



**SOCIAL SECURITY
& VETERANS DISABILITY**
We Won't Take NO For An Answer®



APRIL 2014

**ANSWERS TO YOUR QUESTIONS
ABOUT DISABILITY AND SOCIAL
SECURITY'S REPRESENTATIVE
PAYMENT PROGRAM**

Welcome to our first official newsletter of spring! In this month's edition, we tackle two different but very important topics. Our first article explains the five-step process that each claim for Social Security Disability benefits will go through in the approval process. I think this will give you a good general overview of the process, but keep in mind that the majority of claims are denied on the first try. You can try to untangle the "red tape" yourself, or rely on an experienced law firm to help guide you through the process, including the necessary steps to file an appeal.

Our second article deals with the difficult situation of what to do when a friend or family member is not capable of managing the benefits they receive. Many people don't realize that there is help available in these situations. So we have included an overview of Social Security's Representative Payment Program, designed to help friends and family step in when a beneficiary is having difficulty controlling their money.

I hope you are enjoying a break from the long, cold winter, and I encourage you to spend as much time as possible enjoying the warmer days, and less time worrying about the fight to obtain the benefits you deserve. Our experienced, caring team of professionals is ready to help you do just that. Give us a call and let us know how we can help—we are always happy to hear from you.

Sincerely,

IN THIS ISSUE
Letter From Jan
SS Disability
Payment Program
Jan Dils Law Blog

JAN DILS
Social Security Disability
law blog

RECENT POSTS:

**Costs Involved in an
SSDI or SSI Case**

**Announcing the Jan
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Walk4Vets

**Debunking Forms: The
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HOW DOES SOCIAL SECURITY DECIDE IF YOU ARE DISABLED?

When you apply for disability benefits, Social Security uses a step-by-step process with five questions to approve or deny your claim.

Step 1: Are You Working?

If you are working in 2014 and your earnings average more than \$1,070 a month, you generally cannot be considered disabled. If you are not working, the decision process moves on to Step 2.

Step 2: Is Your Condition "Severe"?

Your condition must interfere with basic work-related activities for your claim to be considered.

If it does not, Social Security will determine that you are not disabled. If your condition does interfere with basic work-related activities, the process moves on to Step 3.

Step 3: Is Your Condition Found In The List Of Disabling Conditions?

For each of the major body systems, Social Security maintains a **list of medical conditions** that are so severe they automatically mean that you are disabled. If your condition is not on the list, they will decide if it is of equal severity to a medical condition that is on the list. If it is, Social Security will find that you are disabled. If it is not, the process moves to Step 4.

Step 4: Can You Do The Work You Did Previously?

If your condition is severe but not at the same or equal level of severity as a medical condition on the list, then Social Security will determine if it interferes with your ability to do the work you did previously. If it does not, your claim will be denied. If it does, the process moves to Step 5.

Step 5: Can You Do Any Other Type Of Work?

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Request a copy of Jan Dils easy-to-understand plan on how to apply for and win your benefits

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If you cannot do the work you did in the past, Social Security will see if you are able to adjust to other work. To make that determination, they will consider your medical conditions and your age, education, past work experience and any transferable skills you may have. If you cannot adjust to other work, your claim will be approved. If you can adjust to other work, your claim will be denied.

The screenshot shows the Social Security website interface. At the top, there is a navigation bar with links for Accessibility, Contact Us, FAQs, Español, Other Language, and Sign In. Below this is a search bar and a main menu with links for Home, Numbers & Cards, Benefits, Information for..., Business & Government, and Our Agency. The page title is 'Medical/Professional Relations'. On the left side, there is a sidebar menu with links for Adult Listings (Part A), Childhood Listings (Part B), General Information, Evidentiary Requirements, and Listing of Impairments (overview). The main content area is titled 'Disability Evaluation Under Social Security' and 'Part III - Listing Of Impairments'. The text explains that the Listing of Impairments describes, for each major body system, impairments considered severe enough to prevent an individual from doing any gainful activity (or in the case of children under age 18 applying for SSI, severe enough to cause marked and severe functional limitations). It also states that the Listing of Impairments are applicable to evaluation of claims for disability benefits under the Social Security disability insurance program or payments under both the SSI program. The page is divided into sections for Part A (adults age 18 and over) and Part B (children under age 18). At the bottom of the page, there are links for 'Connect' and 'Share'.

Source: <http://www.ssa.gov/dibplan/dqualify5.htm#a0=4>



SOCIAL SECURITY'S REPRESENTATIVE PAYMENT PROGRAM

Are you concerned that a family member or friend is incapable of managing or directing the management of their benefits? This can be

a difficult situation, but help is available. Social Security's Representative Payment Program provides financial management for the Social Security and SSI payments of benefit beneficiaries who are incapable of managing their Social Security or SSI payments. You can call 1-800-772-1213 (TTY 1-800-325-0778) to request an appointment to discuss your concerns.

Generally, Social Security will look for family or friends to serve as representative payees. When friends or family are not able to serve as payees, Social Security looks for qualified organizations to be representative payees.

If you would like to learn more about the program, including responsibilities and how to become a representative payee, visit www.ssa.gov/payee/#sb=2 to view free webinar presentations.



Complete your payee
accounting online

Source: <http://www.ssa.gov/payee/#sb=2>

Jan Dils keeps you updated on Social Security disability benefits news and important issues that matter the most. We not only focus on Social Security Disability, we also provide legal assistance for Veterans Disability Benefits. We understand the claims process and specialize in making sure Veterans receive the proper representation needed for receiving benefits. For more

information on our Veterans Disability services, please visit www.fight4vets.com

FIGHT4VETS.com

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Jan Dils, Attorneys at Law, handles Social Security disability and Veterans' disability claims for clients throughout West Virginia with offices located in Parkersburg-Beckley-Charleston-Huntington-Logan-Morgantown as well as one additional office located in Charlotte, North Carolina. But regardless of where you are located we are able to serve you or a family member Nationwide.

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