



Benefits America!

Social Security

Disability Benefits

A stylized graphic in shades of blue and red. It depicts a hand holding a rainbow, with several stars scattered throughout the background. The hand is positioned at the bottom right, and the rainbow arches across the middle of the frame.

www.socialsecurity.gov

Contact Social Security

Visit our website

Our website, www.socialsecurity.gov, is a valuable resource for information about all of Social Security's programs. At our website you also can:

- Apply for certain kinds of benefits;
- Get the address of your local Social Security office;
- Request a *Social Security Statement* or a replacement Medicare card; and
- Find copies of our publications.

Call our toll-free number

In addition to using our website, you also can call us toll-free at **1-800-772-1213**. We treat all calls confidentially. We can answer specific questions from 7 a.m. to 7 p.m., Monday through Friday. We can provide information by automated phone service 24 hours a day. If you are deaf or hard of hearing, you may call our TTY number, **1-800-325-0778**.

We also want to make sure you receive accurate and courteous service. That is why we have a second Social Security representative monitor some telephone calls.

What's inside

Disability benefits 4

**Who can get Social Security
disability benefits? 4**

How do I apply for disability benefits? 7

**When should I apply and what
information do I need? 7**

Who decides if I am disabled? 8

**What happens when my
claim is approved? 12**

Can my family get benefits? 13

**How do other payments affect
my benefits? 13**

What do I need to tell Social Security? 14

When do I get Medicare? 15

Can I go back to work? 15

The Ticket to Work Program 15

Disability benefits

Disability is something most people do not like to think about. But the chances that you will become disabled probably are greater than you realize. Studies show that a 20-year-old worker has a 3-in-10 chance of becoming disabled before reaching retirement age.

This booklet provides basic information on Social Security disability benefits and is not intended to answer all questions. For specific information about your situation, you should talk with a Social Security representative.

We pay disability benefits through two programs: the Social Security disability insurance program and the Supplemental Security Income (SSI) program. This booklet is about the Social Security disability program. 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, refer to *Benefits For Children With Disabilities* (Publication No. 05-10026). Our publications are available online at www.socialsecurity.gov.

Who can get Social Security disability benefits?

Social Security pays benefits to people who cannot work because they have a medical condition that is 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, Social Security does not.

Certain family members of disabled workers also can receive money from Social Security. This is explained on page 13.

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 became disabled; and
2. A “duration of work” test to show that you worked long enough under Social Security.

Certain blind workers have to meet only the “duration of work” test.

The table on page 6 shows the rules for how much work you need for the “recent work” test based on your age when your disability began. The rules in this table are based 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

Rules for work needed for the “recent work test”	
<i>If you become disabled...</i>	<i>Then you generally need:</i>
In or before the quarter you turn age 24	1.5 years of work during the three-year period ending with the quarter your disability began.
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 became disabled. Example: If you become disabled 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 became disabled.
In the quarter you turn age 31 or later	Work during five years out of the 10-year period ending with the quarter your disability began.

The following table shows examples of how much work you need to meet the “duration of work test” if you become disabled at various selected ages. For the “duration of work” test, your work does not have to fall within a certain period of time.

NOTE: *This table does not cover all situations.*

Examples of work needed for the “duration of work” test	
<i>If you become disabled...</i>	<i>Then you generally need:</i>
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 at www.socialsecurity.gov; or
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 or to set up an appointment for someone to take your claim over the telephone. The disability claims interview lasts about one hour. If you are deaf or hard of hearing, you may call our toll-free TTY number, **1-800-325-0778**, between 7 a.m. and 7 p.m. on business days. If you schedule an appointment, we will 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.socialsecurity.gov/disability.

When should I apply and what information do I need?

You should apply for disability benefits as soon as you become disabled. **It can take a long time to process an application for disability benefits (three to five months).** To apply for disability benefits, you will need to complete an application for Social Security Benefits and the Disability Report. You can complete the Disability Report online at www.socialsecurity.gov/disabilityreport. You also can print the Disability Report, complete it and return it to your local Social Security office. We may be able to process your application faster if you help us by getting any other information we need.

The information we need includes:

- Your Social Security number;
- Your birth or baptismal certificate;
- Names, addresses and phone numbers of the doctors, caseworkers, hospitals and clinics that took care of you and dates of your visits;

- Names and dosage 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; and
- A copy of your most recent W-2 Form (Wage and Tax Statement) or, if you are self-employed, your federal tax return for the past year.

In addition to the basic application for disability benefits, there are other forms you will need to fill out. 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.

Do not delay applying for benefits if you cannot get all of this information together quickly. We will help you get it.

Who decides if I am disabled?

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

This state agency completes the disability decision for us. Doctors and disability specialists in the state agency ask your doctors for information about your condition. They will consider all the facts in your case. They will use the medical evidence from your doctors and hospitals, clinics or institutions where you have been treated and all other information. They will ask your doctors:

- What your medical condition is;
- When your medical condition began;

- How your medical condition limits your activities;
- What the medical tests have shown; and
- What treatment you have received.

They also will ask the doctors for information about your ability to do work-related activities, such as walking, sitting, lifting, carrying and remembering instructions. Your doctors are not asked to decide if you are disabled.

The state agency staff may need more medical information before they can decide if you are disabled. If more information is not available from your current medical sources, 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. Social Security will pay for the exam and for some of the related travel costs.

How we make the decision

We use a five-step process to decide if you are disabled.

1. Are you working?

If you are working and your earnings average more than a certain amount each month, we generally will not consider you disabled. The amount changes each year. For the current figure, see the annual *Update* (Publication No. 05-10003).

If you are not working, or your monthly earnings average the current amount or less, the state agency then looks at your medical condition.

2. Is your medical condition “severe”?

For the state agency to decide that you are disabled, your medical condition must significantly limit your ability to do basic work activities—such as walking, sitting and remembering—for at least one year. If your medical condition is not that severe, the state agency will not consider you disabled. If your condition is that severe, the state agency goes on to step three.

3. Is your medical condition on the List of Impairments?

The state agency has a List of Impairments that describes medical conditions that are considered so severe that they automatically mean that you are disabled as defined by law. If your condition (or combination of medical conditions) is not on this list, the state agency looks to see if your condition is as severe as a condition that is on the list. If the severity of your medical condition meets or equals that of a listed impairment, the state agency will decide that you are disabled. If it does not, 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 prevents you from being able to do the work you did before. If it does not, the state agency will decide that you are not disabled. If it does, the state agency goes on to step five.

5. Can you do any other type of work?

If you cannot do the work you did in the past, the state agency looks to see if you would be able to do other work. It evaluates your medical condition, your age, education, past work experience and any skills you may have that could be used to do other work. If you cannot do other work, the state agency will decide that you are disabled. If you can do other work, the state agency will decide that you are not disabled.

Special rules for blind people

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

We will tell you our decision

When the state agency reaches a decision on your case, we will send you a letter. If your application is approved, the letter will show the amount of your benefit and

when your payments start. If your application is not approved, the letter will explain why and tell you how to appeal the decision if you do not 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 *The Appeals Process* (Publication No. 05-10041), which is available from Social Security.

You have the right to be represented by an attorney or other qualified person of your choice when you do business with Social Security. More information is in *Your Right To Representation* (Publication No. 05-10075), which is also available from Social Security.

How we will contact you

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

If you are blind or have low vision, you can choose to receive notices from us in one of five ways. Your choices are:

- A standard print notice by first-class mail; **or**
- A standard print notice by certified mail; **or**
- A standard print notice by first-class mail and a follow-up telephone call to read and explain the information in the notice; **or**
- A standard print notice and a Braille notice by first-class mail; **or**
- A standard print notice and a Microsoft Word file on a compact disc by first-class mail.

Other formats also may be available. For more information, visit our website at www.socialsecurity.gov/notices or call us toll-free at **1-877-708-1776**. If you are deaf or hard of hearing, you may call our TTY number at **1-800-325-0778**.

What happens when my claim is approved?

When do my benefits start?

If your application is approved, your first Social Security disability benefits will be paid for the sixth full month after the date your disability began.

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 will receive your July benefit in August.

You also will 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.

How much will my benefits be?

The amount of your monthly disability benefit is based on your average lifetime earnings. The *Social Security Statement* that you receive each year displays your lifetime earnings and provides an estimate of your disability benefit. It also includes estimates of retirement and survivors benefits that you or your family may be eligible to receive in the future. If you do not have your *Social Security Statement* and would like an estimate of your disability benefit, you can request one from our website at www.socialsecurity.gov or call our toll-free number, **1-800-772-1213**.



Can my family get benefits?

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

- Your spouse, if he or she is 62 or older;
- Your spouse, at any age if he or she is caring for a child of yours who is younger than age 16 or disabled;
- 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 in elementary or secondary school full time; and
- Your unmarried child, age 18 or older, if he or she has a disability that started before age 22. (The child's disability also must meet the definition of disability for adults.)

NOTE: *In some situations, a divorced spouse may qualify for benefits based on your earnings if he or she was married to you for at least 10 years, is not currently married and is at least age 62. The money paid to a divorced spouse does not reduce your benefit or any benefits due to your current spouse or children.*

How do other payments affect my benefits?

If you are getting other government benefits, the amount of your Social Security disability 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); and
- *Government Pension Offset* (Publication No. 05-10007).

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

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; and
- Flight-escape.

You cannot 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 are convicted of a crime

Tell Social Security right away if you are convicted of a crime. Regular disability benefits or any underpayments that may be due are not paid for the months a person is confined for a crime, but 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 usually are 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); or
- Incompetent to stand trial.

If you violate a condition of parole or probation

You must tell us if you are violating a condition of your probation or parole imposed under federal or state law. You cannot 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 will get Medicare coverage automatically after you have received disability benefits for two years.

Can I go back to work?

After you start receiving disability benefits, you may want to try working again. There are special rules that help you keep your cash benefits and Medicare while you test your ability to work. We call these rules “work incentives” or “employment support” programs.

For more information about helping you return to work, ask for *Working While Disabled—How We Can Help* (Publication No. 05-10095). A guide to all our employment supports can be found in our Red Book, *A Summary Guide to Employment Support for Individuals with Disabilities Under the Social Security Disability Insurance and Supplemental Security Income Programs* (Publication No. 64-030). Also visit our website, www.socialsecurity.gov/work.

The Ticket to Work Program

Under this program, Social Security and Supplemental Security Income disability beneficiaries can get help with training and other services they need to go to work **at no cost to them**. Most beneficiaries will receive a “ticket” that they can take to a provider of their choice who can offer the kind of services they need. To learn more about this program, ask for *Your Ticket To Work* (Publication No. 05-10061).

www.socialsecurity.gov



Benefits America!

Social Security Administration
SSA Publication No. 05-10029
ICN 456000
Unit of Issue - HD (one hundred)
August 2010 (Recycle prior editions)

