

Eligibility and Benefits Questions for a Social Security Lawyer

Q: The SSA says they have paid me more money than they should have. What do I do?

A: Any social security lawyer will tell you that you have a few different options when you are told that you have been overpaid. Your first option is to ask the SSA for what is called a "reconsideration." You will do this when you believe that Social Security has made a mistake in considering you an overpayment. In this case, Social Security will look over your file again. If you meet with them, you may want to take a social security lawyer along, just in case.

If you do not believe that the SSA made a mistake when they calculated your overpayment, you can ask them to waive the overpayment. When you do this, you admit that you received too much money, but request to be allowed not to pay it back. Your social security lawyer will probably suggest this course if the overpayment was due to a mistake made by the SSA.

If, on the other hand, you believe that you were overpaid due to your own mistake, you will probably need to pay the money back. A social security lawyer will tell you that your best option is to speak to the SSA about scheduling payments. This will allow you to repay the money as you are able. Arent sure whether you should request a reconsideration, waiver, or payment schedule? A social security lawyer can help you make the right choice.

Q: As somebody who is legally blind, am I eligible for social security?

A: According to Social Security, "legally blind" means your vision cannot be corrected to more than 20/200. And just as with most other disabilities, the legally blind are eligible for benefits in many cases. Though its always a good idea to speak to a social security lawyer or advocate about your specific case, the same overall rules will generally apply to you as to a person with another disability.

In general, the legally blind are treated by Social Security in the exact same way as other disable persons. But some special benefits are set aside for the legally blind, as this condition is particularly disabling. You should speak to a social security lawyer about any extended benefits you can get for legal blindness.

Q: Ive heard I cant file for Social Security for 12 months after my disability. Do I have to wait?

A: No, this is not true. The SSA defines a SSD eligible disability as one that keeps you from earning a substantial gainful income. In the "small print" it goes on to say that your disability either needs to be fatal, or to have lasted or be expected to last one year or more. If you dont speak to a social security lawyer, it can be easy to assume that you have to wait until the year has passed to apply for disability. In fact, however, your social security lawyer or advocate would tell you to apply immediately after your disability begins.

About the Author

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