



## INFORMATION FROM PROFESSIONAL EXPERIENCE

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### TITLE: FAQs ON SOCIAL SECURITY AND SSI DISABILITY

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**Description** FAQs regarding SSI Disability Claims

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#### **Content** WHO IS ELIGIBLE FOR SSI BENEFITS?

A person with a physical or mental condition which prevents him/her from working on a full-time basis. A person need not be physically confined to a bed or wheelchair to receive benefits.

A retired person on a pension from a Company which has paid into a Social security program may apply for Social Security Disability benefits.

A person receiving Workman's Compensation is eligible to apply.

A person receiving disability from a private insurance company is eligible to apply.

#### HOW DO I APPLY?

Go to any Social Security office or call (800) 772-1213 for request an information packet and to schedule an interview. Review the information packet and bring the requested information to the interview.

During the interview, your work and health history will be presented and reviewed. At the conclusion of the interview, if you choose to do so, a disability claim will be initiated on your behalf.

Over the next few months, the Social Security Administration will evaluate the information you provided, along with additional information solicited from your physicians, clinics and/or hospitals.

During that period, you and/or your physician(s) may be asked for additional information. You may also be required to undergo a physical exam by a Social Security Administration-certified physician.

A decision will be made, usually within 120 days, to approve or reject your claim. You will receive a written notice of the decision.

#### WHEN DO I NEED AN ATTORNEY?

If your initial claim is rejected, you should contact an attorney to assist in filing an appeal. Usually this requires a submission of a legal brief and a judicial review.

It is possible to win a legal appeal on a disability claim many years after a person has stopped working. Disability benefits are received by persons who are also receiving:

- A retirement pension
- Worker's Compensation benefits

- Disability benefits from a private insurance company

**HOW ARE ATTORNEY'S FEES AND EXPENSES PAID?**

Most attorneys in this area are compensated with a portion of the past due (lump sum) benefits, which is not paid until the case is won (contingency).

Usually, attorney's fees are a percentage of the past due (lump sum) benefits, and only if the appeal is successful. Expenses are generally low in cases of this type. Confirm payment terms with the attorney in your initial discussion.

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