

# Applying for Social Security Benefits

## About Social Security

The Social Security Administration (SSA) administers two government programs that provide medical and financial support for persons with disabilities: Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI).

SSDI provides support for individuals (and some dependents) with disabilities who have worked or paid into the Social Security system through FICA taxes. There is no minimum age for receiving SSDI benefits, but applicants must meet strict eligibility requirements, including work credits and documentation of meeting SSA's definition of disability. Once an individual has received SSDI benefits for two years, he/she qualifies for Medicare benefits (although some conditions — such as ALS — qualify for SSA's Compassionate Allowances expedited eligibility program (see below).

Supplemental Security Income (SSI) provides support for individuals with a disability (including children) who have not worked or who have not earned the required work credits but still meet SSA's definition of disability. There are additional citizenship/legal residency requirements, income and resource thresholds, and living arrangement qualifiers that may affect payment or eligibility. Individuals who qualify for SSI typically also qualify for state Medicaid benefits based on income level.

## Eligibility and application process for children with disabilities

Individuals 18 and under are eligible for both SSI and SSDI, but in order to receive these benefits, the child and his/her parents/legal guardians must meet certain criteria, which include:

- Child must be under 18 years of age and meet SSA's definition of disability, which states that a child:
  - must not be employed at a job that is considered to be "substantial work"; and
  - must have a documented physical or mental condition that is expected to last longer than a year and results in "marked and severe functional limitations."
- Parents/guardians must meet income requirements as established by the government.
- In order to be eligible for SSDI disability benefits, the "young adult child" who is over 18 but under 22 must meet SSA's definition of disability for an adult individual (see below). The individual must have parents/legal guardians who receive Social Security benefits or are deceased, and that the parents/ legal guardians have worked long enough to have sufficient work credits for coverage. This is called Child Disability Benefits (CDB) or is sometimes referred to as Disability for Adult Children (DAC) benefits.

**Application process:** As a first step, contact SSA to start the application process, and to determine if income and resources are within determined limits.

- Review the Child Disability Starter Kit, which answers questions about applying for Social Security and provides a worksheet to gather all needed information.
- Complete the application for Supplemental Security Income and the Child Disability Report.
  - The Child Disability Report can be filed online, but all other parts of the application must be completed in person at

your local SSA office. To locate the SSA office near you, call SSA at (800) 772-1213 or go to [socialsecurity.gov](https://www.socialsecurity.gov).

- Complete the online Child Disability Report form.

## Eligibility and application process for adults with disabilities

Adults with disabilities are eligible for both SSI and SSDI, providing that certain qualifications are met, which include:

- The Social Security Administration uses a five-point consideration process to determine if applicants meet the agency's definition of disability. The five considerations are:
  - Are you working?
  - Is your condition "severe"?
  - Is your condition found on the list of disability conditions?
  - Can you perform the work you did previously?
  - Can you perform any other type of work?
- Adults must meet SSA's definition of disability, which states:
  - You can't do work that you did before the disability or any other "substantial work."
  - Your work can't be adjusted, or accommodations can't be made to permit you to remain in the workplace.
  - Your disability has lasted or is expected to last a year or more, and is anticipated to continue or progress.
- As an adult, your SSDI benefits depend on your employment history and whether you have accumulated enough work credits to qualify.
- You can qualify as a Child Disability Benefit (CDB) adult based on your parent/guardian's employment history/ability.
- Adults also can be eligible for SSI if they have not worked under FICA-covered employment, if they don't have enough work credits for coverage, or their benefit rate is low and can be supplemented.
- Benefits may continue until you can work at substantial gainful work levels or there is a medical review that shows your medical condition has improved.

You can apply online for SSDI or schedule an appointment at your local Social Security office.

To apply online:

- Review SSA's Disability Checklist Form to gather all necessary materials before applying.
- Complete Online Benefit Application.
- What you'll need:
  - Information about you — date of birth, Social Security number, bank information, reported income in previous years, name(s) and address(es) of employer(s), military service papers (if applicable), name and Social Security number along with dates of marriage/divorce and record of earnings
  - Information about medical condition — medical records, detailed information about illness, any filed worker's compensation
- Documents you need:
  - Birth certificate
  - Proof of citizenship
  - Military service papers (if applicable)
  - Proof of temporary or permanent workers' compensation benefits received (if applicable)
    - Complete Disability Report
    - Complete Authorization to Disclose Information to Social Security Administration, Form-827

In-person process:

- Schedule an appointment.
- Call Social Security Administration at (800) 772-1213 (available 7 a.m.-7 p.m. Eastern time, Monday through Friday).

## Interview

An interview is scheduled after all documentation has been submitted.

## Checklist of items needed for the interview:

- The interview can take anywhere from one hour to 90 minutes.
- Interview may be held on the phone or in person at a local Social Security office.
- Availability for interviews is limited, so you are encouraged to keep your appointment and be on time.
- During the interview, make sure you can answer questions and provide appropriate documentation for the following:
  - U.S. citizenship (birth certificate and photo ID are acceptable);
  - places of medical treatment (be able to provide names, dates, phone numbers, and locations of physicians and clinicians);
  - information about marriage/divorce; and
  - resources and income.

## Review process

The Social Security Administration reviews applications to make sure all requirements are met. The application is then sent to your state's Disability Determination Services office, which determines whether or not you meet the SSA disability requirements. More documentation may be requested by the disability determination specialist at this office (e.g., medical records, vocational rehabilitation history, school records, etc.).

The review process can take anywhere from three to five months depending on the following:

- nature of disability;
- some disability determinations can be expedited;
- how quickly medical evidence is obtained;
- whether a medical examination is requested by SSA in order to confirm the status of your disability; and
- if your claim is randomly selected for quality assurance of review.

## Appeals process

Many Social Security applications are denied when first submitted, so don't be discouraged if your initial claim is denied. There are several mechanisms for filing an appeal, all of which have limited time frames (and in most cases the appeal must be presented within 60 days of your receipt of the denial notice).

- Internet appeal (must have Notice of Decision to complete online)
- If the claim was denied for a medical reason, complete and submit the Appeal Request and Appeal Disability Report (online). The appeals process requires more thorough and updated employment and/or disability status information.
- If the claim was denied for a nonmedical reason, contact your local Social Security office.

There are four stages in the appeals process in most cases. Some states or areas of states eliminate the reconsideration appeal and go directly to the administrative law judge hearing level. The stages are:

- reconsideration
- administrative law judge hearing
- appeals council review
- federal district court hearing

## Receiving benefits while working

People with disabilities are encouraged to try to work while receiving SSA benefits. Each program — SSDI and SSI — has specific work incentives that encourage recipients to work:

- A “trial work period” of nine months allows you to receive benefits and see if you are able to return to work. You will have to report earnings and medical status, as your earnings may increase, decrease or stop. It is important to note that income calculations are based on an average salary. College students within the MDA community often have been surprised to learn that a paid summer internship (that represented a salary of only two months) impacted their eligibility for benefits. Be sure to meet with a Social Security benefits specialist for more details on how to avoid this situation.
- If you feel comfortable working and continue to do so past the “trial work period,” you may still receive benefits if you make less than the “substantial gainful activity” level of \$1,010 a month. If you make more than \$1,010 in 2012, your benefits will be suspended and may be terminated.

Other SSDI and SSI work incentives can be located at [SocialSecurity.gov/work](http://SocialSecurity.gov/work).

## **Compassionate Allowances list**

The Compassionate Allowances program covers a list of diseases that have been designated by SSA as catastrophic enough that applicants always qualify for disability benefits, even if they appear physically strong and are still walking on the day they apply. It's hoped that the program will reduce wait times for those applicants to a matter of days. The SSA website has a list of diseases that apply. If you are affected by one of the diseases listed, be sure to mention the Compassionate Allowances list when applying for Social Security benefits.

- Compassionate Allowances is not a separate program from SSDI or SSI, but is designed to expedite the application process for those affected by conditions included on this list.
- The listing of diseases included on the list is developed as a result of information received at public outreach hearings.
- Many diseases that are not yet included on the list — but are covered under the MDA umbrella of communities served — have been/are being considered for the Compassionate Allowances designation; more diseases will continue to be added as the review process continues.
- Being on the Compassionate Allowances List is intended to expedite the application process time, and reduce the likelihood of application denials; it does not reduce the 24-month waiting period between when SSDI or SSI benefits begin and Medicare benefits begin.
- A complete list of diseases, as well as more information about the SSA initiative, can be found at Compassionate Allowances, or call (800) 772-1213 for the automated service.

For additional references visit us online at [mda.org/Tips\\_for\\_Success](http://mda.org/Tips_for_Success)