

Dealing with the Social Security Disability Process

Many, many Americans (even the ones who qualify for benefits) are filled with questions about the process of applying for Social Security Disability. This process is one that can be extremely frustrating to someone that is unfamiliar with the laws or the process. Sound familiar? Well, you are not the only one feeling frustration with the process. Read on for easy to understand answers to some of the social security questions we most commonly hear. Hopefully this will help you decide what your next step is going to be or at least where to look for help.

One question that is asked almost more than any other is "What is the difference between Social Security Disability and Supplemental Security Income?" The truth is, there is a lot of difference between them. Supplemental Security Income is commonly referred to as SSI, and Social Security Disability is referred to by the initials SSD. In reality, the only concept these two programs have in common is that they were both created for people with disabilities.

SSI is for those people that are disabled and have never worked or have not worked enough to qualify for SSD. This is a wide group, including children, mothers or fathers who stay at home, or people who worked before they were disabled, but did not pay enough into Social Security to qualify them for SSD benefits. SSI also is income based, so if you are married and your spouse makes too much money for the Social Security guidelines you could be denied even if you are disabled.

For SSD, when you work and pay taxes you also pay Social Security. The Social Security Administration keeps records on each individual, recording how many years they worked, how much they earned, and how many Social Security "quarters" they have worked and paid. Once a person has qualified for SSD benefits, a Social Security record or statement will be provided to them annually. This statement will detail how much money you could receive if you became disabled and approved for Social Security Disability benefits. This statement also tells you your Date Last Insured often referred to as your DLI.

Q: "I would like to obtain a copy of my SSD record. How do I do this?"

A: Getting a copy of your SSD record is easy; simply contact the Social Security Administration and ask. You can also obtain information from your statement over the phone, like your DLI, the amount of time you are recorded as having worked, etc. You can find your local office by calling 1 800 772 1213 or going online to the Social Security Administration website.

Q: "I have worked almost all of my life? How is it possible that I do not qualify for SSD benefits?"

A: This is a situation that is different for every person. When you pay into Social Security it is almost like when you pay for health coverage. Insurance benefits will end after a certain time has elapsed since you last paid. It works the same way with Social Security. If, for instance, you work for 30 years before retiring early, the moment you leave work you will stop paying into your Social Security account. After this, you only have a certain amount of time before your Social Security Disability coverage will end. If you find yourself in this situation, you will probably want to think about applying for Supplemental Security Income benefits.

Q: "Its my money! I worked and I paid into the system, why cant I get my money back?"

A: While you certainly have a point, the Social Security system just does not work this way. In order to be approved for Social Security Disability benefits (and get back some of the money you paid in), you must have been determined to be disabled. Paying into the system simply qualifies you for Social Security Disability.

Q: "I am currently receiving SSD benefits, but it is just not enough money. How do I get more?."

A: This is a situation that many people find themselves in, and it is a frustrating one. However, in the world of Social Security benefits, the idea of "getting more money" just does not exist. Social Security Disability is very "all or nothing"; you are either approved and receive your full benefits, or you are not approved and do not receive a thing. There is only so much "money" in your "account" to be withdrawn. The concept is similar to having a bank account; you can withdraw funds only until a certain point, but when you are not working and no more is added, there is nothing left to draw out.

Q: "I was on SSD and then I went go jail, why am I not getting my benefits anymore?"

A: When you are in jail or prison, you are a ward of the state and the state is paying for your food, clothes, and necessities. During this time, your SSD benefits will automatically stop, and you will have to apply for benefits all over again when you are released. If you find yourself in this situation, it is a good idea to speak to a lawyer or an expert in SSD laws and policies.

Q: "How long does this process take?"

A: This is different with every case. Almost everyone is denied at least once if not twice. The entire process on average can take about 2 to 5 years. If you have been going through this process and now you are facing a hearing it is beneficial for you to at least speak with a representative that knows the law for Social Security benefits. Most consultations are free and they can usually tell you then if they will take your case or not.

Q: "I was approved but now they are telling me that they over paid me and I have to pay them thousands of dollars back." A: Unfortunately, this really does happen, and is called an "overpayment case." There are attorneys that handle this specific situation.

If you find yourself in any of these situations and you are not sure what to do start asking questions. Contact a local professional for a free consultation and just because one attorney does not want to take your case doesnt mean that another attorney wont. Shop for lawyers accordingly... some only take SSD or SSI cases, while others take all social security related cases. If you are not sure who to contact first there is a referral system for attorneys that specifically handle Social Security claims. This organization is called NOSSCR, or the National Organization for Social Security Claimants Representatives. When you speak to NOSSCR, be sure to let them know your specific situation, such as a stoppage of payment of benefits

(called a cessation), a claim of overpayment, etc., so they can refer you to the best professionals to take on your case.

About the Author

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