

**Multiple Sclerosis National Convention
Presentation
November 1, 2006**

WELCOME

**Thank you to the MS Society for asking me to speak this morning.
There is a lot to cover and I won't be able to cover it all in 20 minutes.
You can e-mail me if you have questions we don't cover this morning. My contact information is in the printed materials.**

Information about Social Security disability benefits

Two types of benefits

There are financial requirements for both types of benefits

To qualify for either program a person must be both disabled and financially eligible

That means that not everyone who is disabled is eligible for one of these benefits

Handout – What you Should Know Before you Apply PDF

When to apply

The process can be lengthy if denied at the initial stage

Free advice is available – seek it and use it

Social Security regulates attorney fees – same fee if attorney only handles these cases or handles two a year – legal experience can make the difference between winning and losing

Pre-application tips

Avoid denial

You don't have to be “totally disabled.”

Complain – document your symptoms and functional limitations

Enlist support from treating doctors

Get treatment for depression and/or anxiety

Get help early – if in doubt, ASK

Apply as soon as you know you won't be returning to work

Apply immediately if out of work for at least a year due to medical conditions

Consult an attorney who concentrates in disability law as early as possible

Advantages to doing so – advice, tips, improve chance for success both initially and on appeal, avoid long delay at hearing level (for most of country hearing delays are from 1 to 3 years)

Application tips

Get help

How to apply – in person at local office, by phone, over the Internet

1-800-772-1213; TTY (hearing impaired) 1-800-325-0778 7 am to 7 pm

www.socialsecurity.gov/applyfordisability

There are three parts to the online application: 1) the application; 2) the disability report; 3) the Authorization forms

SSA website is very useful – but, information given by SSA personnel not always accurate

Advantages to using the Internet (not required)

What you'll need – see handout

Checklist – PDF

Medical and Job worksheet - PDF

Parts of the application to pay particular attention to

Mention all conditions – give examples from form

List any mental health conditions

Consult an attorney who concentrates in disability law

Advantages to doing so

Post-application tips

Get help

The claim decision-making process – three different procedures are in use, depending on state where you live

New England (DSI)

Recon states

Non-recon states

Role of the state agency is to gather medical records and medical opinions and make the initial decision

Importance of the Daily Activities Questionnaire

Answer questions carefully; emphasize what you can no longer do

What you say may be used against you to deny your claim (i.e. are you still mowing the lawn???)

State agency medical examination – not done in every case; be sure to attend if one is scheduled

Attorney is very useful in making sure the state agency will have all of your medical records

How claims are decided

Appeal tips

Initial denials are common. Do not quit or lose hope.

If the claim is denied at any stage you must do two things:

1. file a timely appeal
2. secure legal representation for a disability attorney