

APPLYING FOR SOCIAL SECURITY DISABILITY AND SSI BENEFITS

1. WHO CAN GET SOCIAL SECURITY DISABILITY (SSD) BENEFITS?

SSD is for any disabled person who can no longer work, but who has the required history of working. The disabled person's spouse, dependent children and parents, and even a divorced spouse might also be able to get SSD.

This program is an insurance program. While a person works, he or she pays money to Social Security and is eligible to get this money if he or she becomes disabled and can no longer work. You do not have to have limited income or assets to get SSD.

2. WHO CAN GET SUPPLEMENTAL SECURITY INCOME (SSI)?

SSI is for any person who is blind, disabled or elderly (65 or over) and who meets certain income and resource rules. You do not need to have a work history, but you must have little income and limited resources.

The income rules depend on your living arrangements and whether you apply as a single person or couple. Resources include cash, savings, investments and valuables. But they do not include a needed car, your home, ordinary belongings, or some life insurance policies.

The disability requirements are the same for SSD and SSI. The main difference between the programs is that you also must be "insured" to

get SSD, and you must be low income and have limited resources for SSI.

3. DO I HAVE TO BE A CITIZEN TO GET SSI?

Certain non-citizens may be eligible to receive SSI.

- People who were receiving SSI on August 22, 1996, may continue to receive SSI
- Many lawful permanent residents can receive SSI. The rules are different for people who came to the United States before and after August 22nd, 1996.
- Some non-citizens may only receive SSI for 7 years. To continue to receive SSI after 7 years, the individual must become a citizen.
- The non-citizen eligibility rules are very complicated. If you are a non-citizen and have questions about whether you are eligible for SSI, call the Public Benefits Hotline at 1-800-520-5292.

4. HOW CAN I GET SSI IF I AM AGED OR BLIND?

If you are applying for SSI as aged, you must show that you are 65 or over. If you are applying for SSI as blind, you must give evidence that you have corrected vision of 20/200 or worse in your better eye.

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Public Benefits Hotline – 1-800-520-5292

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5. HOW CAN I GET BENEFITS FOR A DISABILITY?

To get benefits from the SSD or SSI disability programs you must show you are "disabled." "Disabled" means that a physical and/or mental disorder that keeps you from having gainful employment. Your disability must have lasted or be expected to last for at least 12 months, or be expected to result in death.

It is not enough to show that you cannot do your old job. You must show that you cannot do any kind of full-time work taking into consideration your age, education and past work experience. You cannot get benefits if you are able to work even if you cannot get a job.

6. WHEN SHOULD I APPLY FOR THE SSD AND SSI PROGRAMS?

Apply as soon as possible after disability occurs.

An application for SSD may also be filed after the death of a disabled worker. You must apply within three months of the worker's death. If the claim is approved, back payments may be made for some months before the worker died.

7. WHERE DO I APPLY FOR SOCIAL SECURITY PROGRAMS?

You must make an appointment to apply. You can make this appointment at your local Social Security office or by calling 1-800-772-1213.

8. WHAT EVIDENCE SHOULD I INCLUDE WITH MY APPLICATION?

To get SSI or SSD, you must have medical evidence that shows you have some physical or mental problem(s) that makes you unable to work at any job.

Medical evidence includes:

- Doctor or hospital reports
- Chart notes
- Test results
- Letters

The more medical evidence you have, the better chance you will have of winning benefits.

You should try to get your doctor to write a specific letter that describes your condition(s) and how that condition(s) keeps you from being able to do any kind of work. *See Section 12 below for more information on Medical Letters.* Include all the medical evidence that you have when you apply, *but don't delay your application.* You can send in additional medical evidence later.

9. ARE THERE SPECIAL RULES IF MY DISABILITY IS BASED ON ALCOHOLISM OR DRUG ADDICTION?

Individuals are ineligible to receive Supplemental Security Income (SSI) or Social Security Disability benefits if drug addiction or alcoholism is a contributing factor to the determination of disability.

Individuals who abused drugs or alcohol in the past, but who no longer do, may still be eligible if they have other physical and/or mental impairments that are disabling.

People who currently use drugs or alcohol may be eligible for benefits if they can prove that they are disabled, based on other physical and/or mental impairments, without considering the substance abuse problem.

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10. WHAT HAPPENS AFTER I APPLY?

Your application will be sent to the Oregon Disability Determination Service (DDS) in Salem for review. They will contact your doctors. They also may send you to another doctor. They will send you their decision in about 4 months (sometimes longer).

11. MEDICAL LETTERS FOR DISABILITY CLAIMS

A helpful medical letter will give the following information:

- A diagnosis and description of the condition(s). This should be detailed and include any condition for which the doctor has treated you
- Medical findings. Ask your doctor to attach any materials from your medical file (such as test results, x-rays, progress notes) that would support the opinions given in the letter
- The condition's effect upon you. A specific statement as to how each condition limits your ability to do various work and non-work activities. Does the doctor think you can return to any previous jobs, or do any other type of full-time work?
- Medication and treatment. List medications, their side effects and a statement as to whether the medication itself might affect your ability to work. What kind of treatment are you undergoing (surgery, physical therapy, etc.)?
- Prognosis. Will you get better? Stay the same? Get worse? How long will the condition last? (Only individuals who have been or will be unable to work for at least 12 months are eligible for disability benefits.)

- Consultant. Does your doctor believe you have any problem which should be evaluated by a specialist.

Show this list to your doctor to explain what you need.

12. WHAT HAPPENS IF I'M FOUND TO BE ELIGIBLE FOR BENEFITS?

If you are eligible for SSD, you will get benefits back to five months after you became disabled, but only for a maximum of 12 months before you applied for benefits.

If you are eligible for SSI you will get benefits back to the first day of the month following the date you applied, or later if Social Security believes your disability began after you applied.

4. HOW CAN I GET MORE INFORMATION?

For more information, call the **Public Benefits Hotline (1-800-520-5292)** or your local Legal Aid Services Office for possible advice or representation. Go to www.oregonlawhelp.org for a directory of legal aid programs.

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