

Disability Benefits For Wounded Warriors



Military service members can receive expedited processing of disability claims from Social Security. Benefits available through Social Security are different than those from the Department of Veterans Affairs and require a separate application.

The expedited process is used for military service members who become disabled while on active military service on or after October 1, 2001, regardless of where the disability occurs.

The following are answers to questions most people ask about applying for disability benefits. Knowing the answers to these questions will help you understand the process.

What types of benefits can I receive?

Social Security pays disability benefits through two programs: the Social Security disability insurance program, which pays benefits to you and certain members of your family if you are “insured,” meaning that you worked long enough and paid Social Security taxes; and the Supplemental Security Income (SSI) program, which pays benefits based on financial need.

This fact sheet is about the Social Security disability program. For more information about the Social Security disability program, ask for *Disability Benefits* (Publication No. 05-10029). For information about the SSI disability program for adults, ask for *Supplemental Security Income* (Publication No. 05-11000).

These publications also are available online at www.socialsecurity.gov/woundedwarriors.

What is Social Security’s definition of disability?

By law, Social Security has a very strict definition. To be found disabled:

- You must be unable to do substantial work because of your medical condition(s); and
- Your medical condition(s) must have lasted, or be expected to last, at least one year or be expected to result in death.

While some programs give money to people with partial disability or short-term disability, Social Security does not.

How does military pay affect eligibility for disability benefits?

You cannot engage in substantial work activity for pay or profit, also known as substantial gainful activity. **Active duty status and receipt of military pay does not, in itself, necessarily prevent payment of disability benefits.** Receipt of military payments should never stop you from applying for disability benefits from Social Security. If you are receiving treatment at a military medical facility and working in a designated therapy program or on limited duty, we will evaluate your work activity to determine your eligibility for benefits. The actual work activity is the controlling factor and not the amount of pay you receive or your military duty status.

How do I apply?

You may apply for disability benefits at any time while in military status or after discharge, whether you are still hospitalized, in a rehabilitation program or undergoing out-patient treatment in a military or civilian medical facility. You may apply online at www.socialsecurity.gov/woundedwarriors, in person at the nearest Social Security office, or by telephone. You may call **1-800-772-1213** to schedule an appointment. If you are deaf or hard of hearing, you may call our TTY number, **1-800-325-0778**. Online we have a “disability starter kit” available to help you complete your application.

What do I need to apply?

Claimants and their representatives must provide information and documentation about age, employment, proof of citizenship, Social Security coverage and information regarding all impairments and related treatment. Social Security will make every reasonable effort to help you get the necessary medical evidence.

Important: You should file the application for disability benefits as soon as possible with any documents readily available. **Do not delay filing because you do not have all the documents mentioned below.**

- Original or certified copy of your birth certificate or proof of U.S. citizenship or legal residency if foreign born;

(over)

- Form DD 214, if discharged from the military service;
- W-2 Form or income tax return from last year;
- Military or workers' compensation to include proof of payment;
- Social Security numbers of your spouse and minor children;
- Checking or savings account number, if you have one;
- Name, address and phone number of a contact person, in case you are unavailable; and
- Medical records that you have and/or that you can easily obtain from all military and civilian sources.

How does Social Security make the decision?

Your claim is sent to a state Disability Determination Services (DDS) office that makes disability decisions. The state has medical and vocational experts who will contact your doctors and other places where you received treatment to get your medical records. The state agency may ask you to have an examination or medical test. You will not have to pay the costs of any additional exams or tests you are asked to take. If the state does request an examination, **make sure you keep the appointment.**

How long does it take for a decision?

The length of time it takes to receive a decision on your disability claim can vary, depending on several factors, but primarily on:

- The nature of your disability;
- How quickly we obtain medical evidence from your doctor or other medical source; and
- Whether it is necessary to send you for a medical examination in order to obtain evidence to support your claim.

Can I do anything to speed the decision?

Yes. You can speed the decision by being prepared for your interview and having information available regarding all the doctors you have seen and your work history. It is very important that you notify Social Security of any address changes that you have while we are working on your claim or any changes in doctors, hospitals or outpatient clinics where you are receiving treatment. This will help to prevent delays.

After the application for Social Security disability benefits is received, it is uniquely identified as a military service member claim, and it is expedited through all phases of processing, both in Social Security and the DDS. Disability claims filed online also are expedited.

Can my family get benefits?

Certain members of your family may qualify for benefits based on your work. They include:

- Your spouse, if he or she is age 62 or older;
- Your spouse, at any age, if he or she is caring for a child of yours who is younger than age 16 or disabled;
- Your unmarried child, including an adopted child, or, in some cases, a stepchild or grandchild. The child must be younger than age 18 or younger than age 19 if in elementary or secondary school full time; and
- Your unmarried child, age 18 or older, if he or she has a disability that started before age 22. (The child's disability also must meet the definition of disability for adults.)

NOTE: *In some situations, a divorced spouse may qualify for benefits based on your earnings if he or she was married to you for at least 10 years, is not currently married and is at least age 62. The money paid to a divorced spouse does not reduce your benefit or any benefits due to your current spouse or children.*

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 from 7 a.m. to 7 p.m., Monday through Friday. We can 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.