



Social Security

What You Need To Know When You Get Social Security Disability Benefits

www.socialsecurity.gov

Contacting Social Security

Visit our website

Our website, www.socialsecurity.gov, is a valuable resource for information about all of Social Security's programs. At our website you also can:

- Apply for certain kinds of benefits;
- Find the address of your local Social Security office;
- Request a replacement Medicare card or a *Social Security Statement*;
- Ask for a letter to confirm your benefit amount; and
- Find copies of our publications.

Call our 1-800 number

In addition to using our website, you also can call us toll-free at **1-800-772-1213**. We treat all calls confidentially. We can answer specific questions from 7 a.m. to 7 p.m., Monday through Friday. We can provide information by automated phone service 24 hours a day. If you are deaf or hard of hearing, you may call our TTY number, **1-800-325-0778**.

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.

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Introduction

This booklet explains some of your rights and responsibilities when you receive disability benefits from Social Security.

We suggest you take time now to read this booklet and then put it in a safe place so you can refer to it in the future.

If you also receive Supplemental Security Income (SSI) payments, contact us for a copy of *What You Need To Know When You Get Supplemental Security Income (SSI)* (Publication No. 05-11011).

About your benefits

When your payments start

Under the law, your payments cannot begin until you have been disabled for at least five full months. Payments usually start with your sixth month of disability.

When Social Security tells you that you will be receiving disability benefit payments, the notice explains how much your disability benefit will be and when your payments start.

NOTE: *If your family members are eligible for benefits based on your work, they will receive a separate notice and booklet.*

How long payments continue

Generally, your disability benefits will continue as long as your medical condition has not improved and you cannot work. Benefits will not necessarily continue indefinitely. Because of advances in medical science and rehabilitation techniques, many people with disabilities recover from serious accidents and illnesses.

Your case will be reviewed at regular intervals to make sure you are still disabled. You are responsible for telling us **if** your medical condition improves, **if** there is any change in your ability to work or **if** you return to work.

NOTE: Other changes you need to report to us are described on pages 10-18.

If you disagree with a decision we make

If you have any questions about your payment amount or any other information we may send you, please contact us. If you disagree with a decision we make, you have the right to appeal the decision.

Your request must be in writing and delivered to any Social Security office within 60 days of the date you receive the letter containing our decision.

If you still are not satisfied, there are further steps you can take. Ask for *Your Right To Question The Decision Made On Your Claim* (Publication No. 05-10058).

You have the right to hire an attorney or anyone else to represent you. This does not mean you must have an attorney or other representative, but we will be glad to work with one if you wish. For more information about getting a representative, ask for *Your Right To Representation* (Publication No. 05-10075).

When and how your benefits are paid

Social Security benefits are paid each month. Generally, the day on which you receive your benefit depends on the birth date of the person on whose work record you receive benefits. For example, if you receive benefits as a retired or disabled worker, your benefit will be determined by your birth date. If you receive benefits as a spouse, your benefit payment date will be determined by your spouse's birth date.

Direct deposit

If you did not sign up for direct deposit when you filed for disability benefits, we strongly encourage you to do it now.

Direct deposit is a simple, safe and secure way to automatically receive your benefits. Contact your bank, savings and loan or credit union to help you sign up. Or you can sign up for direct deposit by contacting us.

If you do not have an account, you may want to consider an Electronic Transfer Account. This low-cost federally insured account lets you enjoy the safety, security and convenience of automatic payments. You can contact us or visit the website at www.eta-find.gov to get information about this program, or to find a bank, savings and loan or credit union near you offering this account.

If you receive your checks by mail

If your check is not delivered on its due date, wait three workdays before reporting the missing check to us. The most common reason checks are late is because a change of address was not reported.

If your check is ever lost or stolen, contact us immediately. Your check can be replaced, but it takes time.

To be safe, you should cash or deposit your check as soon as possible after you receive it. You should not sign your check until you are at the place where you will cash it. If you sign the check ahead of time and lose it, the person who finds it could cash it.

A government check must be cashed within 12 months after the date of the check or it will be void. After a year, if you are still entitled to the payment, we will replace the voided check.

Returning benefits not due

If you receive a check that you know is not due, take it to any Social Security office or return it to the U.S. Treasury Department at the address on the check envelope. You should write VOID on the front of the check and enclose a note telling why you are sending the check back. If you have direct deposit and receive a payment you should not have gotten, call or visit your Social Security office. We will tell you how you can return it.

If you knowingly accept payments that are not due you, you may face criminal charges.

Paying taxes on your benefits

Some people who get Social Security have to pay taxes on their benefits. About one-third of our current beneficiaries pay taxes on their benefits. You will be affected only if you have substantial income in addition to your Social Security benefits.

- If you file a federal tax return as an “individual” and your income is more than \$25,000, you have to pay taxes.
- If you file a joint return, you may have to pay taxes if you and your spouse have a combined income that is more than \$32,000.
- If you are married and file a separate return, you will probably pay taxes on your benefits.

For more information, contact the Internal Revenue Service.

How we will contact you

Generally, we use the mail or call you on the phone when we want to contact you, but sometimes a Social Security representative may come to your home. Our representative will show you identification before talking

about your benefits. It is a good idea to call the Social Security office to ask if someone was sent to see you before you let the representative into your home.

Cost-of-living adjustments

Each January, your benefits will increase automatically if the cost of living has gone up. For example, if the cost of living has increased by 2 percent, your benefits also will increase by 2 percent. If you receive your benefits by direct deposit, we will notify you in advance of your new benefit amount. If you receive your benefits by check, we will include a notice explaining the cost-of-living adjustment with your check.

When you reach full retirement age

If you are receiving Social Security disability benefits, your disability benefits automatically convert to retirement benefits, but the amount remains the same.

If you also receive a reduced widow(er)'s benefit, be sure to contact Social Security when you reach full retirement age so that we can make any necessary adjustment in your benefits.

***NOTE:** For more information about full retirement age, ask for Retirement Benefits (Publication No. 05-10035).*

Other benefits you may be able to get

Supplemental Security Income (SSI)

If you have limited income and resources, you may be able to get SSI. SSI is a federal program that provides monthly payments to people age 65 or older and to people who are blind or disabled. If you get SSI, you also may be able to get other benefits, such as Medicaid and food stamps.

For more information about SSI, ask for *Supplemental Security Income (SSI)* (Publication No. 05-11000).

A word about Medicare

After you receive disability benefits for 24 months, you will be eligible for Medicare. You will get information about Medicare several months before your coverage starts. If you have permanent kidney failure requiring regular dialysis or a transplant or you have amyotrophic lateral sclerosis (Lou Gehrig's disease), you may qualify for Medicare almost immediately.

Help for low-income Medicare beneficiaries

If you get Medicare and have low income and few resources, your state may pay your Medicare premiums and, in some cases, other "out-of-pocket" medical expenses such as deductibles and coinsurance. Only your state can decide if you qualify. To find out if you do, contact your state or local welfare office or Medicaid agency. Also, more information is available from the Centers for Medicare & Medicaid Services (CMS). Ask for *If you need help paying Medicare costs, there are programs that can help you save money* (CMS Publication No. 10126) by calling the Medicare, toll-free number, **1-800-MEDICARE (1-800-633-4227)**. If you are deaf or hard of hearing, you may call TTY **1-877-486-2048**.

Food stamps

You can get a food stamp application and information at any Social Security office. Or contact us and ask for *Food Stamps And Other Nutrition Programs* (Publication No. 05-10100) or *Food Stamp Facts* (Publication No. 05-10101).

What you must report to us

It is important to notify us promptly—either in person, by phone or by mail—whenever a change occurs that could affect your benefits. The changes you need to report to us are described on pages 10-18.

Family members receiving benefits based on your work also should report events that might affect their payments.

Information you give to another government agency may be provided to Social Security by the other agency, but you also must report the change directly to us.

NOTE: *If we find that you gave us false information on purpose, your benefits will be stopped. For the first violation, your benefits will be stopped for six months; for the second violation, 12 months; and for the third, 24 months. Also, if you do not report a change, it may result in your being paid too much. If you are overpaid, you will have to repay the money.*

Have your claim number handy when you report a change. If you receive benefits based on your own work, your claim number is the same as your Social Security number followed by the letters “HA.” If you receive benefits on someone else’s work, your claim number will be the other person’s Social Security number followed by a different letter. The award notice you received when your benefits started shows your claim number. You also should be prepared to give the date of the change, and, if different, the name of the person about whom the report is made.

If you work while receiving disability payments

You should tell us if you take a job or become self-employed, no matter how little you earn. If you are still disabled, you will be eligible for a trial work period, and you can continue receiving benefits for up to nine months. Also, tell us if you have any special work expenses because of your disability (such as specialized equipment, a wheelchair or even some prescription drugs) or if there is any change in the amount of the expenses.

If you receive other disability benefits

Social Security benefits for you and your family may be reduced if you also are eligible for workers' compensation (including payments through the black lung program) or for disability benefits from certain federal, state or local government programs. You must tell us if:

- You apply for another type of disability benefit;
- You receive another disability benefit or a lump-sum settlement; or
- Your benefits change or stop.

If you are offered services under the Ticket to Work Program

Social Security may send you a Ticket that you can use to obtain services to help you go to work or earn more money. You may take the Ticket to your state vocational rehabilitation agency or to an Employment Network of your choice. Employment Networks are private organizations that have agreed to work with Social Security to provide employment services to beneficiaries with disabilities. Your participation in the Ticket Program is voluntary and the services are

provided **at no cost to you**. For more information, ask us for a copy of *Your Ticket To Work* (Publication No. 05-10061).

If you move

When you plan to move, tell us your new address and phone number as soon as you know them. Also please let us know the names of any family members who are getting benefits and are moving with you. Even if you receive your benefits by direct deposit, we must have your correct address so we can send letters and other important information to you. Your benefits will be stopped if we are unable to contact you. You can change your address at our website, [**www.socialsecurity.gov/changeaddress.html**](http://www.socialsecurity.gov/changeaddress.html).

Be sure you also file a change of address with your post office.

If you change direct deposit accounts

If you change financial institutions or open a new account, be sure to say that you want to sign up for direct deposit. You also can change your direct deposit online if you have a personal identification number and a password. Or, we can change your direct deposit information over the telephone. Have your new and old bank account numbers handy when you call us. They will be printed on your personal checks or account statements. It takes about 30-60 days to change this information. Do not close your old account until after you make sure your Social Security benefits are being deposited into the new account.

If you are unable to manage your benefits

Sometimes people are unable to manage their money. When this happens, Social Security should be notified. We can arrange to send benefits to a relative or other person who agrees to use the money to take

care of the person for whom the benefits are paid. We call the person who manages someone else's benefits a "representative payee." For more information, ask for *A Guide For Representative Payees* (Publication No. 05-10076).

***NOTE:** People who have "power of attorney" for someone do not automatically qualify to be the person's representative payee.*

If you get a pension from work not covered by Social Security

If you start receiving a pension from a job for which you did not pay Social Security taxes—for example, from the federal civil service system, some state or local pension systems, nonprofit organizations or a foreign government—your Social Security benefit may be reduced. Also, tell us if the amount of your pension changes.

If you get married or divorced

If you get married or divorced, your Social Security benefits may be affected, depending on the kind of benefits you receive.

If your benefits are stopped because of marriage or remarriage, they may be started again if the marriage ends.

If you get:	Then:
Your own disability benefits	Your benefits will continue.
Spouse's benefits	Your benefits will continue if you get divorced and you are age 62 or over unless you were married less than 10 years.
Disabled widow's or widower's benefits (including disabled divorced widow's and widower's benefits)	Your benefits will continue if you remarry when you are age 50 or older.
Any other kind of benefits	Generally, your benefits will stop when you get married. Your benefits may be started again if the marriage ends.

If you change your name

If you change your name—by marriage, divorce or court order—you need to tell us right away. If you do not give us this information, your benefits will be issued under your old name and, if you have direct deposit, payments may not reach your account. If you receive checks, you may not be able to cash them if your identification is different from the name on your check.

If you care for a child who receives benefits

If you receive benefits because you are caring for a disabled worker's child who is younger than age 16 or disabled, you should notify us right away if the child leaves your care. You must give us the name and address of the person with whom the child is living.

A temporary separation may not affect your benefits if you continue to have parental control over the child, but your benefits will stop if you no longer have responsibility for the child. If the child returns to your care, we can start sending your benefits to you again.

Your benefits usually stop when the youngest, unmarried child in your care reaches age 16, unless the child is disabled.

If you become a parent after entitlement

If you become the parent of a child after entitlement (including an adopted child) let us know so that we may determine if the child qualifies for benefits.

If a child receiving benefits is adopted

When a child who is receiving benefits is adopted by someone else, let us know his or her new name, the date of the adoption decree, and the adopting parent's name and address. The adoption will not cause the child's benefits to stop.

If you have an outstanding warrant for your arrest

You must tell us if you have an outstanding arrest warrant for:

- A crime that is a felony under the laws of the state in which you live; or
- A crime punishable by death or imprisonment for more than one year in states that do not classify crimes as felonies.

You cannot receive disability benefits for any months in which there is an outstanding arrest warrant for a crime that is a felony (or a crime that is punishable by death or imprisonment for more than one year).

If you are convicted of a crime

Tell Social Security right away if you are convicted of a crime. Benefits generally are not paid for the months a person is confined for a crime, but any family members who are eligible for benefits based on that person's work may continue to receive benefits.

Benefits usually are not paid to someone who commits a crime and is confined to an institution by court order and at public expense. This applies if the person has been found:

- Not guilty by reason of insanity or similar factors (such as mental disease, mental defect or mental incompetence); or
- Incompetent to stand trial.

If you violate a condition of parole or probation

You must tell us if you are violating a condition of your probation or parole imposed under federal or state law. You cannot receive disability benefits for any month in which you violate a condition of your probation or parole.

If you leave the United States

If you are a U.S. citizen, you can travel to or live in most foreign countries without affecting your Social Security benefits. There are, however, a few countries where we cannot send Social Security payments. These countries are Azerbaijan, Belarus, Cuba, Cambodia, Georgia, Kazakstan, Kyrgyzstan, Moldova, North Korea, Tajikistan, Turkmenistan, Ukraine, Uzbekistan and Vietnam.

Let us know if you plan to go outside the United States for a trip that lasts 30 days or more. Tell us the name of the country or countries you plan to visit and the date you expect to leave the United States.

We will send you special reporting instructions and tell you how to arrange for your benefits while you are away. Be sure to notify us when you return to the United States.

If you are not a U.S. citizen and you return to live in the United States, you must provide evidence of your noncitizen status in order to continue receiving benefits. If you work outside the United States, different rules apply in determining whether you can get your benefits.

For more information, ask any Social Security office for a copy of *Your Payments While You Are Outside The United States* (Publication No. 05-10137).

If your citizenship status changes

If you are not a U.S. citizen, let us know if you become a U.S. citizen or if your noncitizen status changes. If your immigration status expires, you must give us new evidence that shows you continue to be in the United States lawfully.

If a beneficiary dies

Let us know if a person receiving Social Security benefits dies. Benefits are not payable for the month of death. That means if the person died any time in July, for example, the check received in August (which is payment for July) must be returned. If direct deposit is used, also notify the financial institution of the death as soon as possible so it can return any payments received after death.

Family members may be eligible for Social Security survivors benefits when a person getting disability benefits dies.

If you are receiving Social Security and Railroad Retirement benefits

If you are receiving both Social Security and Railroad Retirement benefits based on your spouse's work and your spouse dies, you must tell us immediately. You no longer will be eligible to receive both benefits. You will be notified which survivor benefit you will receive.

Benefits for children

If you are receiving benefits on behalf of a child, there are important things you should know about his or her benefits.

When a child reaches age 18

A child's benefits stop with the month before the child reaches age 18, unless the child is disabled or is a full-time elementary or secondary school student and unmarried. About three months before the child's 18th birthday, you will get a letter explaining how benefits can continue. We also will send the child a letter and a student form.

If your child's benefits stopped at age 18, they can start again if he or she becomes disabled before reaching age 22 or becomes a full-time elementary or secondary school student before reaching age 19. The student needs to contact us to reapply for benefits.

If your 18-year-old child is still in school

Your child can receive benefits until age 19 if he or she continues to be a full-time elementary or secondary school student. When your child's 19th birthday occurs during a school term, benefits usually can continue until completion of the term, or for two months following the 19th birthday, whichever comes first.

You should tell us immediately if your child marries, is convicted of a crime, drops out of school, changes from full-time to part-time attendance, is expelled, suspended or changes schools. You also should tell us if your child has an employer who is paying for your child to attend school.

In general, a student can keep receiving benefits during a vacation period of four months or less if he or she plans to go back to school full time at the end of the vacation.

If your child is disabled

Your child can continue to receive benefits after age 18 if he or she has a disability that begins before age 22. Your child also may qualify for SSI disability benefits. Contact us for more information.

If you have a stepchild and get divorced

If you have a stepchild who is getting benefits based on your work and you divorce the child's parent, you must tell us as soon as the divorce becomes final. Your stepchild's benefit will stop the month after the divorce becomes final.

Reviewing your medical condition

All people receiving disability benefits must have their medical conditions reviewed from time to time. Your benefits will continue unless there is strong proof that your condition has improved medically and that you are able to return to work.

Frequency of reviews

How often your medical condition is reviewed depends on how severe it is and the likelihood it will improve. Your award notice tells you when you can expect your first review.

- Medical improvement expected—if your condition is expected to improve within a specific time, your first review will be six to 18 months after you started getting disability benefits.
- Improvement possible—if improvement in your medical condition is possible, your case will be reviewed about every three years.
- Improvement not expected—if your medical condition is unlikely to improve, your case will be reviewed only about once every five to seven years.

What happens during a review?

We will send you a letter telling you that we are conducting a review. Soon after that, someone from your local Social Security office will contact you to explain the review process and your appeal rights. The Social Security representative will ask you to provide information about your medical treatment and any work that you may have done.

A team consisting of a disability examiner and a doctor will review your file and request your medical reports. You may be asked to have a special examination. We will pay for the examination and some of your transportation costs.

When a decision is made, we will send you a letter. If we decide that you still are disabled, your benefits will continue.

If we decide you no longer are disabled and you disagree, you can file an appeal. If you decide not to appeal the decision, your benefits will stop three months after we decide that your disability ended.

For more information, ask us for a copy of *Your Right To Question The Decision To Stop Your Disability Benefits* (Publication No. 05-10090).

Helping you return to work

After you start receiving disability benefits, you may want to try working again. There are special rules called “work incentives” that can help you keep your cash benefits and Medicare while you test your ability to work. For more information about the ways we can help you return to work, ask for *Working While Disabled—How We Can Help* (Publication No. 05-10095). More detailed information about work incentives can be found in our *Red Book* (Publication No. 64-030). Also visit our website, www.socialsecurity.gov/work.

Protection of your personal information

Social Security keeps personal and confidential information—names, Social Security numbers, earnings records, ages and beneficiary addresses—for millions of people. Generally, we will discuss your information only with you. When you call or visit us, we will ask you several questions to help us verify your identity. If you want someone else to help with your Social Security business, we need your permission to discuss your information with that person.

We urge you to be careful with your Social Security number and to protect its confidentiality whenever possible.

We are committed to protecting the privacy of your records. When we are required by law to give information to other government agencies that administer health or welfare programs, such as Medicaid and food stamps, those agencies are not allowed to share that information with anyone else.

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