

Simple Answers to Complex Social Security Disability Questions

There are many people out there that have questions about the Social Security Disability process, how it works, if they qualify and what to do. This process is one that can be extremely frustrating to someone that is unfamiliar with the laws or the process. If this is you, you are not the only one out there feeling that way. Read on for easy to understand answers to some of the social security questions we most commonly hear. We hope that this information can help you to better understand the process, and know what you should do next.

One question that is asked almost more than any other is "What is the difference between Social Security Disability and Supplemental Security Income?" The truth is, there is a lot of difference between them. Social Security Disability is known as SSD and Supplemental Security Income is known as SSI. In reality, the only concept these two programs have in common is that they were both created for people with disabilities.

Supplemental Security Income is for those disabled persons who have either never been employed and earned money, or have not been employed enough total time to make them eligible for Social Security Disability. This would include children, stay at home parents or spouses, or younger individuals that worked but did not pay enough into Social Security in the last 5 to 10 years to be eligible for SSD before they became disabled. SSI also is income based, so if you are married and your spouse makes too much money for the Social Security guidelines you could be denied even if you are disabled.

Social Security Disability works like this: you work, you pay taxes, and you pay for Social Security. The Social Security Administration keeps records on each individual, recording how many years they worked, how much they earned, and how many Social Security "quarters" they have worked and paid. Once a person has qualified for SSD benefits, a Social Security record or statement will be provided to them annually. This statement will detail how much money you could receive if you became disabled and approved for Social Security Disability benefits. This statement also tells you your Date Last Insured often referred to as your DLI.

Q: "How can I get a copy of my statement?"

A: Getting a copy of your SSD record is easy; simply contact the Social Security Administration and ask. You can also obtain information from your statement over the phone, like your DLI, the amount of time you are recorded as having worked, etc. To locate your local Social Security office, simply call 1 800 772 1213 or visit the Social Security Administrations website.

Q: "I have worked almost all of my life? How is it possible that I do not qualify for SSD benefits?"

A: The reasons why you may not qualify for benefits are different from person to person. Paying "quarters" into Social Security is similar in concept to paying for health insurance. Insurance benefits will end after a certain time has elapsed since you last paid. This is the same for Social Security. If you work for 25 years and you decide to take early retirement you are now not "paying" into Social Security. After this, you only have a certain amount of time before your Social Security Disability coverage will end. If you find yourself in this situation, you will probably want to think about applying for Supplemental Security Income benefits.

Q: "Its my money! I worked and I paid into the system, why cant I get my money back?"

A: While you certainly have a point, the Social Security system just does not work this way. In order to be approved for Social Security Disability benefits (and get back some of the money you paid in), you must have been determined to be disabled. Paying into the system simply qualifies you for Social Security Disability.

Q: "I am already getting Social Security Disability but its not enough, I need to get more money."

A: This is a situation that many people find themselves in, and it is a frustrating one. Unfortunately when you are receiving Social Security Disability there is not a such thing as getting more money. With SSD you are either approved and receiving the entire benefit available to you or you are denied and receive nothing. You have only "paid" so much money into you Social Security account. The concept is similar to having a bank account; you can withdraw funds only until a certain point, but when you are not working and no more is added, there is nothing left to draw out.

Q: "Before I went to jail, I was receiving Social Security Disability. Why do I no longer receive my benefits?"

A: When a person is incarcerated, they become a ward of the state, which pays for food, board, etc., Because of this the Social Security Benefits are stopped and when you are released you often have to reapply for benefits. If you find yourself in this situation, it is a good idea to speak to a lawyer or an expert in SSD laws and policies.

Q: "How long should I expect to wait before I get approved?"

A: The answer to this changes from applicant to applicant. Almost everyone is denied at least once if not twice. Because of this, the application process generally takes anywhere from two to five years. If you are in the middle of this process, and have a hearing scheduled to evaluate your application, it is a good idea to speak with a professional who understands the ins and outs of the SSD process. Most consultations are free and they can usually tell you then if they will take your case or not.

Q: "My SSD application was approved, and I have been receiving benefits. Now they tell me they paid me too much and I have to pay them back." A: Unfortunately, this really does happen, and is called an "overpayment case." There are attorneys that handle this specific situation.

If you find yourself in any of these situations and you are not sure what to do start asking questions. Contact a local professional for a free consultation and just because one attorney does not want to take your case doesnt mean that another attorney wont. There are attorneys that handle SSI but not SSD and there are attorneys that handle all types of situations with social security benefits. If you are not sure who to contact first there is a referral system for attorneys that specifically handle Social Security claims. This organization is called NOSSCR, or the National Organization for Social Security Claimants Representatives. If you call them and let them know what type of social security situation it is, such as SSI benefits, an

overpayment case, a cessation (where they stopped your benefits) etc, they will give you the name and number of an attorney in your area to contact.

About the Author

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