

SOCIAL SECURITY DISABILITY BENEFITS & BEYOND

Q3 NEWSLETTER
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How Workers' Compensation and Other Disability Payments May Affect Your Benefits.

Disability payments from private sources, such as private pensions or insurance benefits, don't affect your Social Security disability benefits. Workers' compensation and other public disability benefits, however, may reduce your Social Security benefits. Workers' compensation benefits are paid to a worker because of a job-related injury or illness. They may be paid by federal or state workers' compensation agencies, employers, or by insurance companies on behalf of employers.

Other public disability payments that may affect your Social Security benefit are those paid by a federal, state, or local government and are for disabling medical conditions that are not job-related. Examples are civil service disability benefits, state temporary disability benefits, and state or local government retirement benefits that are based on disability.

If you receive workers' compensation or other public disability benefits, AND Social Security disability benefits, the total amount of these benefits can't exceed 80 percent of your average current earnings before you became disabled.

Some Public Benefits Don't Affect Your Social Security Disability Benefits

If you receive Social Security disability benefits, and one of the following types of public benefits, your Social Security benefit will not be reduced:

- Veterans Administration benefits

- State and local government benefits, if Social Security taxes were deducted from your earnings; or
- Supplemental Security Income (SSI).

Figuring the Reduction

Your monthly Social Security disability benefits, including benefits payable to your family members, are added together with your workers' compensation or other public disability payment. If the total amount of these benefits exceeds 80 percent of your average current earnings, the excess amount is deducted from your Social Security benefit.

Example: Before you became disabled, your average earnings were \$4,000 a month. You, your spouse, and your two children would be eligible to receive a total of \$2,200 a month in Social Security disability benefits. You also receive \$2,000 a month from workers' compensation. Because the total amount of benefits you would receive (\$4,200) is more than 80 percent (\$3,200) of your average current earnings (\$4,000), your family's Social Security benefits will be reduced by \$1,000 (\$4,200 - \$3,200).

Your Social Security benefit will be reduced until the month you reach age 65, or the month your other benefits stop, whichever comes first. Your benefits will continue to be reduced until you reach your full retirement age.

For more information, including how to determine your average current earnings, see www.ssa.gov/pubs/EN-05-10018.pdf, or call the Jan Dils team with questions.

Source: www.ssa.gov/pubs/EN-05-10018.pdf

Can Your 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 age 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 still in high school);
- Your unmarried child, age 18 or older, if he or she has a disability that started before age 22. The child's disability must also 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 doesn't reduce your benefit or any benefits due to your current spouse or children.

Source: www.ssa.gov/pubs/EN-05-10029.pdf



A LETTER
FROM JAN

Summertime may be in full swing but I can assure you that the heat isn't slowing our team down one bit! While we've been inside where it's cool, we've managed to come up with a lot of great information to pass along to you in our latest Social Security newsletter.

In this edition, we have included an overview of how Workers' Compensation and other disability payments may affect your Social Security benefits and, if they do, how to calculate the impact. We have also included information on expediting the processing of Veteran's 100% disability claims, and a great article on how to determine if you meet the earnings requirement for Social Security disability benefits.

Of course, we always share a delicious recipe—and this one calls for seasonal veggies that are healthy and delicious—along with the latest news from our team members, and a few extras just for fun.

I hope you are enjoying your summer, and I hope that you will feel free to contact us with any questions you may have about Social Security benefits. No matter where you are in the application process, we are always happy to hear from you, and to share our knowledge of the system to help you fight for the benefits you deserve.

Sincerely, 



JAN DILS brings her expertise to issues that affect you and millions of other Americans every day. Her knowledge across vital areas – including Veterans' benefits, disability benefits and related appeals and claims – and a practice that focuses on people, ensure that you get answers and the right results.

DO YOU 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 following table 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	
If you become disabled...	Then, you generally need:
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 doesn't have to fall within a certain period of time.

Examples of work needed for the duration of work test	
If you become disabled...	Then, you generally need:
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

OFFICE
INBOX

Congratulations to **Jenny Jones** in our Accounting Department, who married Rusty Fry on May 4th, and to **Shawna Drake** who welcomed her first child, Katara, who weighed in at 7 pounds and 3 ounces!

Congratulations are also in order for a number of professional accomplishments this month. **Peggy Pippin** is transitioning from Case Development to our Leads department; transitioning from her former position as a medical records review specialist, **Morgan Hellein** is our new VA Support Specialist; **Andrea Parsons** has transitioned from VA C-file reviews to VA Hearing Clerk/Appeals specialist; **Jess Hacker** is transitioning from VA Case Manager to VA C-file review specialist, and will retain her title as VA Team Leader; **Savannah Gay** has transitioned into VA case management, covering Veterans whose last name falls between D and J; and **Beth Pack** and **Heather Wilson** are two welcome new additions to our team: Beth is a VA leads specialist and Heather is joining our VA department.

And the Apple Goes To...

Jan Dils team member Cheryl Wingrove had the honor of presenting April's Golden Apple Award to **Ronda Lemon**, a special education teacher at Hamilton Middle School. Parents say she has a heart of gold and is always willing to go the extra mile for her students, even finding mentors for her students who need them.

She refuses to give up on her students and refuses to let them give up on themselves. Lemon says she was surprised to be nominated by one of her students. "I never thought that anybody ever noticed anything that I do. I just try to do what each kid needs and it's nice to be recognized. Get involved with these kids, roll up your sleeves... you don't know how much impact you're going to have on their lives. I didn't realize I had a lot of impact," Lemon said. Patrick, the student who nominated her said, "She's an awesome teacher!"

Please join us in thanking Ronda Lemon and all of the incredible educators we have honored this year for their dedication and hard work, and remember, if you have a teacher you feel is deserving of the Jan Dils Golden Apple Award, be sure to send in your nomination letter at www.thenewscenter.tv!

IT'S TIME TO...

- Have your fireworks ready and fly Old Glory. **July 4th is Independence Day.**
- Enjoy a second cup of "Joe". **July 24th is Coffee Day.**
- Thank a sailor. **August 4th is US Coast Guard Day.**
- Practice the hula. **August 21st is Hawaii Day.**
- Forgive and forget. **August 25th is Kiss and Make Up Day.**
- Honor those who lost their lives. **September 11th is Patriot Day.**
- Remember those who sacrificed so much for our freedom. **September 19th is POW/ MIA Recognition Day.**

ZUCCHINI AND SQUASH CHIPS

ENJOY A SPECIAL SUMMER TREAT THAT IS AS EASY AS IT IS DELICIOUS!

With zucchini and squash in season, this recipe for Zucchini and Squash Chips from Social Security Case Manager Kayla Cox is an easy, healthy side dish for your next family meal or pot luck!

INGREDIENTS

- Zucchini
- Squash
- Salt
- Pepper
- Garlic
- Cooking spray (like PAM)
- Parmesan cheese, grated or shredded

DIRECTIONS

Preheat oven to 425 degrees. Slice zucchini and squash into 1/2 inch chips. Line baking sheet with parchment paper or foil, spray with cooking spray, then place slices of zucchini and squash in a single layer. Season with salt, pepper, and garlic to taste. Top with Parmesan cheese. Bake for 12-15minutes (will depend on the thickness of chips.) Serve and enjoy!

**COMMONYMS:
TAKE THE CHALLENGE**

What's a commonym you ask? A commonyms is group of words that have a common trait in the three words/items listed. For example: the words; A car - A tree - An elephant... they all have trunks. These will make you think!

1. Story - Fortune - Bank
2. Rough - Curtain - Fringe
3. Cows - Goats - Coconut
4. Charities - Golfers - Computers
5. Flood - Pilot - Flash
6. Grass - Clay - Hard
7. Cross - Head - Tail
8. Taxes - Heat - Dough
9. Finger - House - War
10. Tooth - Ice - Guitar

This issue's solution: 1. tellers 2. parts of a golf course 3. they produce milk 4. they have drives 5. highs 6. tennis court surfaces 7. winds 8. they all rise 9. paints 10. picks

JAN DILS BLOG

So the day has come. You've received your decision notice in the mail. You open the much-anticipated letter only to read, "Decision Notice—Partially Favorable" scrolled across the top. What does this mean, exactly? It means you have been approved but just as the term suggests, you've only been partially approved. This can be due to two reasons.

The first is that the Administrative Law Judge (ALJ) has found you disabled but on a different date than you initially alleged on your application. This means that the ALJ agrees that you are disabled, but doesn't agree with your choice of onset date, or disability date. The ALJ may decide that your onset date is later than what you originally alleged if you worked, had a significant diagnosis or started receiving medical treatment after said alleged onset date. This will, of course, reduce the amount of back-pay you receive since the ALJ has determined you disabled on a date after your alleged onset date. A partially favorable decision can also determine the type of disability benefits you receive. For example: if you have both Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) claims but your date-last insured (DLI) for your SSDI claim is prior to the onset date the ALJ has decided on, you will only be eligible for SSI benefits.

The second reason an ALJ may grant a partially favorable decision is because you have been awarded disability for a closed-time period. You will receive benefits for a particular time period; however, these benefits will not continue into the future. Again, the ALJ agrees you are disabled, but only during a specific timeframe. This typically occurs when an individual's conditions have medically improved enough, or even resolved, that they are able to return to work.

Like most things in the world of disability, Partially Favorable Decisions can be confusing. For more information, please feel free to contact our office at 1-877-526-3457 with any questions you may have.



1-877-JANDILS
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EXPEDITED PROCESSING OF VETERAN'S 100% DISABILITY CLAIMS.

The Social Security Administration provides expedited processing of disability claims filed by veterans who have a U.S. Department of Veterans Affairs Compensation rating of 100 percent Permanent & Total (P&T). Both Social Security and Veterans Affairs pay disability benefits to qualifying people, but their programs, processes, and criteria for receiving benefits are different. A Veterans Affairs compensation rating of 100 percent P&T doesn't guarantee that you'll receive Social Security disability benefits. To receive disability benefits from Social Security, a person must have a severe impairment that's expected to last at least one year or to result in death. The impairment must be so severe that the person would be unable to perform any substantial work.

NOTE: Receiving Veterans Affairs compensation won't affect your Social Security benefits.

What should I do to receive expedited processing of my Social Security disability application?

If you're a disabled veteran rated 100 percent P&T, you must identify yourself as a "veteran rated 100% P&T" when you apply for benefits, and provide Social Security with your Veterans Affairs notification letter which verifies your rating.

How will Social Security expedite my disability claim?

After Social Security identifies you as a veteran rated 100% P&T, they'll treat your claim as a high priority workload and rush it through the application process in their field offices, state Disability Determination Services, and the various levels of appeals.

How long does the process take?

The length of time Social Security takes to make a disability decision depends on several factors, but primarily on:

- The nature of your disability;
- How quickly they get medical evidence from your doctor or other medical sources; and
- Whether it's necessary to send you for a medical examination to get evidence to support your claim.

You can assist in the process by having the required information on hand when you apply.