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## **Social Security Disability/Supplemental Security Income**



## **Frequently Asked Questions**



\*All information provided is to be used as informational only, nothing herein is legal advice.\*

### Who Qualifies for Social Security Benefits?

- Individuals who are physically or mentally disabled and unable to engage in the competitive work force. To be considered disabled the individual must be qualified under Social Security's guidelines for disability and have a condition that has either persisted or is expected to persist for a one year period or longer.

### Where do you apply for Benefits?

- *In your local office.* To locate the office assigned to you visit the following website:  
<https://secure.ssa.gov/ICON/main.jsp>
- *On – line.* Visit:  
<http://www.ssa.gov/pgm/disability.htm> and click on “apply for disability”
- *Over the phone.* Call your local office or toll-free at 1-800-772-1213

### Is there a difference between SSI and SSDI?

- *Supplemental Security Income:* Is provided to individuals with limited income and resources who are either disabled or blind. This is a federally fixed monthly rate.
- *Social Security Disability Insurance:* Is funded through payroll taxes, once a person has paid into the program through working, they will become eligible for these benefits. This amount is variable based on the amount of time that you have paid into the program from working.

### How frequently are claims denied?

- 70% of initial applications are denied benefits.
- Once an initial denial is made an individual can appeal this decision and present their case at a hearing before an Administrative Law Judge. (*An appeal must be filed within 60 days from the initial determination*)
  - An attorney can become involved at this level and help to file an appeal and represent a client at the hearing.
  - It can take up to a year to have a hearing date scheduled.
  - The rate of success at this level is much higher than the initial application level.

### Why does the Social Security Administration request records from mental health facilities?

- The determination of disability is based solely on the medical evidence provided to the administration.
- The content of medical records is the primary tool used to make a determination of disabled or not.
  - At the initial application level this is the only evidence used to make a determination

### Common Mental Health Factors that are used in the determination of disability

- Ability to interact and respond to co-workers, supervisors, and the public
- Ability to engage in and complete complex tasks
- Ability to sustain concentration and focus on activities and/or tasks assigned
- Ability to complete activities of daily living, ie. shopping, bathing, cooking, cook, pay bills, utilize transportation, etc
- Ability to consistently attend work and complete an entire work day
- An average of three periods of decompensation per year, ie. increase in symptoms requiring stabilization, change in medication or treatment; lasting an average of two weeks in length
- Documented intellectual impairments, including IQ scores below 70