

# Frequently Asked Questions About Social Security Disability Benefits

By Anthony J. DeLellis, Esq.

Social Security and Supplemental Security Income disability programs are the largest of several federal programs that provide financial assistance to people with disabilities. While these two programs are different in many ways, both are administered by the Social Security Administration and only individuals who have a disability and meet medical criteria may qualify for benefits under either program.

*Social Security Disability Insurance (SSDI)* pays benefits to you and certain members of your family if you are 'insured,' meaning that you worked long enough and paid Social Security taxes.

*Supplemental Security Income (SSI)* pays benefits based on financial need.

## Q. What is the definition that Social Security uses for disability?

**A.** According to the Social Security Act, "disability" is the "inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months."

## Q. What documents do I need to apply for Social Security disability?

**A.** You may need any of the following:

- Social Security card (or a record of your number)
- Your birth certificate or proof of US citizenship or lawful immigration status if you were not born in the US
- Your military discharge papers if you had military service
- W-2 form from last year of employment, or your last tax return if you're self-employed

*Note: If you are missing a document, don't delay signing up for Social Security disability. You will need to provide that document later, but the application date is important.*

## Q. I am definitely disabled, so I should have no problem with having my application for benefits approved, right?

**A.** Unfortunately, almost 60% of original applications for Social Security disability benefits are denied. Many of these are approved during the appeals process.

## Q. Do I have to go into the Social Security office to apply for disability payments? It is so difficult for me to get transportation.

**A.** It is now possible to file for Social Security disability benefits online at [www.ssa.gov/applyforbenefits/](http://www.ssa.gov/applyforbenefits/) to start your application.

## Q. I have heard about a list of approved disabilities for benefits. Is dystonia on this list?

**A.** There is a list within the Social Security system that allows a claimant to automatically qualify for benefits. Actually there are two: one for adult disabling conditions and one for children that lists applicable impairments. Dystonia is not explicitly included in this list, and it does not need to be for you to qualify for benefits. You only need to prove that your disability is the equivalent of a condition that has already been approved for benefits.

## For More Information

To locate an experienced Social Security attorney in your area and information about disability benefits contact The National Organization of Social Security Claimants' Representatives at [www.nosscr.org](http://www.nosscr.org) or phone 800-431-2804.

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