
Social Security - The Basics

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SSDI, SSI – what’s the difference?

- Social Security Disability Insurance (SSDI)
 - a/k/a RSDI for “Retirement, Survivors and Disability Insurance”
 - based on earnings and work quarter credits (yours or eligible spouse’s)
 - Supplemental Security Income (SSI)
 - means-tested (need based) payment
 - if SSDI or other income is low or unavailable, SSI “supplements”
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Your Social Security Benefits Statement


Call 1(800)772-1213 or
go on-line www.socialsecurity.gov

- ☐ Do I have enough work credits for SSDI?
 - ☐ Am I entitled to claim on my spouse's record?
 - ☐ Will my dependents get benefits?
 - ☐ How much will my monthly benefit be?
(SSDI depends on taxes paid to FICA,
length of work history)
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Applying for SSDI or SSI

Eventually, application must be in writing.

Can begin process (called “protective filing date”) by phone (1-800-772-1213) or on-line (www.socialsecurity.gov)

Not complete unless you sign application within 30 days of receipt. 

Don't wait!

When should I apply for benefits? 🕒

You've stopped working . . .

You've reduced your hours at work significantly . . .

You're disabled . . .

or

🕒 You anticipate one of the above.

Determining Disability

- **“Disability”** is a legal term, not a medical term.

Your doctor will not determine disability and may not have a role in Social Security’s determination.

- Social Security is responsible for determining disability.
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Disability – Sequential Evaluation

5 steps:

1. are you working*?
2. do you have a severe* medical condition?
3. does your medical condition meet* or equal* a listed condition?
4. can you do your past work*?
5. can you do any work*?

*terms defined by SSA regulations

Medical Listings

- 14 “body systems”
 - § 13.00: Malignant Neoplastic Diseases, includes ovarian cancer (13.23 E)
 - You can “meet” the listing (i.e., non-germ-cell tumor implanted on the bowel surface)
 - You can “equal” the listing (i.e., recurrent tumors that are not malignant but result in repeated hospitalizations and surgeries)
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Medical-Vocational Guidelines (Grid)

- Steps 4 & 5
 - Involves determinations of:
 - Age
 - Education
 - Work History, skills
 - Residual Functional Capacity (the most someone can physically do despite specific limitations caused by their medical conditions)
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What you will need when applying

- ☑ Social Security number
 - ☑ Birth certificate or other proof of age
 - ☑ Names, addresses of medical providers
 - ☑ Employment history for last 15 years
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What you will NOT need when applying

- ⊖ Medical records themselves
- ⊖ Statements from medical providers*

Remember: Application dates matter;
don't wait until you have everything to
apply!

* A word about the compassionate allowance list...

Compassionate Allowances

- Compassionate Allowances allow SSA to target the most obviously disabled individuals for expedited approval.
 - SSA quickly obtains objective medical evidence, usually in the form of a letter from a treating specialist, confirming a diagnosis of 200+ named conditions.
 - CAL includes some cancers at diagnosis (i.e., acute leukemia, liver or pancreatic cancer)
 - CAL includes some cancers when inoperable, unresectable, or recurrent (i.e., ovarian cancer, breast or kidney cancer)
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Keeping Social Security informed

Inform Social Security if:

- ✓ You move
- ✓ You change doctors
- ✓ Your doctor says something new
- ✓ You go into the hospital
- ✓ You start to work again

Note **when** you called, **what number** you called, & **who** you spoke to!

Keep copies of paperwork!

Keeping Social Security informed

Use national toll-free number sparingly!
Check information with local office.

If it's important – visit your local SSA office
or call them:

◆ Minneapolis – 1(855) 257-0982

◆ Brooklyn Center – 1(866) 931-0341

◆ St. Paul – 1(866) 667-6032

Get the name, number (extension) of claims
representative.

Appealing a Social Security decision

1st Application >>> initial disapproval

2nd Reconsideration >>> reconsideration
determination

3rd Administrative law judge hearing

Then, Appeals Council and Federal Court

60 days to appeal (plus 5) at each stage

Must be in writing (on SSA forms)

Calling does NOT count!

It's Worth it to Appeal

Initial applications – 50% denied

Reconsideration – 80% denied

Administrative Law hearing – 60%
approved

Appeals can be expedited if your condition changes significantly.

Will I need a lawyer?

Social Security's duties:

- Assist with paperwork, when requested
- Develop the record (i.e., gather medical records)
- Gather information from you
- Schedule “consultative evaluations” when necessary


You will not need a lawyer for these things. Unless you'd like help with the paperwork, consider waiting until hearing level.

Finding a Lawyer When You Need One

- › Hennepin County Bar Association
(612) 752-6666
 - › National Organization Social Security
Claimant's Representatives
1(800) 431-2804
 - Ask friends, interview prospective attorneys
 - Cases are taken on “contingency” (pay % of
back pay if you win)
 - SSA reviews attorney's fee petition
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How can I help my case?

Be aware of your symptoms and how they impact work.

 Keep a diary and an appointment calendar.

Don't work beyond your capacity.

Know your benefits, plan accordingly.

 Ask questions, know which decisions are up to you.

Getting approved - “Back Benefits”\$\$

Date of disability vs. date of eligibility -

SSDI eligibility = 5 mo. after onset of disability, up to 12 months before application

SSI eligibility = disabled, application on file, eligible month *after* application month

Non-disability criteria: income, assets

Income effects SSDI and SSI differently

- SSI – “need-based,” all income counts.
 - SSDI - is it earned or unearned?
 - 💰 - Earned income (from work) counts over certain limits but there are work incentives.
 - 💰 - Unearned income depends on source (i.e., long-term disability \$ counts, pension doesn't). Check with SSA or income source.
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Non-disability criteria: income, assets

- Assets/resources for SSI:
 - \$2000 asset limit for single adult
 - \$3000 asset limit for couple
 - (and MA: \$3000 asset limit for single, \$6000 for couple)
 - SSDI does not have asset/resource limits (neither does Medicare)
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