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Some Frequently, asked questions...

Q. Is it hard to apply for Social Security disability benefits?

A. No. There are 3 ways to apply for a Social Security disability claim. The first is to go to the Social Security District Office and file the claim in person. The second way is to call Social Security at **1-800-772-1213**. They will arrange for a telephone interview for you. Once the interview is finished they will send necessary forms for you to fill out. All the basic information will have been collected during the phone interview. The third way is to apply online at www.socialsecurity.gov.

Q. When can I file for Social Security disability benefits?

A. You can file for Social Security disability benefits on the day that you become disabled if you believe that you will be out of work for one year or more. Sometimes hospital social workers can help you and your family make the initial contact with Social Security.

Q. Is it necessary to hire a representative to represent me in my Social Security disability claim?

A. No. Any claimant can represent himself in all phases of the Social Security disability process. Claimants with representation win their cases more often than those who are not represented.

Q. How do representatives who help Social Security disability claimants get paid?

A. Cases are generally handled on a contingency basis. That means the representative receives a fee only if you win your case. Normally 25% of your back due benefits, with a maximum of \$5300, and must be approved by Social Security.

If you do not win your case there is no fee. There are also costs in each case for which you will be responsible. These costs are generally fees paid to doctors for medical records.

Q. Can I get Social Security disability benefits if I expect to get better and return to work?

A. You have to have been disabled for at least one year or be expected to be disabled for at least one year. So, if you expect to be out of work for one year or

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more on account of illness or injury, you should file for Social Security disability benefits.

Q. I got hurt on the job. I am drawing worker's compensation benefits. Can I file a claim for Social Security disability benefits now or should I wait until the worker's compensation ends?

A. You do not have to wait until the worker's compensation ends and you should not wait that long. An individual can file a claim for Social Security disability benefits while receiving worker's compensation benefits.

Q. I have several health problems, but no one of them disables me. It is the combination that disables me. Can I get Social Security disability benefits?

A. Social Security is supposed to consider the combination of impairments that an individual suffers in determining disability. Many, perhaps most claimants for Social Security disability benefits have more than one health problem and the combined effects of all of the health problems must be considered.

Q. My doctor says I am disabled so why is Social Security denying my Social Security disability claim?

A. Social Security's position is that it is not up to your doctor to determine whether or not you are disabled. It is up to them and they will make their own decision regardless of what your doctor thinks.

Q. If I am approved for Social Security disability benefits, how much will I get?

A. For disability insurance benefits, it all depends upon how much you have worked and earned in the past. For disabled widow's or widower's benefits, it depends upon how much the late husband or wife worked and earned. For disabled adult child benefits, it all depends upon how much the parent worked and earned. For all types of SSI benefits, there is a base amount that an individual with no other income receives. Other income that an individual has reduces the amount of SSI which an individual can receive.

Q. VA says I am disabled, so why is Social Security denying my Social Security disability claim?

A. It is Social Security's position that VA decisions are not binding upon them. Social Security and VA have very different standards for approving disability claims.

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Q. If I am found disabled how far back will Social Security pay benefits?

A. For Disability Benefits and for Disabled Widow's and Widower's Benefit, the benefits begin five months after the person becomes disabled. But, benefits cannot be paid more than one year prior to the date of the claim.

For a Disabled Adult Child benefits begin as of the onset date, but benefits cannot be paid more than six months prior to the date of the claim.

SSI benefits begin at the start of the month following the date of the claim.

Q. What is the difference between Medicare and Medicaid?

A. The short answer is that Medicaid is a poverty program and Medicare isn't. Most disabled people who get Medicaid get it because they are on Supplemental Security Income (SSI). To get SSI and thereby get Medicaid you have to be poor and disabled. Medicaid pays doctors at very low rates. People who have only Medicaid can have a hard time finding doctors willing to take them on as patients. Medicaid does pay for prescription medications. Medicaid can go back up to three months prior to the date of a Medicaid claim. For Medicare it does not matter whether you are rich or poor. If you have been on Disability Insurance Benefits, Disabled Widows or Widowers Benefit or Disabled Adult child Benefits for 24 months you qualify for Medicare. The good thing about Medicare is that it pays doctors at a higher rate than Medicaid. Almost all doctors are happy to take Medicare patients. The bad things about Medicare are that it does not begin until after a person has been on cash disability benefits for two years and that it generally does not pay for prescription medications.

Q. If Social Security tries to cut off my disability benefits, what can I do?

A. You should appeal immediately. If you appeal within 10 days after being notified that your disability benefits are being ceased, you can ask that your disability benefits continue while you appeal the decision cutting off your benefits. You may also want to talk with an attorney about representation on your case, but you should file the appeal immediately.