



Uploaded to VFC Website

▶▶▶▶ **March 2013** ◀◀◀◀

This Document has been provided to you courtesy of Veterans-For-Change!

Feel free to pass to any veteran who might be able to use this information!

For thousands more files like this and hundreds of links to useful information, and hundreds of "Frequently Asked Questions, please go to:

[Veterans-For-Change](http://www.veteransforchange.org)

*Veterans-For-Change is a 501(c)(3) Non-Profit Corporation
Tax ID #27-3820181*

If Veteran's don't help Veteran's, who will?

We appreciate all donations to continue to provide information and services to Veterans and their families.

https://www.paypal.com/cgi-bin/webscr?cmd=_s-xclick&hosted_button_id=WGT2M5UTB9A78

Note:

VFC is not liable for source information in this document, it is merely provided as a courtesy to our members.



APPLYING FOR SSDI

Abbreviations used here are: SSDI (Social Security Disability Insurance), SSI (Supplemental Security Income), and SSA (Social Security Administration), ALJ (**Administrative Law Judge**).

<http://www.socialsecurity.gov/> is an excellent resource for any questions you may have about applying for SSDI, forms needed to apply, contact information to talk to someone over the phone or in person, etc. In each FAQ you will see links from <http://www.socialsecurity.gov/> or <http://www.disabilitysecrets.com/> along with other SSDI websites that correspond to that topic. This site also has information about veteran's disability.

When am I considered disabled by SSA?

<http://www.disabilitysecrets.com/question1.html>

For **Social Security Disability** purposes, to be considered disabled a person must have an impairment, either medical, psychological, or psychiatric in nature. The disabled person's impairment must also meet the definition of disability which essentially states that the impairment must be severe enough that it keeps the person from working, **and** earning above a certain amount, for at least twelve months.

Should I file for SSDI before or after I file a claim for VA disability?

<http://www.disabilitysecrets.com/va-ptsd-ssd.html>

The VA and SSD/SSI systems are completely independent of each other in every way and at NO point during the processing of a social security disability or ssi case will the VA be involved. This is totally up to you. If you are disabled, cannot work, will never be able to return to work, have medical evidence documenting this, but have not had your VA claim approved yet, you can go ahead and file for SSDI. It could take several months or years to get either SSDI or VA compensation approved, so you should file both as soon as possible. They are 2 different entities and one does not know what the other is doing but one can help the other. If you are approved for VA compensation it can help you get SSDI just as if you are approved for SSDI it can help you get VA compensation. Neither is a guarantee however as nothing with the government is.

How long after filing my SSDI claim until I start collecting?

<http://www.disabilitysecrets.com/question9.html>

First, disability cases do not have deadlines (despite the fact that the social security office will often represent "90-120" days as the expected time frame for processing a decision).

The SSA is about like the VA with claims; they automatically reject 70% of all claims.

On average, though, Reconsiderations (the first appeal after the Initial claim denial) are completed in four months or less, and Hearings before judges are granted six months after a Hearing is requested. They reject 60% of all first appeals or reconsiderations.

<http://www.disabilitysecrets.com/>

The final step is a hearing with the ALJ; if you get to this point you will have a 95% chance of winning your case and within a short time after the hearing. So don't give up, just like with the VA.

Doesn't the SSA have access to my VA medical records and vice versa?

SSA and the VA are two entirely separate entities and they will be quick to tell you so; so no they do not have access to one another's files, which is a good thing.

Do I need to keep copies of my claims filed with SSA like I do with the VA?

YES, they are a government agency like the VA and frequently lose files. Keep copies of everything, this will make it easier and faster to get them the information when they “lose it”.

Do I need an attorney for my ALJ hearing?

It is said that you will win your case easier and faster with an attorney, but from my experience and that of others I know, that is not necessarily true. If you do hire an attorney, make sure they are actually doing what you pay them to do. If the attorney shows up at the hearing and asks you questions that he or she would know if they read your file on the way to the judge’s chambers, fire them on the spot, and continue on your own; no sense paying someone for not doing their job, especially if it is months or years of back pay which can amount to thousands of dollars to them. Take all your records with you to the hearing in a binder along with a sheet that gives the gist of your case so you won’t forget any key points when talking with the judge. You can also have a non-attorney representative which could be anyone to include representatives that normally handle only SSDI cases to a friend or relative, the latter is not usually the best option however.

How should I act at the ALJ hearing?

<http://www.disabilitysecrets.com/how12.html>

ALJs, or **Administrative Law Judges**, decide cases mainly on the weight of the medical evidence---which includes xrays and other imaging, lab panels, treatment notes, as well as statements from physicians written on behalf of a social security disability or ssi disability claimant.

However, a Claimant's testimony is taken into account as well.

For this reason, responses to a judge's questions should be full, forthright, and honest. Care should be taken by a claimant not to exaggerate in any way the limitations caused by a physical or mental impairment. ALJ's who hear disability cases hold hundreds of hearings each year (sometimes holding as many as 4-6 hearings in a single day) and are particularly adept when it comes to spotting such attempts.

By the same token, though, ssd and ssi Claimants should never minimize the extent to which their impairments affect them daily.

How can I speed up my hearing?

<http://www.disabilitysecrets.com/how11.html>

The first way to potentially speed up your disability hearing is to send a **Dire Need letter**. In a dire need letter, an ssd or ssi disability claimant points out the severity of their financial circumstances.

In many instances where an individual is in danger of losing access to needed medications, or in danger of eviction or foreclosure, the Hearing Office may choose to expedite an ALJ disability hearing.

Claimants whose situations are especially precarious should draft a detailed dire need letter and forward this to the Office of Hearings & Appeals (OHA) where their hearing is waiting to be scheduled. To this letter should be attached copies of late notices from landlords, mortgage companies, and utilities providers.

Another way to potentially expedite a disability hearing is to contact the office of a Congressman or Senator. This will launch what is referred to as a congressional inquiry. This way is not the best and does not always get results.

What percentage will I get with SSDI?

SSDI is all or nothing, there is no percentages like with the VA, either you are disabled or you are not. Your pay will be based on how much you paid into the system; you can see how much it will be by requesting a social security statement if you have not received one in the mail already, they send these out every year unless you are already on SSDI. On the second page at the top of that statement it will say how much you will receive if you were to become disabled before age 65 or 67 and how much if you draw it at 65 or 67 or later; it is actually more if you draw it before age 65 or 67 as you will need more to meet needs when you are younger, so they think. So if you cannot work and need it now, claim it.

How does the medical/mental evaluation that SSA sends me to work?

In my humble opinion and that of everyone who has had one that I have talked to it is a joke, but not a funny one. You can try to speak for yourself and tell the doctor what is going on, but he or she will probably NOT listen or put what you say in the notes, IF they even let you say anything other than answer what they ask, which isn't much either.

DO go to the appointment or it will count against you!

SOCIAL SECURITY DISABILITY MISTAKES TO AVOID

<http://www.disabilitysecrets.com/mistakes-to-avoid.html>

If you have questions that have not been addressed here go to <http://www.socialsecurity.gov/> and look in the FAQ section or <http://www.disabilitysecrets.com/>

A good site about how to survive on disability.
<http://www.thedisabilitydigest.com/GetMoreBenefits1.htm>

I would highly recommend every permanently and totally disabled veteran to file for SSDI (Social Security Disability Insurance), it is your money that you paid in, so if you need it, claim it, rather you are rated as such by the VA yet or not.

If you are on VA compensation and deemed 100% Service Connected or the equivalent thereof, apply NOW. If you are less than 100% but still on compensation and fighting for 100%, file NOW! If you are on VA nonservice related pension, weigh the difference before you file. The VA will take dollar for dollar of your pension away for each dollar you bring in from any other source, including SSDI; so if your SSDI will be more than your pension, by all means file, if not, it is up to you, but I would not advise filing as you will lose money that you need. You may can get both SSDI and SSI (Supplemental Security Income) if your SSDI is low enough; in this case the two together would more than likely be more than VA pension. The important thing here is understanding the difference between VA compensation and VA pension. I always recommend filing for VA compensation NOT pension for various obvious reasons.