

What You Need To Know: Reviewing Your Disability



If you receive Social Security or Supplemental Security Income (SSI) disability benefits, we will review your medical condition from time to time to make sure you continue to be disabled.

Generally, if your health has not improved, or if your disability still keeps you from working, you will continue to receive your benefits.

The review process is designed to give you every opportunity to show that you are still disabled and to assure that your benefits are not stopped incorrectly. All evidence about your condition will be completely evaluated. If you have more than one disabling condition, we will consider the combined effect of all your impairments on your ability to work.

Following are some of the most frequently asked questions about Social Security disability reviews. If you have others, contact your Social Security office.

How often will my medical condition be reviewed?

The frequency of reviews depends on the nature and severity of your medical condition and whether it is expected to improve.

- If improvement is expected, your first review generally will be six to 18 months after the date you became disabled.
- If improvement is possible, but cannot be predicted, your case will be reviewed about once every three years.
- If improvement is not expected, your case will be reviewed once every seven years.

How will I be notified of a review?

When we decide a full medical review is needed, we will send you a letter asking you to come to the Social Security office.

What happens during a review?

At the review, we will ask how your medical condition affects you and whether it has improved. We will ask you to bring your doctors' names, addresses and phone numbers and to bring patient record numbers for any hospitals and other medical sources that have treated you since we last contacted you. If you have worked since you applied for disability benefits or since your last review, we also need information about the dates you worked, the pay you received and the kind of work you did.

Who will make the disability decision?

We will send your case to the Disability Determination Services in your state. That agency makes disability decisions for Social Security. An experienced disability examiner will request medical reports from your doctors and from other places you go for treatment. The examiner and a medical consultant, who work together as a team, will carefully review all the information received for your case and then make a decision.

How will they make the decision?

In most cases, the decision will be based on the information from your doctors, hospitals or other medical sources. But, if the medical evidence is not complete or current, you may be asked to have a special examination at no cost to you. You will be notified in writing of the date, time and place.

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What if I disagree with the decision?

You can appeal the decision if you disagree with it. This means you can ask us to look at your case again to see if our decision was correct. There are four levels of appeal and, generally, you have 60 days to appeal from one level to the next. The four levels are:

- **Reconsideration**—Your case is independently reviewed by people who had no part in the original decision. You may appear before a disability hearing officer who will decide your appeal.
- **Hearing**—If you disagree with the reconsideration decision, you may request a hearing before an administrative law judge.
- **Appeals Council**—If you disagree with the administrative law judge's decision, you may ask for a review of the decision by the Appeals Council.
- **Federal court**—If you disagree with the Appeals Council decision, or if the Appeals Council decides not to review your case, you may bring a civil action in a federal court.

Under what circumstances would benefits be stopped?

Generally, cash benefits would be stopped only if the evidence shows that your medical condition has improved and that you can work on a regular basis. As long as your condition has not improved and you are not able to work, your cash benefits will continue.

What if I try to work?

Social Security has several special rules that can help if you want to work.

If you are receiving Social Security disability benefits and you have reported your work activity, you may have unlimited earnings during a trial work period of up to nine months (not necessarily in a row) and still receive full benefits. Other

rules allow cash benefits and Medicare to continue while you attempt to work on a regular basis.

If you are receiving SSI disability payments, you may continue to receive monthly payments while you work as long as your income and resources continue to be under certain limits. If your cash payments stop because your total income exceeds the SSI limits, you may still be eligible for Medicaid.

We have other programs that can help you with work expenses, training and rehabilitation. Ask your Social Security office for more information about special rules for people with disabilities who want to work.

Contacting Social Security

For more information and to find copies of our publications, visit our website at www.socialsecurity.gov or call toll-free, **1-800-772-1213** (for the deaf or hard of hearing, call our TTY number, **1-800-325-0778**). We can answer specific questions and provide information by automated phone service 24 hours a day.

We treat all calls confidentially. We also want to make sure you receive accurate and courteous service. That is why we have a second Social Security representative monitor some telephone calls.