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Your Social Security Disability Law Firm

Applying for Social Security Disability Benefits: The Long & Winding Road

By Sharon A. Christie, Esq.

Those who apply for disability benefits from the Social Security Administration (SSA) can qualify under two programs. Social Security Disability (SSDI) is for people who have worked for a period of years before becoming disabled. Supplemental Security Income (SSI) is for people who haven't worked enough to contribute a substantial amount through their payroll deductions to qualify for SSDI. Those who apply for SSI must also meet certain income and asset requirements. For either program, aside from the employment and financial requirements, the medical portion of the application process is essentially the same.

The first step in applying for Social Security disability coverage is to set up an interview with the SSA. You can apply in person at a local Social Security office, online or over the phone. I recommend an in-person interview if possible. You will have an opportunity to directly answer any questions that may come up about your work history, medical condition and disability, which can save some time. In addition, you will get a receipt verifying the date that you applied should any of the paperwork get lost, which does happen.

You should take a significant amount of information to your interview, including your birth certificate; your work history for the 15 years prior to becoming unable to work; tax information for the previous year; military discharge information (if applicable); names, addresses and phone numbers for all of the doctors you've seen for your disabling condition; names, addresses and phone numbers for all of the hospitals where you have been treated for your disabling condition; names of any medications you're taking; and Social Security numbers for your spouse and minor children, if applicable.

After your interview, your information will be forwarded to a disability examiner, who will review your application and gather all of the remaining information necessary for a determination on your case. Sometimes you'll be required to submit to a medical examination, to be paid for by SSA, to assess your current health situation. Once your case has been processed, you'll receive a notice in the mail stating whether or not your claim has been approved. In about 70% of cases, the claim is denied at this stage.

The next step is to file a request for reconsideration. This request must be filed within 60 days of the denial. You must also submit an Appeal Report outlining any changes in your condition since the initial application. A reconsideration involves another review of the

paperwork you initially submitted as well as any additional records that Social Security has obtained or your lawyer has submitted. Frequently the claim for benefits is denied again.

After the reconsideration stage, you can request a hearing before an administrative law judge. You must file your request for this hearing within 60 days of receiving the denial of your claim. The wait for an appeal hearing takes an average of sixteen months nationwide and in the state of Maryland. The hearing before the administrative law judge is a courtroom proceeding. You will testify. There may be experts present to testify. If you have an attorney, he or she will argue to the judge what evidence supports your claim for disability benefits.

If you are turned down by the administrative law judge, you can appeal to the Social Security National Appeals Council in Washington, DC. If that appeal also fails, you have the option of filing a lawsuit in federal court.

If you have already submitted an application for benefits and have been denied, contact me, Sharon Christie, for help by filling out the contact form on my website: www.SharonChristieLaw.com. I'll be happy to help!

I also suggest that you request my booklet, *The Unofficial Guide to Social Security Disability Claims*, by clicking on the image in the sidebar of any page on my site. The booklet is FREE, so please don't hesitate to request a copy.