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Disability Benefits

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Disability benefits

Disability is something most people don't like to think about. But the chances that you'll develop a disability are probably greater than you realize. Studies show that a 20-year-old worker has a one-in-four chance of developing a disability before reaching full retirement age.

Social Security pays disability benefits through two programs: the Social Security Disability Insurance (SSDI) program and the Supplemental Security Income (SSI) program. This publication is about our SSDI program and provides basic information to help you understand the process. For information about the SSI disability program for adults, see *Supplemental Security Income (SSI)* (Publication No. 05-11000). For information about disability programs for children, read *Benefits For Children With Disabilities* (Publication No. 05-10026). Our publications are available online at ***www.ssa.gov/pubs***.

Who can get Social Security disability benefits?

We pay disability benefits to people who can't work because they have a medical condition that's expected to last at least one year or result in death. Federal law requires this very strict definition of disability. While some programs give money to people with partial disability or short-term disability, we do not.

Certain family members of workers with disabilities can also receive benefits from us. We explain this in the "**Can my family get benefits?**" section.

How do I meet the earnings requirement for disability benefits?

In general, to get disability benefits, you must meet two different earnings tests:

1. A recent work test, based on your age at the time you developed a disability.
2. A duration of work test to show that you worked long enough under Social Security.

Certain workers who are blind have to meet only the duration of work test.

The following table shows the rules for how much work you need for the recent work test, based on your age when you developed a disability. We base the rules in this table on the *calendar quarter* in which you turned or will turn a certain age.

The *calendar quarters* are:

First Quarter: January 1 through March 31

Second Quarter: April 1 through June 30

Third Quarter: July 1 through September 30

Fourth Quarter: October 1 through December 31

If you develop a disability...	***Then you generally need:***
In or before the quarter you turn age 24	1.5 years of work during the three-year period ending with the quarter you developed a disability.
In the quarter after you turn age 24 but before the quarter you turn age 31	Work during half the time for the period beginning with the quarter after you turned 21 and ending with the quarter you developed a disability. Example: If you developed a disability in the quarter you turned age 27, then you would need three years of work out of the six-year period ending with the quarter you developed a disability.
In the quarter you turn age 31 or later	Work during five years out of the 10-year period ending with the quarter you developed a disability.

The following formula shows how many quarters of coverage you need to meet the duration of work test:

In general, you may take the year you developed a disability and subtract the year you attained age 22, to get the number of quarters of coverage necessary to meet the duration requirement.

***NOTE:* You must have a minimum of six quarters of coverage to meet the duration requirement. This minimum requirement is also applicable for those who have not yet attained age 22 and may apply for disability based on their own earnings.**

NOTE: *This table is an estimate only and does not cover all situations.*

If you develop a disability...	*Then you generally need:*
Before age 28	1.5 years of work
Age 30	2 years
Age 34	3 years
Age 38	4 years
Age 42	5 years
Age 44	5.5 years
Age 46	6 years
Age 48	6.5 years
Age 50	7 years
Age 52	7.5 years
Age 54	8 years
Age 56	8.5 years
Age 58	9 years
Age 60	9.5 years

How do I apply for disability benefits?

There are two ways that you can apply for disability benefits. You can:

1. Apply online.
2. Call our toll-free number, **1-800-772-1213**, to make an appointment to file a disability claim at your local Social Security office. You can also set up an appointment for someone to take your claim over the telephone. The disability claim interview lasts about one hour. If you're deaf or hard of hearing, you may call our toll-free TTY number, **1-800-325-0778**, between 8:00 a.m. – 7:00 p.m., Monday through Friday. If you schedule an appointment, we'll send you a Disability Starter Kit to help you get ready for your disability claims interview. The Disability Starter Kit also is available online at ***www.ssa.gov/disability***.

You have the right to representation by an attorney or other qualified person of your choice when you do business with us. For more information about representation, read *Your Right To Representation* (Publication No. 05-10075).

When should I apply and what information do I need?

You should apply for disability benefits as soon as you develop a disability. **Processing an application for disability benefits can take on average three to six months.** To apply for disability benefits, you'll need to complete an application for Social Security benefits. You can apply online at ***www.ssa.gov/applyfordisability***. We may be able to process your application faster if you help us by getting any information we need, such as:

- Your Social Security number.
- Your date and place of birth.

- Names, addresses, and phone numbers of the doctors, caseworkers, hospitals, and clinics that took care of you, and dates of your visits.
- Names and dosages of all the medicine you take.
- Medical records from your doctors, therapists, hospitals, clinics, and caseworkers that you already have in your possession.
- Laboratory and test results.
- A summary of where you worked and the kind of work you did.
- A copy of your most recent W-2 Form (Wage and Tax Statement) or, if you're self-employed, your federal tax returns for the past year.

In addition to the application for disability benefits, you'll also need to fill out other forms. One form collects information about your medical condition and how it affects your ability to work. Other forms give doctors, hospitals, and other health care professionals who have treated you, permission to send us information about your medical condition.

Don't delay applying for benefits if you can't get all of this information together quickly. We'll help you get it.

Who decides if I have a qualifying disability?

We'll review your application to make sure you meet some basic requirements for disability benefits. We'll check whether you worked enough years to qualify. Also, we'll evaluate any current work activities. If you meet these requirements, we'll process your application and forward your case to the Disability Determination Services office in your state.

This state agency completes the initial disability determination decision for us and considers all of the facts in your case. Doctors and disability specialists in the state

agency may ask your doctors for information about your condition(s). They'll use the medical evidence from your doctors, hospitals, clinics, or institutions where you've been treated, and all other information. They'll ask your doctors about:

- Your medical condition(s).
- When your medical condition(s) began.
- How your medical condition(s) limit your activities.
- Medical tests results.
- What treatment you've received.

They'll also ask the doctors for information about your ability to do work-related activities, such as walking, sitting, lifting, carrying, and remembering instructions. Your doctors don't decide if you meet our definition of disability.

The state agency staff may need more medical information before they can decide if you have a disability. If your medical sources can't provide needed information, the state agency may ask you to go for a special examination. We prefer to ask your own doctor, but sometimes the exam may have to be done by someone else. We will pay for the exam and for some of the related travel costs.

How is the decision made?

The state uses a five-step evaluation process, in a set order, to decide if you have a qualifying disability.

1. Are you working?

If you're working and your earnings average more than a certain amount each month, you generally won't meet our definition of disability. The amount (referred to as "substantial gainful activity") changes each year. For the current figure, see the annual *Update* (Publication No. 05-10003).

If you're not working, or your monthly earnings average to the current amount or less, the state agency then looks at your medical condition at step two.

2. Is your medical condition "severe"?

For you to be considered to have a disability by Social Security's definition, your medical condition must significantly limit your ability to do basic work activities — such as lifting, standing, walking, sitting, and remembering — for at least 12 months. If your medical condition isn't severe, you won't be considered to have a qualifying disability. If your condition is severe, the agency staff begins step three.

3. Does your medical condition meet or medically equal a listing?

Our listing of impairments describes medical conditions that we consider severe enough to prevent a person from doing any gainful activity. These conditions are deemed severe regardless of age, education, or work experience. Within each listing, experts specify the objective medical and other findings needed to satisfy the criteria of that listing. If your medical condition meets or medically equals (meaning it is at least equal in severity and duration to) the criteria of a listing, the state agency will decide that you have a qualifying disability. If your medical condition doesn't meet or medically equal the criteria of a listing, the state agency goes on to step four.

4. Can you do the work you did before?

At this step, the state agency decides if your medical condition(s) prevents you from performing any of your past work. If it doesn't, agency staff decide you don't have a qualifying disability. If it does, the state agency proceeds to step five.

5. Can you do any other type of work?

If you can't do the work you did in the past, agency staff look to see if there's other work you can do despite your medical condition(s). The state considers your age, education, past work experience, and any skills you may have that could be used to do other work. If you can't do other work, the state agency decides that you have a qualifying disability. If you can do other work, you don't have a qualifying disability.

Special rules for people who are blind

There are special rules for people who are blind. For more information, read *If You Are Blind Or Have Low Vision—How We Can Help* (Publication No. 05-10052).

We'll tell you our decision

When the state agency makes a determination on your case, we'll send a letter to you. If your application is approved, the letter will show the amount of your benefit, and when your payments start. If your application isn't approved, the letter will explain why and tell you how to appeal the determination if you don't agree with it.

What if I disagree?

If you disagree with a decision made on your claim, you can appeal it. The steps you can take are explained in *Your Right to Question the Decision Made on Your Claim* (Publication No. 05-10058).

How we'll contact you

Generally, we mail a letter or call you when we want to contact you about your benefits. Sometimes, a Social Security representative may come to your home. Our representative will show you identification before talking about your benefits. Calling the Social Security office to ask if someone was sent to see you is a good idea.

If you're blind or have low vision, you can choose to receive notices from us in one of the following ways:

- Standard print notice by first-class mail.
- Standard print notice by certified mail.
- Standard print notice by first-class mail and a follow-up telephone call.
- Braille notice and a standard print notice by first-class mail.
- Microsoft Word file on a data compact disc (CD) and a standard print notice by first-class mail.
- Audio CD and a standard print notice by first-class mail.
- Large print (18-point size) notice and a standard print notice by first-class mail.

For more information, visit our website at ***www.ssa.gov/notices*** or call us toll-free at **1-800-772-1213**. If you're deaf or hard of hearing, you may call our TTY number at **1-800-325-0778**.

What happens when my claim is approved?

We'll send a letter to you telling you your application is approved, the amount of your monthly benefit, and the effective date. Your monthly disability benefit is based on your average lifetime earnings. Generally, there is a five-month waiting period and we'll pay your first benefit the sixth full month after the date we find your disability began. However, there is no waiting period if your disability results from amyotrophic lateral sclerosis (ALS). Here is an example: If the state agency decides your disability began on January 15, your first disability benefit will be paid for the month of July. Social Security benefits are paid in the month following the month for which they are due, so you'll receive your July benefit in August.

You'll also receive *What You Need To Know When You Get Disability Benefits* (Publication No. 05-10153), which gives you important information about your benefits and tells you what changes you must report to us.

Can my family get benefits?

Certain members of your family may qualify for benefits based on your work. They include:

- Your spouse, if they are age 62 or older.
- Your spouse at any age, if they are caring for a child of yours who is younger than age 16 or who has a disability.
- Your unmarried child, including an adopted child, or, in some cases, a stepchild or grandchild. The child must be younger than age 18 (or younger than 19 if still in high school).
- Your unmarried child, age 18 or older, if they have a disability that started before age 22. The child's disability must also meet the definition of disability for adults.

NOTE: *In some situations, a divorced spouse may qualify for benefits based on your earnings. They must have been married to you for at least 10 years, are not currently married, and are at least age 62. The money paid to a divorced spouse doesn't reduce your benefit or any benefits due to your current spouse or children.*

How do other payments affect my benefits?

If you're getting other government benefits (including those from a foreign country), the amount of your SSDI benefits may be affected. For more information, you should see the following:

- *How Workers' Compensation And Other Disability Payments May Affect Your Benefits* (Publication No. 05-10018)
- *Windfall Elimination Provision* (Publication No. 05-10045)
- *Government Pension Offset* (Publication No. 05-10007)

You can get these publications from our website, or you can contact us to request them.

What do I need to tell Social Security?

If you have an outstanding warrant for your arrest

You must tell us if you have an outstanding arrest warrant for any of the following felony offenses:

- Flight to avoid prosecution or confinement.
- Escape from custody.
- Flight-escape.

You can't receive regular disability benefits or any underpayments you may be due for any month in which there is an outstanding arrest warrant for any of these felony offenses.

If you're convicted of a crime

You need to tell us right away if you're convicted of a crime. Regular disability benefits, or any underpayments, that may be due aren't paid for the months a person is confined for a crime. However, any family members who are eligible for benefits based on that person's work may continue to receive benefits.

Monthly benefits, or any underpayments that may be due, are usually not paid to someone who commits a crime and is confined to an institution by court order and at public expense. This applies if the person has been found:

- Not guilty by reason of insanity or similar factors (such as mental disease, mental defect, or mental incompetence).
- Incompetent to stand trial.

If you violate a condition of parole or probation

You must tell us if you're violating a condition of your probation or parole imposed under federal or state law. You can't receive regular disability benefits or any underpayment that may be due for any month in which you violate a condition of your probation or parole.

When do I get Medicare?

You'll get Medicare coverage automatically after you've received disability benefits for two years. You can find more information about the Medicare program, in *Medicare* (Publication No. 05-10043).

What do I need to know about working?

After you start receiving SSDI benefits, you may want to try working again. We have special rules called work incentives that allow you to test your ability to work and still receive monthly SSDI benefits. You can also get help with education, rehabilitation, and training you may need to work.

If you do take a job or become self-employed, tell us about this change right away. We need to know when you start or stop work and if there are any changes in your job duties, hours of work, or rate of pay. You can call us toll-free at **1-800-772-1213**. If you're deaf or hard of hearing, you may call our TTY number, **1-800-325-0778**.

For more information about helping you return to work, go online for *Working While Disabled—How We Can Help* (Publication No. 05-10095). A guide to all our employment supports can be found in *A Summary Guide*

to Employment Supports for People with Disabilities Under the Social Security Disability Insurance (SSDI) and *Supplemental Security Income (SSI) Programs*, also called the *Red Book* (Publication No. 64-030). Also visit our website, ***www.ssa.gov/work***.

The Ticket to Work program

Under this program, Social Security and SSI disability beneficiaries can get help with training and other services they need to go to work at **no cost to them**. Most disability beneficiaries are eligible to participate in the Ticket to Work program. Disability beneficiaries can select an approved provider who also agrees to work with them and can offer the kind of services they need. To learn more about this program, read *Your Ticket To Work* (Publication No. 05-10061).

Achieving a Better Life Experience (ABLE) Account

An Achieving a Better Life Experience (ABLE) account is a tax-advantaged savings account for an individual with a disability. You can use an ABLE account to save funds for many disability-related expenses. Anyone, including the account owner, family, and friends can contribute to the ABLE account. The account owner of an ABLE account must meet one of the following:

- Be eligible for SSI based on disability or blindness that began before age 26.
- Be entitled to disability insurance benefits, childhood disability benefits, or disabled widow's or widower's benefits, based on disability or blindness that occurred before age 26.
- Have a certification that disability or blindness occurred before age 26.

The money that you have in your ABLE account (up to and including $100,000) does not count as a resource under SSI rules. You can use money in an ABLE account to pay for certain qualified disability expenses, such as those for education, housing, transportation, employment training, employment support, assistive technology, and related services.

To learn more about ABLE accounts, please visit the Internal Revenue Services' website at ***www.irs.gov/government-entities/federal-state-local-governments/able-accounts-tax-benefit-for-people-with-disabilities***.

Please note: **Social Security provides this section as a courtesy to help notify you of ABLE accounts. However, Social Security is not affiliated with and does not endorse any ABLE account provider or its services.**

Contacting Us

There are several ways to contact us, such as online, by phone, and in person. We're here to answer your questions and to serve you. For nearly 90 years, we have helped secure today and tomorrow by providing benefits and financial protection for millions of people throughout their life's journey.

Visit our website

The most convenient way to conduct business with us is online at ***www.ssa.gov***. You can accomplish a lot.

- Apply for *Extra Help* with Medicare prescription drug plan costs.
- Apply for most types of benefits.
- Start or complete your request for an original or replacement Social Security card.
- Find copies of our publications.

- Get answers to frequently asked questions.

When you create a personal *my* Social Security account, you can do even more.

- Review your *Social Security Statement*.
- Verify your earnings.
- Get estimates of future benefits.
- Print a benefit verification letter.
- Change your direct deposit information.
- Request a replacement Medicare card.
- Get a replacement SSA-1099/1042S.

Access to your personal *my* Social Security account may be limited for users outside the United States.

Call us

If you cannot use our online services, we can help you by phone when you call our National toll-free 800 Number. We provide free interpreter services upon request.

You can call us at **1-800-772-1213** — or at our TTY number, **1-800-325-0778**, if you're deaf or hard of hearing — between 8:00 a.m. – 7:00 p.m., Monday through Friday. For quicker access to a representative, try calling early in the day (between 8 a.m. and 10 a.m. local time) or later in the day. **We are less busy later in the week (Wednesday to Friday) and later in the month.** We also offer many automated telephone services, available 24 hours a day, so you may not need to speak with a representative.

If you have documents we need to see, remember that they must be original or copies that are certified by the issuing agency.

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