

SSI/SSD APPLICATIONS

Both SSD and SSI are benefits for people who are disabled and unable to work. You must have a medical condition or a combination of medical conditions that keep you from being able to work in order to possibly receive benefits. SSD is based on your work history. SSI is based on your income and resources.

- To qualify for either benefit, you must either be a U.S. citizen or Legal Permanent Resident. If you became a Legal Permanent Resident **after 1996**, you must also have approximately 10 years of documented work history in the U.S or meet certain other requirements.

Request Records

Request medical and psychiatric records from the records department of your hospital/clinic

- If hospital tries to charge a fee, ask if they can waive the fee and show proof of low income status

Request a Physical or Psychiatric Assessment Form directly from the doctor or psychiatrist

- If you see a therapist and a psychiatrist, the therapist can complete the form as long as it is reviewed and co-signed by the psychiatrist

Request physical therapy and pain management records from the records department

Request inpatient and emergency room records

Request school records and IEPs for children and young adults

Request letters from prior employers regarding your symptoms and any work accommodations

Request letters from family members regarding symptoms, lifestyle changes and assistance provided

It is very useful to request these records prior to the application. However, do not submit your records to the Social Security (SSA) office. Instead, hold on to the records to submit to the disability analyst later.

Filing an Application

Social Security Disability (SSD): Disability Benefit Application, Adult Disability Report, Authorization to Disclose Information to SSA (must be handed in or mailed in). Can apply online or schedule in person or telephone appointment by calling 1-800-772-1213 (TTY 1-800-325-0778), Mon-Fri, 7am-7pm.

- If you have computer access, you can apply for SSD online at: <https://secure.ssa.gov/iClaim/dib>

Supplemental Security Income (SSI): Complete the Adult Disability Report or Child Disability Report, then schedule an appointment with the SSA office to complete the rest of the application in person or by phone appointment. You cannot complete the SSI application online.

When you speak to the Social Security representative, specify the medical conditions that seriously affect you and provide full contact information for the places where you receive or received medical treatment.

- Make sure that you provide the contact information for the records department of the hospital/clinic where you are seen, not your doctor's contact information.
- Make sure you respond to all requests for follow-up documents and information.

Activities of Daily Living and Work History Report: A few weeks after applying, you will receive a letter from the person evaluating your disability, the disability analyst, along with a form asking questions about your daily activities and about your past work. The disability analyst's name, phone number, fax number and address will be on the front page of the packet. This is very important information.

On the form, make sure to point out the ways in which your medical condition(s) have affected your ability to complete work and/or daily tasks and to function normally. Be as detailed as possible in your answers. Return the form to your disability analyst by fax or mail and call to confirm receipt of the form.

OTDA Disability Analyst: Social Security takes your initial application paperwork but the actual case review is done by a different agency called the Office of Temporary and Disability Assistance (OTDA). Your case will travel from SSA to OTDA where your case will be assigned to a disability analyst.

ALL OF YOUR MEDICAL RECORDS SHOULD BE SUBMITTED TO THE ANALYST. THIS IS THE MOST IMPORTANT THING YOU CAN DO FOR YOUR CASE.

If you have medical reports or doctors letters, make sure to send copies of them to your disability analyst by fax or mail. Always call to confirm receipt. You should also check-in with the analyst at least once a month to confirm that they have all of the information they need. If the analyst tells you that one of your doctors did not get back to him, you should call your doctor and see if you can get the required information for the analyst. Strong cases can be denied if the analyst does not get all the medical records.

Consultative Exam: If a medical exam is scheduled by Social Security, do your best to attend. Rescheduling can be problematic and lead to delays or an incomplete decision. If you cannot attend, you should call the medical exam office, and also the analyst, to try to reschedule the appointment. When you go to the consultative exam, make sure to tell the doctor as much as possible about your condition(s). Be detailed. You cannot take your medical records with you since the doctors will generally not look at them, but if you have a recent important lab result (an x-ray that shows a fractured hip or a biopsy showing liver cirrhosis) you can take it with you and try to get the doctor to look at it.

Timing: You should call SSA directly at 1-800-772-1213 if you have not received an initial disability decision in the mail by about 5-6 months after application. Sometimes denial letters are not received and you do not want to miss your opportunity to appeal a denial if necessary.

Appeal: If your application is denied and you wish to appeal, make sure to follow the instructions on the decision and request an appeal within 60 days of the denial.

- If you have computer access, you can file an appeal online at:
<https://secure.ssa.gov/iApplsRe/start>

If you do not have computer access, you can appeal by taking your denial notice to the local SSA office and completing the appeal forms they provide you. If your application is denied, you can contact New York Legal Assistance Group at **212-613-5024** for possible representation on appeal if you are currently a public assistance or Medicaid recipient or if your income is below 200% of the Federal Poverty Level.

Benefits Granted: If your application is granted, you should open a bank account to hold your SSI or SSD funds. You can take the bank account information to SSA when they process your benefits and they will set up direct deposit of your benefits into your bank account. Alternatively, you can have your benefits placed on a Direct Express card, if you do not want to open a bank account.

If you are applying for SSD benefits, there is no resource limit. If you are applying for SSI benefits, you can only have \$2000 in resources for an individual or \$3000 for a couple. You will need to provide SSA with additional financial information at the SSI benefits processing appointment. SSA will need to see proof of household income, bank statements, savings, assets, assistance from friends and family members, rent or mortgage information, citizenship paperwork, and life insurance policies (make sure to check and see if your life insurance has a cash surrender value – this money will be counted by SSA).