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Disability Benefits

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What's inside

Disability benefits 1

Who can get Social Security disability benefits? 1

How do I apply for disability benefits? 4

When should I apply and what information do I need? 4

Who decides if I am disabled? 5

How is the decision made? 6

What happens when my claim is approved? 9

Can my family get benefits? 10

How do other payments affect my benefits? 10

What do I need to tell Social Security? 11

When do I get Medicare? 12

What do I need to know about working? 12

The Ticket to Work program 13

Achieving a Better Life Experience (ABLE) Account 13

Contacting Social Security 14



Disability benefits

Disability is something most people don't like to think about. But the chances that you'll become disabled are probably greater than you realize. Studies show that a 20-year-old worker has a 1-in-4 chance of becoming disabled before reaching full retirement age.

This booklet provides basic information on Social Security disability benefits and isn't meant to answer all questions. For specific information about your situation, you should speak with a Social Security representative.

We pay disability benefits through two programs: the Social Security Disability Insurance (SSDI) program and the Supplemental Security Income (SSI) program. This booklet is about the Social Security disability program. For information about the SSI disability program for adults, see *Supplemental Security Income (SSI)* (Publication No. 05-11000). For information about disability programs for children, refer to *Benefits For Children With Disabilities* (Publication No. 05-10026). Our publications are available online at www.ssa.gov.

Who can get Social Security disability benefits?

Social Security pays benefits to people who can't work because they have a medical condition that's expected to last at least one year or result in death. Federal law requires this very strict definition of disability. While some programs give money to people with partial disability or short-term disability, Social Security does not.

Certain family members of disabled workers can also receive money from Social Security. This is explained in the "**Can my family get benefits?**" section.

How do I meet the earnings requirement for disability benefits?

In general, to get disability benefits, you must meet two different earnings tests:

1. A recent work test, based on your age at the time you became disabled.
2. A duration of work test to show that you worked long enough under Social Security.

Certain blind workers have to meet only the duration of work test.

The following table shows the rules for how much work you need for the recent work test, based on your age when your disability began. We base the rules in this table on the *calendar quarter* in which you turned or will turn a certain age.

The calendar quarters are:

First Quarter: January 1 through March 31

Second Quarter: April 1 through June 30

Third Quarter: July 1 through September 30

Fourth Quarter: October 1 through December 31

<i>If you become disabled...</i>	<i>Then you generally need:</i>
In or before the quarter you turn age 24	1.5 years of work during the three-year period ending with the quarter your disability began.
In the quarter after you turn age 24 but before the quarter you turn age 31	Work during half the time for the period beginning with the quarter after you turned 21 and ending with the quarter you became disabled. Example: If you become disabled in the quarter you turned age 27, then you would need three years of work out of the six-year period ending with the quarter you became disabled.
In the quarter you turn age 31 or later	Work during five years out of the 10-year period ending with the quarter your disability began.

The following formula shows how many quarters of coverage you need to meet the duration of work test:

In general, you may take the year you became disabled and subtract the year you attained age 22, in order to get the number of quarters of coverage necessary to meet the duration requirement.

NOTE: *You must have a minimum of six quarters of coverage to meet the duration requirement. This minimum requirement for six quarters of coverage is also applicable for those who have not yet attained age 22 and may apply for disability based on their own earnings.*

NOTE: *This table is an estimate only and does not cover all situations.*

<i>If you become disabled...</i>	<i>Then you generally need:</i>
Before age 28	1.5 years of work
Age 30	2 years
Age 34	3 years
Age 38	4 years
Age 42	5 years
Age 44	5.5 years
Age 46	6 years
Age 48	6.5 years
Age 50	7 years
Age 52	7.5 years
Age 54	8 years
Age 56	8.5 years
Age 58	9 years
Age 60	9.5 years

How do I apply for disability benefits?

There are two ways that you can apply for disability benefits. You can:

1. Apply online.
2. Call our toll-free number, **1-800-772-1213**, to make an appointment to file a disability claim at your local Social Security office or to set up an appointment for someone to take your claim over the telephone. The disability claims interview lasts about one hour. If you're deaf or hard of hearing, you may call our toll-free TTY number, **1-800-325-0778**, between 7 a.m. and 7 p.m. on business days. If you schedule an appointment, we'll send you a Disability Starter Kit to help you get ready for your disability claims interview. The Disability Starter Kit also is available online at **www.ssa.gov/disability**.

You have the right to representation by an attorney or other qualified person of your choice when you do business with Social Security. More information is in *Your Right To Representation* (Publication No. 05-10075), which is also available from Social Security.

When should I apply and what information do I need?

You should apply for disability benefits as soon as you become disabled. **Processing an application for disability benefits can take three to five months.** To apply for disability benefits, you'll need to complete an application for Social Security benefits. You can apply online at **www.ssa.gov/applyfordisability**. We may be able to process your application faster if you help us by getting any other information we need. We need all of this information:

- Your Social Security number.

- Your birth or baptismal certificate.
- Names, addresses, and phone numbers of the doctors, caseworkers, hospitals, and clinics that took care of you, and dates of your visits.
- Names and dosages of all the medicine you take.
- Medical records from your doctors, therapists, hospitals, clinics, and caseworkers that you already have in your possession.
- Laboratory and test results.
- A summary of where you worked and the kind of work you did.
- A copy of your most recent W-2 Form (Wage and Tax Statement) or, if you're self-employed, your federal tax returns for the past year.

In addition to the basic application for disability benefits, you'll also need to fill out other forms. One form collects information about your medical condition and how it affects your ability to work. Other forms give doctors, hospitals, and other health care professionals who have treated you, permission to send us information about your medical condition.

Don't delay applying for benefits if you can't get all of this information together quickly. We'll help you get it.

Who decides if I am disabled?

We'll review your application to make sure you meet some basic requirements for disability benefits. We'll check whether you worked enough years to qualify. Also, we'll evaluate any current work activities. If you meet these requirements, we'll process your application and forward your case to the Disability Determination Services office in your state.

This state agency completes the initial disability determination decision for us. Doctors and disability

specialists in the state agency ask your doctors for information about your condition. They'll consider all the facts in your case. They'll use the medical evidence from your doctors, hospitals, clinics, or institutions where you've been treated and all other information. They'll ask your doctors about:

- Your medical condition(s).
- When your medical condition(s) began.
- How your medical condition(s) limit your activities.
- Medical tests results.
- What treatment you've received.

They'll also ask the doctors for information about your ability to do work-related activities, such as walking, sitting, lifting, carrying, and remembering instructions. Your doctors don't decide if you're disabled.

The state agency staff may need more medical information before they can decide if you're disabled. If your medical sources can't provide needed information, the state agency may ask you to go for a special examination. We prefer to ask your own doctor, but sometimes the exam may have to be done by someone else. Social Security will pay for the exam and for some of the related travel costs.

How is the decision made?

The state uses a five-step evaluation process, in a set order, to decide if you're disabled.

1. Are you working?

If you're working and your earnings average more than a certain amount each month, you generally won't be considered to be disabled. The amount (referred to as "substantial gainful activity") changes each year. For the current figure, see the annual *Update* (Publication No. 05-10003).

If you're not working, or your monthly earnings average to the current amount or less, the state agency then looks at your medical condition at step two.

2. Is your medical condition “severe”?

For you to be considered to have a disability by Social Security's definition, your medical condition must significantly limit your ability to do basic work activities — such as lifting, standing, walking, sitting, and remembering — for at least 12 months. If your medical condition isn't severe, you won't be considered to be disabled. If your condition is severe, the agency staff begins step three.

3. Does your medical condition meet or medically equal a listing?

Our listing of impairments describes medical conditions that we consider severe enough to prevent a person from doing any gainful activity, regardless of age, education, or work experience. Within each listing, experts specify the objective medical and other findings needed to satisfy the criteria of that listing. If your medical condition meets or medically equals (meaning it is at least equal in severity and duration to) the criteria of a listing, the state agency will decide that you have a qualifying disability. If your medical condition doesn't meet or medically equal the criteria of a listing, the state agency goes on to step four.

4. Can you do the work you did before?

At this step, the state agency decides if your medical condition(s) prevents you from performing any of your past work. If it doesn't, agency staff decide you don't have a qualifying disability. If it does, the state agency proceeds to step five.

5. Can you do any other type of work?

If you can't do the work you did in the past, agency staff look to see if there's other work you can do despite your medical condition(s). The state considers your age,

education, past work experience, and any skills you may have that could be used to do other work. If you can't do other work, the state agency decides that you're disabled. If you can do other work, you don't have a qualifying disability.

Special rules for blind people

There are special rules for people who are blind. For more information, ask for *If You Are Blind Or Have Low Vision—How We Can Help* (Publication No. 05-10052).

We'll tell you our decision

When the state agency makes a determination on your case, we'll send a letter to you. If your application is approved, the letter will show the amount of your benefit, and when your payments start. If your application isn't approved, the letter will explain why and tell you how to appeal the determination if you don't agree with it.

What if I disagree?

If you disagree with a decision made on your claim, you can appeal it. The steps you can take are explained in *Your Right to Question the Decision Made on Your Claim* (Publication No. 05-10058), which is available from Social Security.

How we'll contact you

Generally, we mail a letter or call you when we want to contact you about your benefits; but sometimes, a Social Security representative may come to your home. Our representative will show you identification before talking about your benefits. Calling the Social Security office to ask if someone was sent to see you is a good idea.

If you're blind or have low vision, you can choose to receive notices from us in one of the following ways:

- Standard print notice by first-class mail.

- Standard print notice by certified mail.
- Standard print notice by first-class mail and a follow-up telephone call.
- Braille notice and a standard print notice by first-class mail.
- Microsoft Word file on a data compact disc (CD) and a standard print notice by first-class mail.
- Audio CD and a standard print notice by first-class mail.
- Large print (18-point size) notice and a standard print notice by first-class mail.

For more information, visit our website at www.ssa.gov/notices or call us toll-free at **1-800-772-1213**. If you're deaf or hard of hearing, you may call our TTY number at **1-800-325-0778**.

What happens when my claim is approved?

We'll send a letter to you telling you your application is approved, the amount of your monthly benefit, and the effective date. Your monthly disability benefit is based on your average lifetime earnings. Generally, there is a five month waiting period and we'll pay your first benefit the sixth full month after the date we find your disability began. However, there is no waiting period if your disability results from amyotrophic lateral sclerosis (ALS). Here is an example: If the state agency decides your disability began on January 15, your first disability benefit will be paid for the month of July. Social Security benefits are paid in the month following the month for which they are due, so you'll receive your July benefit in August.

You'll also receive *What You Need To Know When You Get Disability Benefits* (Publication No. 05-10153), which gives you important information about your benefits and tells you what changes you must report to us.

Can my family get benefits?

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

- Your spouse, if he or she is age 62 or older.
- Your spouse at any age, if he or she is caring for a child of yours who is younger than age 16 or disabled.
- Your unmarried child, including an adopted child, or, in some cases, a stepchild or grandchild. The child must be younger than age 18 (or younger than 19 if still in high school).
- Your unmarried child, age 18 or older, if he or she has a disability that started before age 22. The child's disability must also meet the definition of disability for adults.

NOTE: *In some situations, a divorced spouse may qualify for benefits based on your earnings, if he or she was married to you for at least 10 years, is not currently married, and is at least age 62. The money paid to a divorced spouse doesn't reduce your benefit or any benefits due to your current spouse or children.*

How do other payments affect my benefits?

If you're getting other government benefits (including those from a foreign country), the amount of your Social Security disability benefits may be affected. For more information, you should see the following:

- *How Workers' Compensation And Other Disability Payments May Affect Your Benefits* (Publication No. 05-10018)
- *Windfall Elimination Provision* (Publication No. 05-10045)
- *Government Pension Offset* (Publication No. 05-10007)

You can get these publications from our website or you can contact us to request them.

What do I need to tell Social Security?

If you have an outstanding warrant for your arrest

You must tell us if you have an outstanding arrest warrant for any of the following felony offenses:

- Flight to avoid prosecution or confinement.
- Escape from custody.
- Flight-escape.

You can't receive regular disability benefits or any underpayments you may be due for any month in which there is an outstanding arrest warrant for any of these felony offenses.

If you're convicted of a crime

Tell Social Security right away if you're convicted of a crime. Regular disability benefits, or any underpayments, that may be due aren't paid for the months a person is confined for a crime, but any family members who are eligible for benefits based on that person's work may continue to receive benefits.

Monthly benefits, or any underpayments that may be due, are usually not paid to someone who commits a crime and is confined to an institution by court order and at public expense. This applies if the person has been found:

- Not guilty by reason of insanity or similar factors (such as mental disease, mental defect, or mental incompetence).
- Incompetent to stand trial.

If you violate a condition of parole or probation

You must tell us if you're violating a condition of your probation or parole imposed under federal or state

law. You can't receive regular disability benefits or any underpayment that may be due for any month in which you violate a condition of your probation or parole.

When do I get Medicare?

You'll get Medicare coverage automatically after you've received disability benefits for two years. You can find more information about the Medicare program, in *Medicare* (Publication No. 05-10043).

What do I need to know about working?

After you start receiving Social Security disability benefits, you may want to try working again. Social Security has special rules called work incentives that allow you to test your ability to work and still receive monthly Social Security disability benefits. You can also get help with education, rehabilitation, and training you may need to work.

If you do take a job or become self-employed, tell us about it right away. We need to know when you start or stop work and if there are any changes in your job duties, hours of work, or rate of pay. You can call us toll-free at **1-800-772-1213**. If you're deaf or hard of hearing, you may call our TTY number, **1-800-325-0778**.

For more information about helping you return to work, go online for *Working While Disabled—How We Can Help* (Publication No. 05-10095). A guide to all our employment supports can be found in *A Summary Guide to Employment Support for Individuals with Disabilities Under the Social Security Disability Insurance and Supplemental Security Income Programs*, also called the *Red Book* (Publication No. 64-030). Also visit our website, **www.ssa.gov/work**.

The Ticket to Work program

Under this program, Social Security and Supplemental Security Income disability beneficiaries can get help with training and other services they need to go to work **at no cost to them**. Most disability beneficiaries are eligible to participate in the Ticket to Work program and can select an approved provider of their choice who can offer the kind of services they need. To learn more about this program, ask for *Your Ticket To Work* (Publication No. 05-10061).

Achieving a Better Life Experience (ABLE) Account

An Achieving a Better Life Experience (ABLE) account is a tax-advantaged savings account for an individual with a disability. You can use an ABLE account to save funds for many disability-related expenses. Anyone, including the account owner, family, and friends can contribute to the ABLE account. The account owner of an ABLE account must:

- Be eligible for SSI based on disability or blindness that began before age 26.
- Be entitled to disability insurance benefits, childhood disability benefits, or disabled widow's or widower's benefits, based on disability or blindness that occurred before age 26.
- Have a certification that disability or blindness occurred before age 26.

The money that you have in your ABLE account (up to and including \$100,000) does not count as a resource under SSI rules. You can use money in an ABLE account to pay for certain qualified disability expenses, such as those for education, housing, transportation, employment

training, employment support, assistive technology, and related services.

Visit www.ablenrc.org to get more information on ABLE accounts. The website has information on how to become ABLE ready, a state ABLE program comparison tool and guidance on setting short- and long-term financial goals

Please note: Social Security provides this section as a courtesy to help notify you of ABLE accounts. However, Social Security is not affiliated with and does not endorse the National Disability Institute or its services.

Contacting Social Security

There are several ways to contact us, such as online, by phone, and in person. We're here to answer your questions and to serve you. For more than 85 years, Social Security has helped secure today and tomorrow by providing benefits and financial protection for millions of people throughout their life's journey.

Visit our website

The most convenient way to conduct Social Security business from anywhere is online at www.ssa.gov. You can accomplish a lot.

- Apply for Extra Help with Medicare prescription drug plan costs.
- Apply for most types of benefits.
- Find copies of our publications.
- Get answers to frequently asked questions.

When you create a personal *my* Social Security account, you can do even more.

- Review your *Social Security Statement*.
- Verify your earnings.

- Get estimates of future benefits.
- Print a benefit verification letter.
- Change your direct deposit information.
- Request a replacement Medicare card.
- Get a replacement SSA-1099/1042S.
- Request a replacement Social Security card, if you have no changes and your state participates.

Call us

If you don't have access to the internet, we offer many automated services by telephone, 24 hours a day, 7 days a week. Call us toll-free at **1-800-772-1213** or at our TTY number, **1-800-325-0778**, if you're deaf or hard of hearing.

A member of our staff can answer your call from 7 a.m. to 7 p.m., Monday through Friday, if you need to speak with someone. We ask for your patience during busy periods since you may experience a high rate of busy signals and longer hold times to speak to us. We look forward to serving you.

Schedule an office visit

You can find the closest office location by entering your ZIP code on our office locator webpage.

If you are bringing documents for us to see, remember that they must be original or certified copies that are certified by the issuing agency.



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