

HOW TO APPLY FOR SUPPLEMENTAL SOCIAL SECURITY INCOME (SSI) AND/OR SOCIAL SECURITY DISABILITY INSURANCE (SSDI)

THE INITIAL APPLICATION

How you can apply for Supplemental Security Income (SSI) and/or Social Security Disability Insurance (SSDI) benefits:

- 1) Online at <https://secure.ssa.gov/iClaim/dib>. Fill out the disability application and answer the questions. For more information, visit <https://www.ssa.gov/applyfordisability/?tl=5>.

Before you apply online, you can review the “Adult Disability Starter Kit” which provides answers to common questions and includes a checklist that will help you gather the information you will need to apply. Be sure to fill out these worksheets to ensure that you have all the necessary information. You may also visit www.ssa.gov/applyfordisability/ for more information on the application process.

OR

Contact the Social Security Administration (SSA) to schedule an interview. You can call the toll-free telephone number: 1-800-772-1213 between 9:00am and 3:00pm, Monday through Friday. (TTY 800-325-0778). This phone call serves as the date of your application and may affect the amount of retroactive benefits you may receive.¹ A representative will ask for information to verify that you meet the basic requirements for eligibility and then schedule an appointment to discuss your application with a representative at a local SSA office. You may have the option to conduct this initial interview in person or by telephone.²

- 2) Before the initial interview, you may receive a form in the mail from SSA asking for detailed information regarding your past and present medical and employment histories. If you do not receive this form in the mail before the interview, you will get one at the initial interview. This form is called a Disability Report.³ To make the interview as easy as possible and speed up the processing time of your application, you should gather the names, addresses and phone numbers of your doctors and past and present employers before your meeting, and fill out the form to the best of your ability. If you do not receive the form before the interview, bring the names and contact information with you to the interview.
- 3) After the initial interview, your claim will be sent to an analyst at a state disability agency who will decide your eligibility. The analyst will contact you by phone or mail acknowledging your application for disability benefits.⁴ The analyst may request additional information from you before deciding on your claim and you may submit additional evidence about your disability.

¹ SSI- 20 CFR 416.345 SSDI- POMS GN 00204.010

² POMS GN 00203.001

³ POMS DI 20501.025

⁴ POMS DI 12555.025

You also may be scheduled for an exam with a doctor contracted by SSA to give an opinion about your disability.⁵ Once your application is completed, you should receive an approval or denial of your claim within six to nine months.

- 4) If your application is denied, you will need to fill out a *Request for Reconsideration* form to appeal the decision. You have 65 days from the date on your denial notice to file a Request for Reconsideration.⁶

Tips to Remember:

- A delay may result in a loss of benefits for which you are entitled
Call 1-800-772-1213 immediately when you apply
- Be sure to list all medical conditions that you believe may interfere with your ability to work
- Respond promptly to requests for information or SSA may deny your claim based on non-cooperation

THE RECONSIDERATION STAGE

Most people are denied at the initial stage of application, so it is important that you continue with your claim by filing a *Request for Reconsideration*. You also will be asked to fill out another *Disability Report* to update your medical treatment history⁷.

After you file the *Request for Reconsideration* form, your claim will be sent to an analyst at a State Agency who has never seen your case before.⁸ The analyst will attempt to gather your most recent medical records.⁹ Since analysts are often unsuccessful at collecting these records, you should ask your doctor or case manager to send your recent treatment notes to the analyst. In some cases, it also may be helpful to ask your doctor or case manager to write a letter to the analyst describing your symptoms and how they impair your ability to work.

You should receive a written decision within three to six months. If you are denied at the Reconsideration stage, you should consider filing for a hearing before *an Administrative Law Judge*. This form is also available at your local Social Security office. You have 65 days from the date printed on your Denial of Request for Reconsideration letter to file a request for a hearing before an Administrative Law Judge.¹⁰

Tips to Remember:

⁵ SSI- 20 CFR 416.919 SSDI- POMS DI 11055.180

⁶ POMS GN 03101.010

⁷ POMS GN 03102.300

⁸ 20 CFR 416.1420

⁹ 20 CFR 416.912

¹⁰ POMS GN 03101.010

- When filing a *Request for Reconsideration*, request a copy of the form you have submitted with a date stamp so you can prove that you filed on time.
- Do not be discouraged if you are denied – most claims are denied at the Reconsideration Stage.

THE HEARING STAGE

If your claims are denied at the initial and reconsideration stages, you should consider continuing your claim at the hearing stage. When you request a hearing, you will receive a letter confirming SSA's receipt of your request.¹¹ It will take between nine and twelve months for your hearing to be scheduled before an Administrative Law Judge. During that time, you should seek legal assistance from a private attorney or an advocate who specializes in Social Security law or a non-profit agency.

If you have questions about this information, please call our Health Intake Line at (408) 280-2420.

WARNING: This information sheet is intended to provide accurate, general information regarding legal rights. It is not legal advice. Because laws and legal processes are frequently change and can be interpreted differently, the Law Foundation of Silicon Valley cannot guarantee that the information in this sheet is current. The Law Foundation of Silicon Valley cannot be responsible for what anyone does with this information. Do not rely on this information without consulting an attorney or the appropriate agency about your rights in your particular situation.

¹¹ POMS GN 03103.010

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What You Should Know Before You Apply for Social Security Disability Benefits



We sent you this disability starter kit because you requested an appointment to file for disability benefits. The enclosed letter has the date, time, and location of your appointment.

The following are answers to questions most people ask about when applying for disability benefits. Knowing the answers to these questions will help you understand the process.

★ What can I expect during the appointment?

A Social Security representative will interview you and complete an application for disability benefits and an Adult Disability Report. The interview will take place either in your local Social Security office or by telephone. It will take at least 1 hour.

★ What can I do to speed up the process?

You can cut your interview time in half by starting the process online. You can complete online, BOTH the **application for benefits** and the **disability report** by going to:

www.socialsecurity.gov/applyfordisability.

You still need to **keep your scheduled appointment** with the local Social Security office, so a representative can review your information.

If you cannot do business with us online, you can complete the enclosed Medical and Job Worksheet and have it ready for your appointment.

You can also speed things up by bringing to your office appointment the information listed on the enclosed checklist. If you have an appointment by telephone, the representative may ask you to provide any required checklist items.

★ How does Social Security decide if I am disabled?

By law, Social Security has a very strict definition of disability. To be found disabled:

- You must be unable to do any substantial work because of your medical condition(s);
and
- Your medical condition(s) must have lasted, or be expected to last, at least 1 year, or be expected to result in your death.

★ My doctor says I am disabled. Is that enough to qualify me for disability benefits?

No. You cannot get disability benefits solely because your doctor says you are disabled.

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What You Should Know Before You Apply for Social Security Disability Benefits

★ I am getting disability payments from my job or another agency. Can I automatically get Social Security disability benefits?

No. Social Security disability laws are different from most other programs. For example, Social Security does not pay benefits for partial disability.

★ How long does it take to make a decision?

Generally, it takes about 3 to 5 months to get a decision. However, the exact time depends on how long it takes to get your medical records and any other evidence needed to make a decision.

★ How does Social Security make the decision?

We send your application to a state agency that makes disability decisions. The state has medical and vocational experts who will contact your doctors and other places where you received treatment to get your medical records.

The state agency may send you forms to complete or ask you to have an examination or medical test. If the state does request an examination, **make sure you keep the appointment.** You will not have to pay for any examination or test you are sent for, by the state agency.

★ If Social Security decides that I am disabled, what types of benefits can I receive?

Social Security pays disability benefits under two programs:

- Social Security Disability Insurance (SSDI) for insured workers, their disabled surviving spouses, and children (disabled before age 22) of disabled, retired, or deceased workers.
- Supplemental Security Income (SSI) for people with little or no income and resources.

★ Will my personal information be kept safe?

Yes. Social Security protects the privacy of each individual we serve. As a Federal agency, we are required by the Privacy Act of 1974 (5 U.S.C. 522a) to protect the information we get from you.

★ What if I am more comfortable speaking in a language other than English?

You are encouraged to bring a friend or relative to translate for you. We provide free interpreter services to help you conduct your Social Security business. However, we need advanced notice to make arrangements with the translator.

★ Where can I get more information?

You can visit our website at www.socialsecurity.gov, ask the interviewer during your appointment, or call us toll-free at **1-800-772-1213** (for the deaf or hard of hearing, call TTY 1-800-325-0778).



Checklist for Online Adult Disability Application

The information below will help you gather the information you may need to create a *my* Social Security account and complete the online Disability application. We recommend you print this page to use while gathering your information.

Create a *my* Social Security Account

You are required to login to your existing *my* Social Security account, or attempt to create one. To create an account, we will ask you a series of identity questions for verification. You may want to have certain items on hand to be prepared for additional security questions, such as, but not limited to: **mobile phone (for the purpose of receiving texts and emails), credit card, W-2, and tax forms.**

File for Benefits Online – The Information You Need

Date and Place of Birth - If you were born outside the United States or its territories:

- Name of your birth country at the time of your birth (it may have a different name now)
- Permanent Resident Card number (if you are not a U.S citizen)

Marriage and Divorce

- Name of current spouse, name of prior spouse (if the marriage lasted more than 10 years or ended in death)
- Spouse(s) date of birth and SSN (optional)
- Beginning and ending dates of marriage(s), place of marriage(s) (city, state or country, if married outside the U.S.)

Names and Dates of Birth of Children Who:

- Became disabled prior to age 22, or
- Are under age 18 and are unmarried, or
- Are aged 18 to 19 and still attending secondary school full time

U.S. Military Service

- Type of duty and branch, service period dates

Employer Details for Current Year and Prior 2 Years (not self-employment)

- View your Social Security Statement online at www.socialsecurity.gov/myaccount
- Employer name, employment start and end dates, total earnings (wages, tips, etc.)

Self-Employment Details for Current Year and Prior 2 Years

- View your Social Security Statement online at www.socialsecurity.gov/myaccount
- Business type and total net income

Direct Deposit - Domestic bank (USA)

- Account type and number
- Bank routing number

Direct Deposit - International bank (non-USA)

- International Direct Deposit (IDD) bank country
- Bank name, bank code, and currency
- Account type and number, branch/transit number

Alternate Contact

- Name, address and phone number of someone we can contact who knows about your medical condition(s) and can help you with your claim

List of your Medical Conditions

Information About Doctors, Healthcare Professionals, Hospitals and Clinics

- Names, addresses, phone numbers, patient ID numbers, and dates of examinations and treatments
- Names and dates of medical tests you have had and who sent you for them
- Names of medications (prescriptions and non-prescriptions), reason for medication and who prescribed them

Information About Other Medical Records

- Vocational rehabilitation services, workers compensation, public welfare, prison/ jail, an attorney, or another place

Job History

- Date your medical condition began to affect your ability to work
- Type of jobs (up to 5) that you had in the 15 years before you became unable to work because of your condition
- Type of duties you did on the longest job you had

Education and Training

- Highest grade in school completed (date), and any special education (school name, city and state)
- Name of special job training, trade school or vocational school and date completed

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E. Medicines

Please list any medicines you take and why you take them. If prescribed, please provide the doctor's name.

NAME OF MEDICINE	WHY YOU TAKE IT	PRESCRIBED BY

F. Medical Tests

Please list any medical tests you had or are going to have in the future.

NAME OF TEST	PROVIDER WHO SENT YOU	DATE(S)

G. Job History

List the jobs (up to 5) that you have had in the 15 years before you became unable to work because of your physical or mental conditions. List your most recent job first.

JOB TITLE <i>(e.g., cook)</i>	TYPE OF BUSINESS <i>(e.g., restaurant)</i>	DATES WORKED		HOURS PER DAY	DAYS PER WEEK	RATE OF PAY	
		FROM Mo/Yr	TO Mo/Yr			Amount	Frequency

Bring this worksheet to your appointment or have it with you if your appointment is by telephone. Do not delay filing your application, even if you do not have all of the information. We will help you get any missing information.