



Article Series

Information to Know from Martinson & Beason, P.C., Attorneys at Law

What is Social Security Disability?

The Social Security Disability insurance program (SSDI) is a U.S. Government program funded by taxes and run by the Social Security Administration. The program was designed to assist people who are expected to be disabled for more than one year or who have become permanently disabled.

Am I eligible?

The Social Security Administration (SSA) looks at several factors to determine eligibility. First, you must meet the SSA's definition of disability. To be considered disabled, your disability must prevent you from doing the same work you did before; the SSA must determine you are unable to transition to other work because of your medical condition; and your disability must be expected to last at least 12 months or be terminal. Second, at the time you apply for disability, you must have accumulated sufficient work credits. These credits are earned based on the total duration of work in your lifetime AND how recently you worked. As the number of credits changes from year to year, we recommend you check the SSA website at www.socialsecurity.gov to see whether you meet the minimum requirements. Note that there are special rules for children, the blind and wounded warriors.

Disability Facts

A 20-year old worker has a 3-in-10 chance of becoming disabled before retirement age.¹

As of 2009, roughly 36.1 million people in the U.S. were disabled. This is approximately 12% of the population.²

Benefit eligibility is not guaranteed and may be terminated by the SSA at any time.

¹<http://www.ssa.gov>;

²http://disabilitycompendium.org/Compendium2010/section1.html#one_one

How do I apply?

You must complete the formal SSA Disability Application as well as a Disability Report. These can be completed online. The Social Security Administration requires the following¹:

- Social Security Number
- Birth certificate
- Last year's W-2 or Form 1040 with supporting documents if you were self-employed



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- Military Service discharge Form DD 214 if you served in the military
- Contact information for doctors, caseworkers, hospitals and clinics you visited and the dates of your visits
- Full list of medicines your doctor has prescribed
- Medical records, including any workers' compensation claims filed
- Detailed work history for last 5 years

When Should I File for Disability?

You should apply as soon as you become eligible (see eligibility question above). The review process generally takes **three to five months**, so an early application is important. It is also critical that your application contains complete information. If it is incomplete, your claim will likely be denied. The appeals process can be long and complex, so submitting correct and complete information initially is in your best interests.

What is Supplemental Security Income?

SSI is a separate program funded by general tax revenues that provides payments to help the disabled, aged or blind with low income and few resources. It is intended to help meet the basic needs of food, clothing and shelter.

Ticket to Work Program

The SSA offers the Ticket to Work program to connect the disabled with resources to help them return to work.

When do my benefits start?

Once approved, SSDI benefits will be paid beginning the sixth full month after you are disabled. If you are also eligible for SSI benefits, you may receive those earlier.

How much will my benefit payment be?

Benefits are based on the lifetime earnings reported to the government. Total earnings are listed on the Social Security Statement you receive annually. Estimated benefits are also shown on this document. If you do not have a copy, you may

request one from the Social Security Administration at (800) 772-1213 or request the document online at www.socialsecurity.gov. The actual amount of your benefits may be adjusted based on windfall profits, some pension payments, workers' compensation or other payments.

What do I do if my claim is denied?

If the Social Security Administration denies your claim you may appeal the ruling within 60 days. The appeals process can be complex and does take time. Note that you do have the right to have an attorney file the appeal on your behalf and attend the hearing with you. If you have specific questions about your Social Security Disability claim, Martinson & Beason offers a free consultation to review your case.



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