

## Are You Facing a Difficult Social Security Disability Situation?

There are many people out there that have questions about the Social Security Disability process, how it works, if they qualify and what to do. If you are not familiar with the ins and outs of the Social Security Disability process, applying for benefits can be a pretty frustrating experience. Sound familiar? Well, you are not the only one feeling frustration with the process. Here are some basic questions that we hear a lot and a few simple straight forward answers to those questions. Hopefully this will help you decide what your next step is going to be or at least where to look for help.

One question that is asked almost more than any other is "What is the difference between Social Security Disability and Supplemental Security Income?" The truth is, there is a lot of difference between them. Supplemental Security Income is commonly referred to as SSI, and Social Security Disability is referred to by the initials SSD. In reality, the only concept these two programs have in common is that they were both created for people with disabilities.

Supplemental Security Income is for those disabled persons who have either never been employed and earned money, or have not been employed enough total time to make them eligible for Social Security Disability. This is a wide group, including children, mothers or fathers who stay at home, or people who worked before they were disabled, but did not pay enough into Social Security to qualify them for SSD benefits. Supplemental Security Income is a benefit given based on income as well as disability, so if you have a spouse who makes too much money, you may be denied benefits even if you would qualify otherwise.

For SSD, when you work and pay taxes you also pay Social Security. Social Security keeps a statement on every individual that details how much money you made in the years you worked and how many "quarters" you have paid into the system. Once a person has qualified for SSD benefits, a Social Security record or statement will be provided to them annually. This statement will detail how much money you could receive if you became disabled and approved for Social Security Disability benefits. This statement also tells you your Date Last Insured often referred to as your DLI.

Q: "I would like to obtain a copy of my SSD record. How do I do this?"

A: You can contact your local Social Security Administration office and ask for a copy of this statement. You can also call the 800 number for the Social Security Administration and ask them for the pertinent information which would be how many quarters you have, what your DLI is, etc. To locate your local Social Security office, simply call 1 800 772 1213 or visit the Social Security Administrations website.

Q: "Why dont I qualify for SSD when I worked the majority of my life?"

A: This is a situation that is different for every person. Paying "quarters" into Social Security is similar in concept to paying for health insurance. A certain amount of time after you stop paying your coverage will end. This is the same for Social Security. If, for instance, you work for 30 years before retiring early, the moment you leave work you will stop paying into your Social Security account. After this, you only have a certain amount of time before your Social Security Disability coverage will end. If you find yourself in this situation, you will probably want to think about applying for Supplemental Security Income benefits.

Q: "I paid good money into the Social Security system, and now it is gone! Why cant I get it back?"

A: While you certainly have a point, the Social Security system just does not work this way. In order to be approved for Social Security Disability benefits (and get back some of the money you paid in), you must have been determined to be disabled. Paying into the system simply qualifies you for Social Security Disability.

Q: "I am already getting Social Security Disability but its not enough, I need to get more money."

A: This is often what people say and this situation is understandable. However, in the world of Social Security benefits, the idea of "getting more money" just does not exist. Social Security Disability is very "all or nothing"; you are either approved and receive your full benefits, or you are not approved and do not receive a thing. There is only so much "money" in your "account" to be withdrawn. It is similar to if you had a regular bank account that you withdrew monthly funds from, there is only so much money in that bank account and no more is being added because you are not working.

Q: "Before I went to jail, I was receiving Social Security Disability. Why do I no longer receive my benefits?"

A: When you are in jail or prison, you are a ward of the state and the state is paying for your food, clothes, and necessities. During this time, your SSD benefits will automatically stop, and you will have to apply for benefits all over again when you are released. If you find yourself in this situation, it is a good idea to speak to a lawyer or an expert in SSD laws and policies.

Q: "How long does this process take?"

A: The answer to this changes from applicant to applicant. As a general rule, pretty much every applicant will be rejected one or more times. The entire process on average can take about 2 to 5 years. If you have been going through this process and now you are facing a hearing it is beneficial for you to at least speak with a representative that knows the law for Social Security benefits. Most Social Security professionals offer a free consultation, and will let you know up front whether or not they can take on your case.

Q: "My SSD application was approved, and I have been receiving benefits. Now they tell me they paid me too much and I have to pay them back." A: Unfortunately, this really does happen, and is called an "overpayment case." There are attorneys that handle this specific situation.

If any of the above things happen to you and you do not know what your next step should be, it is time to ask. Speak to a professional who deals with SSD, and keep in mind that if one lawyer rejects your SSD case, there are others who may be willing to take it on. Shop for lawyers accordingly... some only take SSD or SSI cases, while others take all social security related cases. If you do not know how to find a [Social security lawyer](#) or who you should speak to first, there is a referral agency for lawyers who work with Social Security cases. This organization is called NOSSCR, or the

National Organization for Social Security Claimants Representatives. When you speak to NOSSCR, be sure to let them know your specific situation, such as a stoppage of payment of benefits (called a cessation), a claim of overpayment, etc., so they can refer you to the best professionals to take on your case.

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