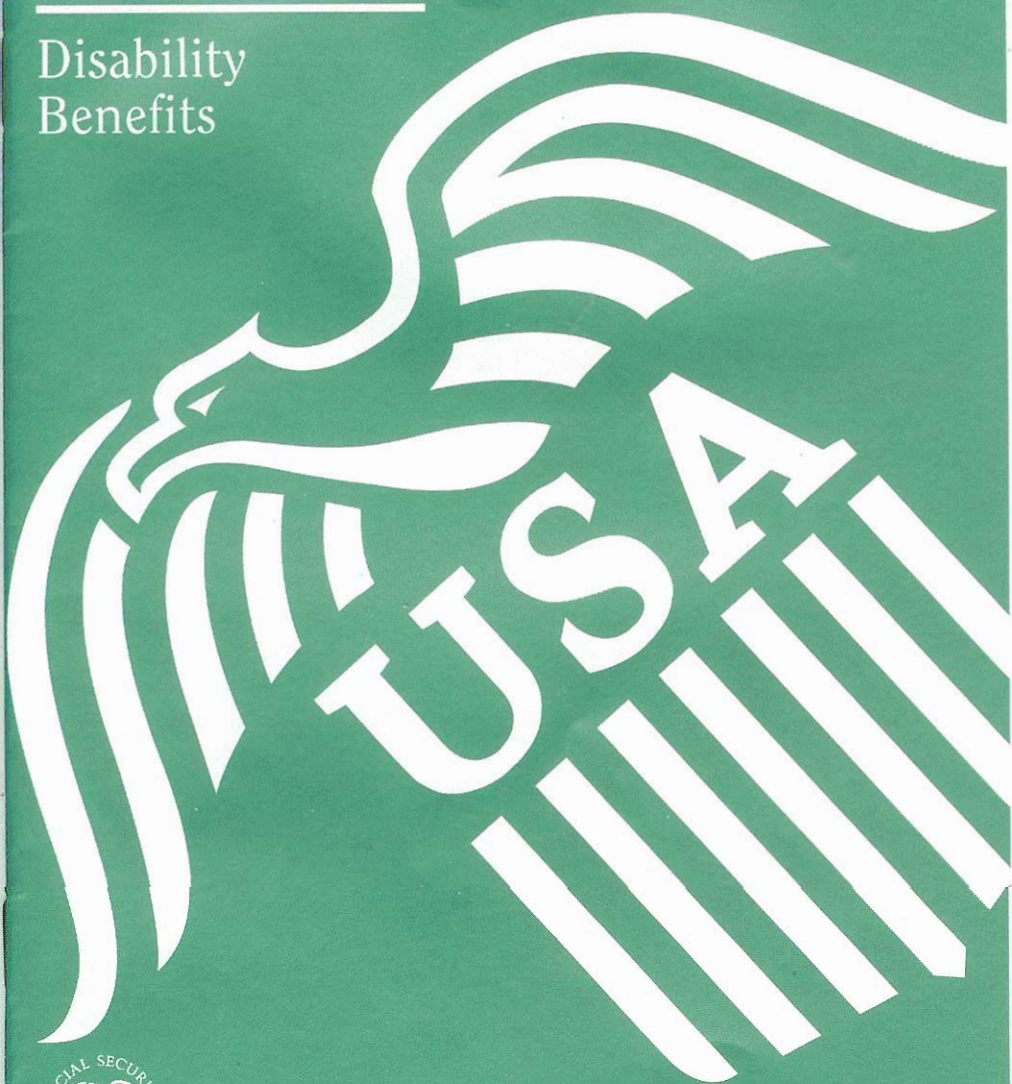


Social Security

Disability
Benefits



www.ssa.gov

Who Should Read This Booklet?

You should, if you want to know more about the various kinds of disability benefits available from Social Security. This booklet will tell you who may get benefits, how to apply and what you need to know once benefits start.

We pay disability benefits under two programs: the Social Security disability insurance program and the Supplemental Security Income (SSI) program. For most people, the medical requirements for disability payments are the same under both programs and a person's disability is determined by the same process. While eligibility for Social Security disability is based on prior work under Social Security, SSI disability payments are made on the basis of financial need. And there are other differences in the eligibility rules for the two programs. This booklet deals primarily with the Social Security disability insurance program. For information on SSI disability payments, ask at any Social Security office for the booklet, *SSI* (Publication No. 05-11000).

Please note: This booklet provides a general overview of the Social Security disability insurance program. The information it contains is not intended to cover all provisions of the law. For specific information about your case, contact Social Security.

Social Security's
Internet Website: *www.ssa.gov*
Toll-Free Number
1-800-772-1213
TTY Number:
1-800-325-0778

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Part 1—Introduction To Disability And Social Security

Disability is something most people don't like to think about. But the chances of your becoming disabled are probably greater than you realize. Studies show that a 20-year-old worker has a 3-in-10 chance of becoming disabled before reaching retirement age.

It's a fact that, while most people spend time working to succeed in their jobs and careers, few think about ensuring that they have a safety net to fall back on should the unthinkable happen. This is where Social Security comes in. In general, we pay cash benefits to people who are unable to work for a year or more because of a disability. Benefits continue until a person is able to work again on a regular basis, and a number of work incentives are available to ease the transition back to work.

What Do We Mean By “Disability”?

It's important that you understand how Social Security defines “disability.” That's because other programs have different definitions for disability. Some programs pay for partial disability or for short-term disability. Social Security does **not**.

Disability under Social Security is based on your inability to work. You will be considered disabled if you cannot do work you did before and we decide that you cannot adjust to other work because of your medical condition(s). Your disability also must last or be expected to last for at least a year or to result in death.

This is a strict definition of disability. The program assumes that working families have access to other resources to provide support during periods of short-term disabilities, including workers' compensation, insurance, savings and investments.

Who Can Get Disability Benefits?

You can receive Social Security disability benefits until age 65. When you reach age 65, your disability benefits automatically convert to retirement benefits, but the amount remains the same.

Certain members of your family may qualify for benefits on your record. They include:

- Your spouse who is age 62 or older, or any age if he or she is caring for a child of yours who is under age 16 or disabled and also receiving checks.
- Your disabled widow or widower age 50 or older. The disability must have started before your death or within seven years after your death. (If your widow or widower caring for your children receives Social Security checks, she or he is eligible if she or he becomes disabled before those payments end or within seven years after they end.)
- Your unmarried son or daughter, including an adopted child, or, in some cases, a stepchild or grandchild. The child must be under age 18 or under age 19 if in high school full time.

- Your unmarried son or daughter, age 18 or older, if he or she has a disability that started before age 22. These children are considered disabled if they meet the adult definition of disability. (If a disabled child under age 18 is receiving benefits as the dependent of a retired, deceased or disabled worker, someone should contact Social Security to have his or her checks continued at age 18 on the basis of disability.)

If you become the parent of a child (including an adopted child) after you begin receiving Social Security benefits, be sure to notify us so that we can determine if the child qualifies for benefits.

For more information about disability benefits for children, ask Social Security for the booklet, *Benefits for Children With Disabilities* (Publication No. 05-10026).

Note: The Supplemental Security Income (SSI) program also pays benefits to needy disabled children under age 18.

How Much Work Do I Need?

To qualify for Social Security disability benefits, you must have worked long enough and recently enough under Social Security. You can earn up to a maximum of four work credits per year. The amount of earnings required for a credit increases each year as general wage levels rise. Family members who qualify for benefits on your work record do not need work credits.

The number of work credits you need for disability benefits depends on your age when you became disabled. Generally you need 20 credits earned in the last 10 years ending with the year you became disabled. However, younger workers may qualify with fewer credits. The rules are as follows:

- **Before age 24**—You may qualify if you have six credits earned in the three-year period ending when your disability starts.
- **Age 24 to 31**—You may qualify if you have credit for having worked half the time between 21 and the time you become disabled. For example, if you become disabled at age 27, you would need credit for three years of work (12 credits) out of the past six years (between age 21 and age 27).
- **Age 31 or older**—In general, you will need to have the number of work credits shown in the chart shown below. Unless you are blind, at least 20 of the credits must have been earned in the 10 years immediately before you became disabled.

Born After 1929, Become Disabled At Age	Credits You Need
31 through 42	20
44	22
46	24
48	26
50	28
52	30
54	32
56	34
58	36
60	38
62 or older	40

Part 2— Signing Up For Disability

How Do I Apply?

You should apply at any Social Security office as soon as you become disabled. You may file by phone, mail or by visiting the nearest office. Note that, while you may receive back benefits from the date you became disabled, they are limited to one year before the date you filed for benefits.

How Can I Speed Up My Claim?

It generally takes longer to process claims for disability benefits than other types of Social Security claims— from 60 to 90 days. **You can help shorten the process** by bringing certain documents with you when you apply and helping us to get any other medical evidence you need to show you are disabled. These include:

- the Social Security number and proof of age for each person applying for payments including your spouse and children, if they are applying for benefits;
- names, addresses and phone numbers of doctors, hospitals, clinics and institutions that treated you and dates of treatment;
- names of all medications you are taking;
- medical records from your doctors, therapists, hospitals, clinics and caseworkers;
- laboratory and test results;
- a summary of where you worked and the kind of work you did;

- a copy of your W-2 Form (Wage and Tax Statement), or, if you are self-employed, your federal tax return for the past year; and
- dates of prior marriages if your spouse is applying.

Do not delay filing for benefits just because you do not have all of the information you need. The Social Security office will be glad to help you.

Who Decides If I Am Disabled?

After helping you complete your application, the Social Security office will review it to see if you meet the basic requirements for disability benefits. They will look at whether you have worked long enough and recently enough, your age and, if you are applying for benefits as a family member, your relationship to the worker. The office then will send your application to the Disability Determination Services (DDS) office in your state. The DDS will decide whether you are disabled under the Social Security law.

The DDS will consider all the facts in your case. They will use the medical evidence from your doctors and from hospitals, clinics or institutions where you have been treated and all the other information they have.

On the medical report forms, your doctors or other sources are asked for a medical history of your condition:

- what is wrong with you;
- when it began;
- how it limits your activities;

- what the medical tests have shown; and
- what treatment you have received.

They also are asked for information about your ability to do work-related activities, such as walking, sitting, lifting and carrying and remembering instructions. They are **not** asked to decide if you are disabled.

The DDS may need more medical information before they can decide your case. If it is not available from your current medical sources, they may ask you to go to a special examination called a “consultative examination.” Your doctor or the medical facility where you have been treated is the preferred source to do this examination but it may be done by someone else. Social Security will pay for the examination and for certain travel expenses related to it.

Our rules for determining disability are different from the disability rules in other government and private programs. However, a decision made by another agency and the medical reports it obtains may be considered in determining whether you are disabled under Social Security rules.

Once we reach a decision on your claim, we will send you a letter. If your claim is approved, the letter will show the amount of your benefit and when payments start. If it is not approved, the letter will explain why and tell you how to appeal if you don't agree.

How Do We Determine Disability?

You should be familiar with the process we use to determine if you are disabled. It's a step-by-step process involving five questions. They are:

1. Are you working?

If you are and your earnings average more than \$780 a month, you generally cannot be considered disabled. If you are not working, we go to the next step.

2. Is your condition "severe"?

Your condition must interfere with basic work-related activities for your claim to be considered. If it does not, we will find that you are not disabled. If it does, we will go to the next step.

3. Is your condition found in the list of disabling impairments?

We maintain a list of impairments for each of the major body systems that are so severe they automatically mean you are disabled. If your condition is not on the list, we have to decide if it is of equal severity to an impairment on the list. If it is, we will find that you are disabled. If it is not, we go to the next step.

4. Can you do the work you did previously?

If your condition is severe, but not at the same or equal severity as an impairment on the list, then we must determine if it interferes with your ability to do the work you did previously. If it does not, your claim will be denied. If it does, we go to the next step.

5. Can you do any other type of work?

If you cannot do the work you did in the past, we see if you are able to adjust to other work. We consider your medical conditions and your age, education, past work experience and any transferable skills you may have. If

you cannot adjust to other work, your claim will be approved. If you can, your claim will be denied.

Rules For Blind Persons

You are considered blind under Social Security rules if your vision cannot be corrected to better than 20/200 in your better eye or if your visual field is 20 degrees or less, even with a corrective lens.

There are a number of special rules for persons who are blind. The rules recognize the severe impact of blindness on a person's ability to work. For example, the monthly earnings limit for people who are blind is generally higher than the \$780 limit that applies to non-blind disabled workers. This amount changes each year. For current amounts and other information on special rules for persons who are blind, ask for the booklet, *If You Are Blind Or Have Low Vision ... How We Can Help* (Publication No. 05-10052).

If My Claim Is Denied

If your claim is denied or you disagree with any part of our decision, you may appeal the decision. The Social Security office will help you complete the paperwork.

You have 60 days from the time you receive our letter to file an appeal. We assume that you received the letter with our decision five days after the date on it, unless you can show us that you received it later. For more information about appeals, ask for the factsheet, *The Appeals Process* (Publication No. 05-10041).

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Part 3—When A Claim Is Approved

When Do My Benefits Start?

If your application is approved, your first Social Security benefits will be paid for the **sixth full month** after the date your disability began. For example, if we find that your disability began on January 15, your first disability benefit will be paid for the month of July. Because Social Security benefits are paid in the month following the month for which they're due, you would receive your July benefit in August.

You also will receive a booklet, *What You Need To Know When You Get Disability Benefits* (Publication No. 05-10153), in case you have questions.

How Much Will I Get From Social Security?

The amount of your monthly disability benefit is based on your lifetime average earnings covered by Social Security. If you would like an estimate of your disability benefit, you can request a *Social Security Statement* that displays your earnings record and provides an estimate of your disability benefit. It will also include estimates of retirement and survivors benefits which you and your family may be eligible to receive now and in the future. The request form is available by calling or visiting Social Security. You can also type www.ssa.gov to get the form from our Internet website.

How Do Other Payments Affect My Benefits?

Eligibility for other government benefits can affect the amount of your Social Security benefits. The following publications provide more information and are available from Social Security.

- *How Workers' Compensation And Other Disability Payments May Affect Your Benefits* (Publication No. 05-10018).
- *The Windfall Elimination Provision* (Publication No. 05-10045.)
- *Government Pension Offset* (Publication No. 05-10007), a law that affects spouse's or widow(er)'s benefits.

If you have additional questions, contact your local Security office, or call us toll-free at **1-800-772-1213**.

Are Benefits Taxed?

Some people have to pay federal income taxes on their Social Security benefits. This usually happens only if your total income is high. At the end of the year, you will receive a *Social Security Benefit Statement* (Form SSA-1099) showing the amount of benefits you received. Use the statement to complete your federal income tax return if any of your benefits are subject to tax. For more information about this tax, ask the Internal Revenue Service for a copy of Publication 915. Also, you may choose to have federal taxes withheld from your benefits.

Can I Get Medicare If I'm Disabled?

We will automatically enroll you in Medicare after you get disability benefits for two years.

Medicare has two parts—hospital insurance and medical insurance. Hospital insurance helps pay hospital bills and some follow-up care. The taxes you paid while you were working financed this coverage, so it's free. The other part of Medicare, medical insurance, helps pay doctors' bills and other services. You will pay a monthly premium for this coverage if you want it. Most people have both parts of Medicare.

Help For Low-Income Medicare Beneficiaries

If you get Medicare and have low income and few resources, your state may pay your Medicare premiums and, in some cases, other "out-of-pocket" Medicare expenses such as deductibles and coinsurance. Only your state can decide if you qualify. To find out if you do, contact your state or local welfare office or Medicaid agency. For more general information about the program, contact Social Security and ask for the leaflet, *Medicare Savings Programs* (HCFA Publication No. 10126).

Is My Case Reviewed?

In general, your benefits will continue as long as you are disabled. However, we will review your case periodically to see if you are still disabled. The frequency of the reviews depends on the expectation of recovery.

- If medical improvement is "expected," your case normally will be reviewed within six to 18 months.
- If medical improvement is "possible," your case normally will be reviewed no sooner than three years.

- If medical improvement is “not expected,” your case normally will be reviewed no sooner than seven years.

What Can Cause Benefits To Stop?

There are two things that can cause us to decide that you are no longer disabled and to stop your benefits.

Your benefits will stop if you work at a level we consider “substantial.” Usually, average earnings of \$780 or more a month are considered substantial.

Your disability benefits also will stop if we decide that your medical condition has improved to the point that you are no longer disabled.

You must promptly report any improvement in your condition, your return to work and certain other events as long as you are receiving benefits. These responsibilities are explained in the booklet you will receive when benefits start.

Part 4—Going Back To Work

Can I Receive Benefits While I Work?

If you're like most people, you would rather work than try to live on disability benefits. There are a number of special rules that provide cash benefits and Medicare while you attempt to work. We call these rules “work incentives,” or “employment support” programs. You should be familiar with these special rules so you can use them to your advantage.

For more information about Social Security work incentives, ask for a copy of the booklet, *Working While Disabled ... How We Can Help* (Publication No. 05-10095).

The *Ticket to Work and Work Incentives Improvement Act of 1999* substantially expands opportunities for people with disabilities who want to work. For information on this new law, call **1-800-772-1213** and ask for the factsheet, *Ticket to Work and Work Incentives Improvement Act of 1999* (Publication No. 05-10060). The factsheet also is available on our website at www.ssa.gov/work.

For More Information

Check our website at www.ssa.gov for answers to many of the questions you may have about Social Security. You also may call us toll-free at **1-800-772-1213**. We can answer specific questions by phone from 7 a.m. until 7 p.m. on business days and provide information by automated phone service 24 hours a day. If you are deaf or hard of hearing, you may call our TTY number, 1-800-325-0778, between 7 a.m. and 7 p.m. on business days.

We treat all calls confidentially—whether they're made to our toll-free numbers or to one of our local offices. We also want to ensure that you receive accurate and courteous service. That's why we have a second Social Security representative monitor some incoming and outgoing telephone calls.

Other Booklets Available

We have a number of publications that contain information about other Social Security programs. Contact us to get a free copy of any of these publications. They include:

- *Understanding The Benefits* (Publication No. 05-10024)—
A comprehensive explanation of all the Social Security programs.
- *Retirement Benefits* (Publication No. 05-10035)—
Explains Social Security retirement benefits.
- *Survivors Benefits* (Publication No. 05-10084)—Explains
Social Security survivors benefits.
- *SSI* (Publication No. 05-11000)—Explains the Supplemental Security Income program, which provides a basic income to people who are 65 or older, disabled or blind and have limited income and resources.

Most of these publications also are available in Spanish. They are also available on our website at www.ssa.gov.