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SOCIAL SECURITY NEWSLETTER

This is a newsletter of interest to professionals who provide services to potential Social Security Disability and SSI Claimants.

Waiting Too Long To Apply and Appeal

Waiting Too Long to Apply

Once a claimant, through consultation with their doctor(s), has determined that they may be unable to work for a period of 12 months or more, they should file for benefits immediately. The claimant could risk losing benefits to which they are legally entitled by waiting longer than necessary to apply. If they are eligible to receive Disability Insurance Benefits, they can only recover retroactive benefits for the 12 month period prior to submitting their application for benefits. Therefore, if the claimant waits more than a year from the date they stop working to apply for benefits, they risk losing more

benefits with each month that passes. Depending on how much they have paid into Social Security over the years, this could result in a loss of thousands of dollars per month. If eligible for Supplemental Security Income, a claimant is only eligible to receive benefits from the time of their application or the month after. Therefore, it is especially important that they apply for benefits as soon as possible. Every month that they do not apply, they are losing much needed back-benefits.

Waiting Too Long (or Failing) to Appeal

If a claimant has already applied for Social Security disability benefits and they have been denied, they most likely receive a letter notifying them of this denial. Towards the end of that letter, there is a paragraph stating that the claimant has the right to appeal the denial of their case. This paragraph states that they have 60 days from the date of the letter to appeal their claim. If they fail to file an appeal on time, they may have to start the application process over from the beginning. This also means they will have to go back to the beginning of the waiting list. The claimant may also permanently lose the right to much needed back benefits. A claimant should appeal as soon as possible after consulting an attorney regarding their appeal rights.



**1-800-
LAWYER-NC**

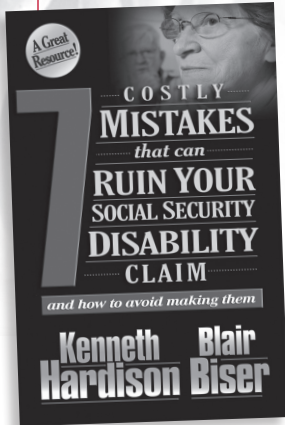
Call or visit www.asklawyernc.com and enter your questions. You will get answers by an attorney the same day, confidentially and with no obligation.

www.lawyernc.com

Training for Your Group or Office

We are available to conduct workshops or short training meetings, tailored to the needs of your office staff. **There is no charge for this.** Please call our office to make arrangements for in-service training, or talks to groups and organization on any area of Social Security Disability Law.

Social Security Disability Book For FREE



Blair Biser and Ken Hardison have written a new book to help guide Social Security claimants through the landmine of traps they face with filing Social Security Disability claims. *7 Costly Mistakes That Can Ruin Your Social Security Disability Claim and How to Avoid Making Them* is written in plain English without the legal mumbo jumbo. This book will help you learn what you should and should not do when pursuing a Social Security Disability claim.

If you or your office would like some free copies for your staff, patients or clients, please call 1-800-600-7969 and we will get you as many copies as you need.



**Do you
know
someone
who is
disabled?**

The law defines disability as the inability to do any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period not less than 12 months. To meet this definition, you must have a severe impairment, which makes you unable to do your previous work or any other substantial gainful activity which exists in the national economy.