

The Ultimate Guide to Applying for Disability



Social Security Disability Claim

By signing and submitting Social Security Disability Claim, I certify that this application is complete and all information provided is true and accurate and contains no willful falsifications or misrepresentation. I understand that falsifications, representation may disqualify me from consideration to this position. I hereby authorize re... current and previous employers for verification, conduct a background... any driving record.

Full legal	Last Name		First
Home Street	City		State
E-mail Address:			
Education:	Highest school grade		
Do you have a high school	Number of years of post		
Name and Location of Educational Institution:	Des		



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An Introduction

Did you know that nationwide statistics from the SSA show that initial **disability applications are denied about 65% of the time?** The percentage of being denied can be lowered with help from a disability representative, but nothing is infallible or guaranteed. You can have all the necessary checkmarks, but if your supplementary documentation on your application is insufficient, the Social Security Administration SSA has the authority to deny your application.

If you've delved into the world of disability before reading this, you know there are two different disability programs you can apply for: the **Social Security Disability Insurance (SSDI)** program and the Supplemental Security Income (SSI) program. At their roots, SSDI and SSI are support sources of income for eligible Florida recipients who are unable to work and maintain a quality of life due to disabling conditions or age. That said, not just anyone can apply for and receive benefits: there are certain parameters and financial conditions that must be met for benefit eligibility. These factors are determined by the SSA and state agencies on an as-needed basis.

We here at [Disability Experts of Florida](#) have been heralds for providing services and information regarding your disability claims. Now, with this wealth of accrued knowledge, we give you an ultimate resource for all of your questions related to applying for disability. We'll outline the **exact steps you should take to get the benefits you need**, and to overturn an unfavorable decision. Here we will reference some of our previous guides and offer a comprehensive collection of content containing valuable answers and figures.



The SSA's Requirements

SSDI requires you to have worked for a certain period of time based on your age before becoming disabled - this is determined by the SSA in the form of work credits, and covered based on your tax contributions to Social Security throughout your working life.

On the other hand, SSI is based more on financial qualifications and need. SSI funds are meant to go to citizens whose income falls under the SSI federal benefit limit (which is \$733 in countable income for eligible persons in 2015).

- ✔ For both, you must be qualified as medically disabled to receive benefits.
- ✔ The SSA's general requirements are the following (for both SSDI and SSI):
- ✔ Your medical condition must exceed/be expected to exceed 1 year, or result in death

If your medical condition is "severe" and limits your daily activities

Your working history, and what you can do now compared to before your medical condition



The SSA's Requirements

The requirements you must have for SSI are:

- ✔ Earn little to no monthly income - it must be below the SSI federal benefit rate (\$733 in countable income for eligible persons in 2015)
- ✔ Possess countable assets worth less than \$2,000 if single, and less than \$3,000 if married

Documenting that you meet these conditions builds the primary foundation for success in the SSDI / SSI application process.

Keep in mind, though, that your home and household goods don't count toward your assets. You also may qualify for both SSDI and SSI. We recommend getting in contact with a trained disability expert, who can review your application and determine if you are eligible, under the medical guidelines, to pursue the full amount of SSDI and SSI benefits you deserve.

For more general information about applying, see the SSA's publication on Disability Benefits [here](#).

The law defines disability as: the inability to engage in any substantial gainful activity (SGA) by reason of any medically determinable physical or mental impairment(s) which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months.



The Application Process

So now you know what credentials the SSA and state agencies use to determine whether you are disabled. However, there are some criteria to be aware of that can affect your benefits. In this two-part section, we are going to cover the specific documents you need for your application, and then elaborate on what can put a monkey wrench in your efforts.

What You Need:

- ✔ Medical records from any physicians, therapists, clinics, etc. detailing your medical condition
- ✔ Birth certificate
- ✔ Social Security number
- ✔ Any laboratory or test results
- ✔ Employment information on the type of job you had and what kind of work you performed
- ✔ Your most recent W-2 Form/federal tax returns for the past year
- ✔ Other forms detailing your inability to work and HIPPA authorization to view your medical records



The more thorough your medical records are, the better chance you have of being approved for benefits. Be aware that there are some disabilities that lend themselves to immediate acceptance through the [SSA's Blue Book](#).



The Application Process

Examples of work needed for the “duration of work” test	
If You Become Disabled...	Then You Generally Need...
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

Fig. 1. Social Security guide on duration of work tests; “Disability Benefits”; SSA Publication No. 05-10029; Social Security Administration
www.socialsecurity.gov; May 2014; ebook; 10 October 2014.



The Application Process

What Can Affect Your Benefits

There are many things that can affect your benefits. Some of them are:

- ✔ **Your work history before becoming disabled.** When reviewing your application for SSDI, the SSA will use your Social Security Earnings Record to determine your insured status and the amount of your potential disability benefit. Throughout your working life, you essentially fund your own future benefits through Social Security in the form of tax credits (the amount deducted from every paycheck for Social Security; generally shown as FICA tax). In doing so, **you are essentially paying yourself forward in the unfortunate event of disability.** To be eligible for these benefits, you will have typically (in general terms) had to work at least 50% of the time leading up to your condition.

- These tests are the **recent work test** and **duration of work test**.
- In a recent work test, the SSA will determine insured status according to a specific period of time prior to the onset of disability (more often 10 years).
- The duration of work test follows eligibility by measuring total time worked related to your age, which increases incrementally the older the applicant.



There is no earnings requirement for SSI.



The Application Process

- ✔ **Short-term injuries** do not qualify you under Social Security disability at all. This funnels into the previous criterion in which your condition must be expected to last at least 12 months or result in death.
- ✔ **Your marital and/or family status.** Generally, if a child under 18 is in your care, he/she can receive benefits based on your work.

If You Get:	Then:
Your own disability benefits	Your benefits will continue
Spouse's benefits	Your benefits will continue if you get divorced and you are age 62 or over unless you were married less than 10 years.
Disabled widow's or widower's benefits (including disabled divorced widow's and widower's benefits)	Your benefits will continue if you remarry when you are age 50 or older
Any other kind of benefits	Generally, your benefits will stop when you get married. Your benefits may be started again if marriage ends.

Fig. 2. Social Security table discussing SSDI/SSI and spouse benefits; "What You Need to Know When You Get Social Security Disability Benefit"; SSA Publication No. 05-10153; Social Security Administration; www.socialsecurity.gov; April 2011; ebook; 10 October 2014.

- ✔ **Other government payments/programs.** Things such as Workers' Compensation, public disability payments or government pensions can cause your payment amount to be affected.
- ✔ **If you can work in another industry.** One of the main questions Social Security asks is: "Can you work?" If the SSA determines that you are capable of working in another industry based on your age and experience, you won't be awarded benefits.

If you're worried about your application being denied, consider what a disability professional can do for you during these beginning stages. They can renew your records and documentation and help you submit everything accurately and on a timely basis.



But What If...?

There is an endless list of questions concerning disability benefits. Some of these specific instances require their own individualized attention—such as children’s disability or benefits for Veterans. That said, we have helpful links to these special situations that can shed light in greater detail:

- ✔ Children’s benefits
- ✔ Veterans Benefits
- ✔ Living status
- ✔ Living internationally



Dealing with Appeals

Been denied disability benefits? You have a right to appeal your claim if you disagree with your determination.

The four steps to this process are:

- ✔ Reconsideration
- ✔ Administrative law judge (ALJ) hearing
- ✔ SS Appeals Council review
- ✔ Review by the Federal Court

You also are able to appoint a **representative**, who can be an attorney, a friend or a disability expert to assist in handling your claim.

Reconsideration is basically another opinion from someone who did not have input on the initial decision of your claim. You may present any new evidence, as well, and are not usually required to be present. If it is again denied, the next step is the ALJ hearing, which may include testimonies from expert witnesses to shed more light on your specific condition. During this hearing, you may explain your case in more detail to the judge.

If the judge denies you again, you can request a review by the Appeals Council – **they will not always grant this**, depending on whether they agree with the judge hearing. After this, of course, comes a lawsuit to the federal district court.



Key Takeaway Resources

We hope this guide has helped your preparation efforts in advance of applying for disability benefits in Florida. Dealing with the headache that is the SSA can leave you frustrated and feeling downtrodden on your hope of getting funds to help you survive. After all, 65% of aged beneficiaries received at least half of their income from Social Security in 2012 according to the SSA's Fast Facts & Figures report.

This guide is only a gateway into the many complexities involved with applying for disability benefits. By gaining this knowledge and confidence, we hope you will help yourself or a loved one with applying—and feel free to contact a disability advocate to facilitate your application, as well. If you're disabled and in financial duress, these benefits are tailored to help you and your family. Don't give up: reach out to a trained disability representative in your area to see how they can help you



Resources

- ✔ [The SSA's guide on "Disability Benefits"](#)
- ✔ [U.S. Department of Health and Human Services](#)
- ✔ [Online portal to apply for disability benefits](#)
- ✔ [Statistics from the SSA](#)
- ✔ [Disability determinations in Florida](#)
- ✔ [Contact a disability representative](#)





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