SSA Disability Benefits

The Social Security Administration (SSA) pays disability benefits through two programs:
- Disability Insurance (SSDI)
- Supplemental Security Income (SSI)

How do I apply for disability benefits?
You can apply three ways:
- Apply online at www.ssa.gov
- Call 800-772-1213
- Visit your local SSA office

If you are deaf or hard of hearing, you can call the toll-free TTY number: 800-325-0778 between 7 a.m. and 7 p.m. on business days. If you schedule an appointment, a Disability Starter Kit will be sent to you to help you get ready for your disability claims interview. You can find the Disability Starter Kit online at www.ssa.gov/disability.

How are SSI and SSDI different?
Both programs use the same definition of disability and the same process to determine if you are disabled. You may be considered disabled if you have a medical condition that keeps you from working for at least one year. The definition for disability and the process to determine if you are disabled are strict. It is not easy to qualify.

Below, you can see how SSI and SSDI are different:

<table>
<thead>
<tr>
<th>SSI</th>
<th>SSDI</th>
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<td>Get a fixed amount of money every month. (Maximum is currently $721.)</td>
<td>Monthly benefit depends on work history &amp; earnings. (Must work at least 40 quarters, which is about 10 years)</td>
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<td>Must meet strict income &amp; resource guidelines. Going over these limits can mean losing your benefits.</td>
<td>No restrictions on income</td>
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<td>Qualify for Medicaid as of the date of disability</td>
<td>Qualify for Medicare two years after the date of disability. (Must find other health insurance during 2-year wait.)</td>
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<td>Recipient is the only one who benefits directly</td>
<td>Certain family members can get benefits as a result of recipient's disability</td>
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Who decides if I am disabled?
The Social Security Administration will look at your application to make sure that you meet the basic requirements. They will check if you have worked enough years to qualify and look at your current work.

If you meet the requirements, they will send your application to the Arkansas Disability Determination Services office (DDS). This state agency completes the disability decision using their disability specialists and doctors.

The process focuses on your ability to function in a workplace setting. This means DDS looks at your ability to walk, sit, stand, lift, carry, remember instructions, get along with others, finish what you start, and adapt to change.

The main source of evidence of what you can do is medical records. DDS will ask for all of your recent medical records. In many cases, DDS will ask that you go to an appointment with a doctor who sees you only one time (also known as a consultative examination). DDS will ask you to fill out forms about your work history and daily activities.

After DDS has all the information, it will send you a notice that lets you know what the decision is.

What do I do if I'm denied?
If you are denied, you have 60 days to file an appeal with your local SSA office.

The first time that you appeal, your case goes back to DDS, but it will go to a different case worker. You will get another decision in 3-6 months.

The second time that you appeal, your case goes to an Administrative Law Judge (ALJ). It usually takes about one year until you get a hearing date. At the hearing, you meet the judge in person. This is your chance to tell the judge about your disability. The judge will send you a written decision after the hearing. This can take a few weeks or take several months.
How can I improve my chances of being approved?
Remember that the process for deciding if you are disabled looks at your ability to work.

- Check with DDS to make sure they are getting complete medical records. If they are not, ask your doctor for your records and give them to DDS.
- Ask DDS to send a "third-party function report" to someone who knows your conditions. Make sure that this person knows you well and cares enough to give a detailed, accurate picture of your limitations.
- Think about the function report that DDS sends you from the point of view of an average day and a bad day. Talk about the limitations of each. Mention how often you have good, average, or bad days. If you need more space, attach more pages.
- Explain why you lost a job because of your disabilities. Also explain why you couldn't work there.
- Tell DDS if your treatment is working if you are getting treatment from a doctor. If the treatment is working and you are getting better, explain why you still can't work.
- Visit your local community health clinic (when money allows) if you are not seeing a doctor. You will need medical records to win your case, and seeing a doctor helps prove that you are disabled.

What is a consultative examination?
You have the right to have a doctor's appointment paid for by SSA/DDS. This is called a Consultative Examination. You can ask your doctor if they will do it. Many doctors are NOT comfortable doing this and will refuse, even if they like you and think you need disability. Don't get upset with your doctor if your doctor says no.

If your doctor says no, they can submit a letter of support. The letter can have information about your conditions and limitations. DDS must give more weight to your doctor's opinion than to any other medical opinion. Ask your doctor to talk about your limitations. A simple statement that you are disabled does NOT help.

When you find a qualified doctor who will accept DDS payment, prepare for the examination. Make a list of all of your conditions and think about how to explain how they affect you. This is important, especially if you are going to a doctor who has never seen you before and might not see you again.

What happens after I am approved?
If DDS or the judge thinks that someone else needs to manage your benefits, you will have to find a representative payee. Find someone that you trust to take care of your money. If your payee is taking advantage of you, report it to SSA as soon as possible. You will get a check for the time that passed between the time that you applied and the time that you were approved.

If you get SSI, there are rules about how much time that you have to spend this money. Report any money that you get other than SSI.

If you get SSDI, make sure your family members apply to get benefits from your disability. Make sure you keep going to a doctor when you need to and take all of your medications. Your case will be reviewed in a few years.

The family members who might qualify for SSDI benefits include:
- Your spouse if he or she is 62 years old or older
- Your spouse (at any age) if he or she is caring for your child. The child must be disabled or younger than 16 years old.
- Your unmarried child who is younger than 18 years old (or 19 if they are in school full time)
- A child who is 18 years old or older if he or she has a disability starting before they were 22 years old.

In some situations, your divorced spouse may qualify for benefits based on your earnings. This can happen if you were married for at least 10 years, your spouse is not currently married, and your spouse is at least 62 years old.

The money paid to a divorced spouse does not lower your benefits or your family's benefits.