

## **Frequently Asked Questions to start 2019!**

These are some of the most frequent questions we get when people call or email us. We thought to start the year we may as well focus upon these!

### **What does it mean to be “totally disabled”?**

To qualify for SSDI or SSI benefits we must be able to prove that your medical symptoms so impact function that for a period that has lasted, or is expected to last, 12 months or result in death, you are unable to function at any full time work available in the national economy. The focus is not on your diagnosis, but on whether we can prove that your symptoms make it impossible for you to function in a work setting.

### **SSDI and SSI – what are the differences?**

SSDI (Social Security Disability Insurance) benefits are for people who are totally disabled and who have paid into the FICA tax system through their work for enough quarters. Since you “bought” this insurance by working, your other assets or family income are not considered. SSI (Supplemental Security Income) benefits are for people who are totally disabled and indigent. SSI is means tested so your assets and income make a difference.

### **I must pay rent – can I work and apply at the same time?**

This answer is a bit more complex. In 2019 “substantial gainful activity” (work) is defined as full or part time activity that generates \$1,220 gross income in a month. You must have at least 12 consecutive months where you do not have a single month of gross earnings greater than \$1,220 in a month. If you are earning less than that amount many ALJs (but not all) will not consider the activity significant. We often suggest that Claimants who want to work keep their gross earnings around \$800/month.

### **What is proof of my disability? I know I can’t work!**

These are medical cases and are based upon the medical records of the treating medical specialists. Social Security will make these decisions by focusing on what your doctors are writing down while you are in their office – that is the primary proof in any disability case.

### **Why does it take so long to get a hearing and decision?**

There are a number of factors contributing to the delays. First is that Congress has refused to fully fund the operations of the Social Security Administration. For years Congress has cut the administrative budget despite funding needs increasing. Second, more people are applying for retirement, disability and survivors benefits. Third, in the disability program much is dependent on getting medical records from hospitals, clinics and doctor offices and that takes time.

**DO YOU HAVE OTHER QUESTIONS?** Let us know. As your local source for support on Social Security Disability issues we can provide the information to help you assist clients, families and friends. Calls and emails are welcome and we would be willing to come to your office or community group to talk about these issues.

We wish all the people who work with us and our clients a Happy and Healthy 2019!