benefits, you receive

- on-going monthly benefits; and
- Medicare coverage after 24 months of disability.
- Your claim will be periodically reviewed for on-going eligibility.

Some people may be eligible for both Disabled Adult Child's benefits and SSI benefits.

Supplemental Security Income (SSI) Benefits for a Disabled Adult

To qualify for SSI benefits as an adult, you must

- have a disability that makes you unable to work at virtually any job for at least 12 months; and
- have very limited income and resources (ownership of the home you live in will not disqualify you for benefits). If you are married, your spouse must also have very limited income and resources; and
- apply for benefits.

Once you are approved for SSI benefits, you receive

- on-going monthly benefits; and
- Medicaid coverage.
- Your claim will be periodically reviewed for on-going eligibility.

Some people may be eligible for both SSI benefits and Social Security Disability benefits.

Supplemental Security Income (SSI) Benefits for a Disabled Child

To qualify for SSI benefits as a child (under age 18)

- you must have a physical or mental impairment that has lasted or is expected to last at least 12 months, and that causes "marked and severe functional limitations"; and
- you and your family must have very limited income and resources; and
- you must apply for benefits.

Once you are approved for SSI benefits, you receive

- on-going monthly benefits; and
- Medicaid coverage.

Your claim will be reviewed when you are 18 to see if you qualify for Adult SSI benefits.