

Utah Legal Services



Committed to Equal Justice

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Supplemental Security Insurance and Social Security Disability Insurance

What does it mean to be disabled?

To get Social Security disability, you must have a physical or mental impairment, or a mix of impairments. Those impairments must prevent you from doing your past work or work anywhere in the country. The condition must have lasted 12 months, or be expected to last 12 months or end in death. To decide if you are disabled, Social Security looks at how bad the condition is, your age, education, skills, and your past work.

What programs could I qualify for?

If you are disabled, you may be eligible for either or both of two programs: Social Security Disability Insurance, sometimes called “SSDI” or “Title II” Supplemental Security Income, called SSI. These two programs use the same definition of disability but have different terms for qualifying. Below are the main terms:

SSDI

- Worked and paid into the system
- Quarters of coverage (QCs) for five out of past ten years

SSI

- Blind, age 65 or disabled
- Limited income

- The amount you will be paid depends on how much you have paid into the system
- Limited assets: \$2000 for an individual or \$3000 for a couple
- Spousal income is counted
- Parents' income is counted if a child is applying

What do I do if I my application for disability is denied?

Appeal—request reconsideration within 60 days. You must do so in writing and must use the correct Social Security forms. You may file your request for reconsideration at your local Social Security office. You may also file your appeal online at www.socialsecurity.gov. It is a good idea to ask for a date-stamped copy of your request so you will have proof that you filed it.

What if my request for reconsideration for my disability application is denied?

Appeal—request a hearing within 60 days. File your request for hearing at your local Social Security office and ask for a date-stamped copy so you have proof of having filed it. You may also file your appeal online at www.socialsecurity.gov.

How do I get the forms to appeal the decisions on my disability application?

You may get the appeal forms from your local Social Security office, from the Social Security website, www.socialsecurity.gov, or they may be requested by phone: 1-800-772-1213.

What happens at a disability hearing?

At the hearing, you will be able to meet with an administrative law judge who will know the facts of your case. You can testify about your limitations and may ask someone else to testify on your behalf. You may present the most current medical records about your condition. You can answer questions asked by the judge or your advocate. The hearing is your best chance to win your case, so it is important that you cooperate with the advocate helping you. The hearings

office has a videotape you may watch that will explain the hearing process to you.

What if I lose at the disability hearing?

If your application is denied at a hearing, you have the right to ask for a review by the Appeals Council. If that review is denied, you may file a complaint in federal court. Again, you only have 60 days to do this. Your advocate can help you decide whether an appeal is advisable.

Where can I get more information about Social Security programs?

Many answers can be found by visiting the Social Security website at www.socialsecurity.gov. You can find answers to your questions, find the address of your local Social Security office, and obtain forms. If you cannot access the website, you may also call the toll-free number: 1-800-772-1213. Hearing impaired persons may call the Social Security TTY number: 1-800-325-0778. You may also contact Utah Legal Services for representation.

Can Utah Legal Services help with my disability appeal?

Utah Legal Services is able to help eligible clients in many cases. If you want ULS to look at your case, please fill out our [online application](#) or call our intake number: 1-800-662-4245 (outside Salt Lake) or (801) 328-8891 (within the Salt Lake area) between 9 a.m. and 2 p.m., Monday through Friday.

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<http://www.utahlegalservices.org/node/54/supplemental-security-insurance-and-social-security-disability-insurance>

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