

Social Security and SSI Disability Benefits

**This general information from Legal Services of Southern Piedmont is not a substitute for individual legal advice. You may wish to talk to another lawyer about your case.

There are two different Social Security Disability programs.

1. **Social Security Disability Insurance** (SSDI) provides benefits to blind and disabled people based on their age and work history. Benefits are based on a person's own work record.
2. **Supplemental Security Income** (SSI) payments are made to disabled persons (from birth through age 64) who have little or no income or resources (things they own).

Are you disabled?

To get either SSDI or SSI, you must be unable to do any substantial work because of your physical or mental disabilities. Your physical or mental conditions must be so severe that you cannot earn more than \$980 per month or \$1,640 per month if you are blind (2009 amounts). The disability must have lasted, or be expected to last, at least 1 year or be expected to result in your death in order for you to qualify for benefits.

How Do You Get Started?

If you think that you may be eligible for SSDI or SSI payments, there are **4 ways** to apply:

1. **By telephone:** call 1-800-772-1213 from 7AM to 7PM Monday through Friday. **If you are hearing impaired you can call the TTY number, 1-800-325-0778.**
2. **In person:** To get an appointment to go to your local Social Security Office (SSA) you can call 1-800-772-1213 or you can just walk in and apply without an appointment.
3. **By mail:** You can call 1-800-772-1213 and request application forms be mailed to you or you can go to the Social Security office and ask for the forms.
4. **By internet:** Go to www.socialsecurity.gov.

Medical Information Needed

For each disability that keeps you from working, you need to list on your application ALL of the places where you have been treated, when you had your first and your most recent treatments there, how many visits you have made, and the address of the office or hospital. You can use old medical records, discharge papers or medical bills to help you remember this information.

*If you have been treated under more than one name, be sure to tell Social Security.

What Happens After You Apply At SSA?

Social Security will send your application to the North Carolina Disability Determination Services (DDS) Office in Raleigh where the medical decision will be made as to whether you are disabled according to Social Security's rules.

(A.) A worker at DDS will order your medical records, review them and make a decision, if he or she has enough information.

(B.) If additional information is needed you may be asked to provide more work history, a description of your daily activities, and perhaps go to a special exam that Social Security will pay for. If you need to go to a special exam, DDS will send you a letter with a date and time for the appointment. If you receive a letter telling you about an appointment with a doctor or psychiatrist, it is important that you go to the appointment as scheduled. If you have a good reason for not being able to go to the appointment, call your DDS worker as soon as possible to reschedule the appointment.

Once DDS makes a decision, you will receive a letter from SSA either approving or denying your claim for benefits.

(A.) If you are approved, you will receive a letter with the amount of benefits you will receive each month and when you can expect to receive it.

(B.) If you are denied benefits, you have a right to appeal the decision. **You must appeal within 60 days of receiving the denial.** Call SSA right away to appeal.

Tips To Remember When Applying For SSA Benefits

- ❖ **Make sure SSA knows about ALL of your disabilities:** At the time you apply for Social Security benefits, be very sure to tell Social Security ALL of the reasons why you cannot work—all **physical** conditions and **mental** conditions which make you unable to work should be included on the application.
- ❖ **Find out who your disability worker is:** You can find out who your DDS worker is by calling 1-888-422-4394. You can talk to your worker and make sure they have all the proper information about you. You should respond as promptly as you can when your worker requests information from you.
- ❖ **Make sure the disability worker gets ALL of your medical records from ALL sources for EACH of your disabilities.** Ask the person who took your application for SSI and/or SSDI to give you a copy of all the information you gave them about your medical treatment. You can use this information to make sure that your DDS worker gets all the medical records from all your treating sources.
- ❖ **Special doctors exams and tests:** If you are asked by your DDS worker to go for a special doctor's exam, be sure you keep the appointment or that you let them know in advance if possible why you cannot. If you missed your appointment, call your worker and ask that the exam be rescheduled.
- ❖ **Appoint someone to help you:** If you think you will need help with your disability application and you have a friend, relative, counselor or anyone whom you trust and who is willing to help you, have that person appointed as your Representative. You can do this by filling out an Appointment of Representative form at SSA. Your representative, who does not need to be a lawyer, will get copies of all mail sent to you and will be able to discuss your case with anyone at the Social Security office or at the Disability Determination Services office. If your application is turned down, you should seriously consider getting a lawyer or an experienced non-attorney to represent you. You can hire someone who will agree not to charge you unless you are approved.
- ❖ **Are you Homeless?** If you are homeless, make sure Social Security knows it. Special assistance is offered because Social Security understands the difficulties you may have in getting mail, or having to change mailing addresses often, etc. You should make sure to establish a reliable mailing address and check that address often to see if you have mail. You should check with the local shelters to see if they can accept mail for you.
- ❖ **If you don't live at your mailing address:** If your mailing address differs from your residence address or you are homeless, be sure to tell Social Security, at the time you apply, where you actually live so they can schedule any doctor's appointments in zip codes most convenient for you whenever they can.
- ❖ **Vocational Rehabilitation (VR):** Don't wait until you have been denied to think about a referral to VR. The Counselors at VR are trained to assist people with limitations return to employment. If VR is not successful, then this can be evidence that there is no work that you can do despite the best efforts of VR experts. It may be appropriate to call the VR office to be evaluated for services at the same time Social Security is processing your SSI and/or SSDI application is taken.

***Remember, if you are denied SSDI and/or SSI you have 60 days to ask for an appeal.**

Contact Social Security immediately if you are denied. If you do not appeal on time, you may have to start the entire process over.

Social Security Administration
5800 Executive Center Drive
Suite 300
Charlotte, NC 28212
1-800-772-1213

Legal Services of Southern Piedmont
1431 Elizabeth Avenue
Charlotte, NC 28204
(704) 376-1600

Vocational Rehabilitation
5501 Executive Center Drive
Suite 101
Charlotte, NC 28212
(704) 568-8804 or toll-free at (888) 521-5484