

Social Security Disability

An individual is entitled to Social Security Disability (SSD) benefits when a physical or mental impairment restricts the individuals “ability to engage in any substantive gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than twelve months”. If you have already applied and were denied, there is no need to give up because this frequently is the case. After being denied the first time, it is important that one start the appeal process as soon as possible and no later than 60 days after receiving a denial. Less than half of all initial claims are actually approved. When an individual has an attorney on their side the success rate for approval is much higher.

Even if one can establish a disability, there are additional requirements that must be met to qualify for disability Insurance Benefits. You must be “insured” for these benefits, which means that you have paid a sufficient amount of payroll taxes during the ten years preceeding applying for them. Applicants who are not insured for Disability Insurance Benefits may still apply and receive Supplemental Security Income (SSI) benefits, if they can establish a disability, and if their monthly income is low enough to be entitled to receive them.

[Click here to fill out the free Social Security Intake Questionnaire.](#) This will make it easier to determine if you do in fact have a viable claim.

Social Security Intact Questionnaire Information

The easiest way to get your claim started is by filling out a Social Security Intake questionnaire. This simple form will take not more than ten minutes to fill out and does not ask any in depth or difficult questions. The questions include the following: Are you currently working; what is keeping you from working; types of mediations and medical advice you have received. From this, we can first see if your claim is strong and then we can start the review process. We can all so get you in contact with a medical doctor to evaluate you situation. [Click here to fill out the Short Social Security Intake Questionnaire.](#)

Name: _____	Date of Incident: _____
Address: _____ _____	Telephone Number: _____
	Email Address: _____
Brief Description of Incident:	

SOCIAL SECURITY INTAKE

Date: _____

Interviewer: _____

Referred By: _____

Phone Numbers: (Home) _____

(Cell) _____

1. What is your name? _____
2. What is your address?

3. What is/are your condition(s) that prevent you from working?

4. When were you diagnosed with this/these condition(s)?

5. What are the symptoms related to your condition?

6. Are you currently treating for these conditions?

7. Are you currently on medication for these conditions? If so, what are the medication?

8. Have you applied for Social Security Benefits?
 - a. Disability Insurance Benefits (SSDI) Yes _____ No _____
 - b. Supplemental Income Benefits (SSI) Yes _____ No _____
 - c. Date of Application ___/___/___ (MUST INCLUDE THE DATES OF ALL DENIAL AND APPEALS)

9. Are you receiving any transitional assistance either TAFDC or EAEDC? _____ If yes, how long have you received these benefits? _____
10. When was the last time you worked? _____
11. What is the highest level of schooling completed? _____
12. If denied benefits, indicate date of denial: ___/___/___
Reconsideration appeal date: ___/___/___
13. Have you appeared before a judge? If so, when and in what court?

ALJ appeal date: ___/___/___
14. Date of birth: ___/___/___
15. Social Security Number: _____ - _____ - _____

Frequently Asked Questions

What are the requirements for Social Security Disability Insurance (SSDI)?

The requirements for Social Security Disability Insurance are that you are no longer able to perform full time work on a regular basis due to a medical disability. This disability also has to last, or be expected to last at least 12 consecutive months, or longer. Finally, one has to have worked long enough to meet the Insurance requirements.

What are the requirements for Supplemental Security Income (SSI)?

If you have been out of work and/or have not paid payroll taxes for at least five out of the last ten years, you may still be eligible for SSI if you are medically disabled. Social Security will review your household income and any assets to determine if you are eligible.

How do I know if I qualify for Social Security disability through my earning requirements?

In order to qualify one has had to have worked and paid social security taxes in at least half of a ten year period before applying for benefits. As long as an individual has been working and paying into the system then they can qualify under the earnings requirement.

How can I determine my eligibility for Social Security Disability?

In order to be eligible for these benefits, an individual has to have worked long enough at a job that is covered under the Social Security Act. You must suffer a physical or emotional disability that may keep you from working for at least twelve months.

How do I know if my injuries are serious enough?

The test to determine if an individual qualifies is not necessarily if the individual can go back to work or receive a new job. Instead, it is based on the ability of the individual to work. It needs to be determined that one or more physical or emotional injury or diseases are undermining the capability of that individual to perform a generally available job.

What is the easiest way to prove I have a disability warranting Social Security benefits?

In order to receive these benefits, one should provide all relevant medical treatment information relating to the disability. Doctor or therapist should be able to provide the necessary clinical or laboratory results to support the claim. It is important to realize that some diagnoses are difficult to show through standard tests, so every medical evaluation needs to be presented properly to show that you qualify.

How do I begin the process of filing for Social Security Disability?

When applying for Social Security Disability, the government seems to do whatever it takes to make the process difficult and frustrating. The first time one begins the process it can be slow and tedious work that often times leads to the claim initially being denied even if it is a

legitimate one. Typically, a new claim takes four months before an initial determination is made.

What happens if I have already been denied the benefits?

If denied one, the appeal process should begin as soon as possible. Do not be intimidated by the government for benefits you are rightly entitled to. If you are denied at first, then one usually has only 60 days to start the appeal process.

When should I begin the application process for Social Security Disability?

Your doctor must make a diagnosis that you will be out of work for more than a year. This will make sure that, if one does receive the benefits, it will be as soon as they possibly can get relief. In some circumstances the individual has to wait the full year or longer to show that they have not been able to work for that long a period of time.

What if I was at fault for the injury that disabled me?

If the cause of your injury was a direct result of one's own action you can still qualify for benefits. Remember fault is not the issue that is being addressed while dealing with Social Security Disability.

What are the Requirements needed to obtain Supplement Security Income (SSI)?

There are ways in which one can obtain Supplement Security Income. First, if the individual is below the poverty line as well as over 65. Second, if the individual is below the poverty line and disabled. An easier way to know if one qualifies due to low income is by determining whether or not they could qualify, or are already receiving welfare from the state, such as Transitional Assistance or Emergency Aid (EAEDC).

How can I speed the process of obtaining SSI or SSDI?

If you come to Bonville & Howard the process can be shortened by providing us with proper identification (Social Security number and age), the locations and names of any doctor or hospital visited related to your disability, names and dosages of medications provided to you, the location and information of former employers, the physical and emotional injuries of conditions one received while working at the job, and any other information that may help us along the way.