

## Applying for Supplemental Security Disability Insurance (SSDI) and Social Security Income (SSI)

*This article is the first in our new Summer Series lineup that will take you through the ins and outs of some common government benefits programs that many people utilize post-brain injury, including SSDI, SSI, Medicaid, Medicare, and more!*

Living with brain injury can be hard. Getting Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) can also be difficult. Having a brain injury and qualifying for either can be a rocky road...if you do it alone.

As part of our summer series to help you navigate your way through these complicated systems, the Brain Injury Alliance of Arizona (BIAAZ) is giving you the inside track on how to increase your chances of receiving SSDI and SSI benefits.

If you have personally experienced a brain injury, something you likely already know is the process and time it takes to receive assistance through these types of government programs can often be long and convoluted. Knowing the proper steps to take can help save you from additional stress and headaches.

The first part of the process involves determining your eligibility. You must have a medical condition that meets the Social Security Administration's (SSA) definition of disability; benefits only go to those with a severe, long-term, total disability.

According to the SSA, "severe" means your condition must interfere with basic work-related activities and has lasted, or is expected to last, at least one year. Total disability means you can't perform "substantial gainful activity" (SGA) for at least one year.

If you're currently working, your income cannot exceed the following financial thresholds in order to qualify for disability benefits:

- \$1,260/month for applicants with disabilities
- \$2,110/month for applicants who are blind

If you earn more than these amounts, the SSA will determine your disability is not sufficiently inhibitive for you to receive disability benefits. Note: These threshold amounts are for the 2020 fiscal year only. Along with the amount SSDI awards to recipients, these can change from year to year.

To find out if you qualify for SSDI benefits, review the approved conditions on this list of [Impairments, Medical Conditions, and Problems](#). Neurological issues such as brain tumors, traumatic brain injuries, and epilepsy are examples of qualifying conditions. Then, work closely with your medical team to ensure you are able to provide ongoing documentation of your disability, including for doctor's visits, medical tests, imaging, psychology reports, therapies (like speech, occupational, physical, etc.), surgeries, and hospital stays.

It is crucial to begin the application process as close to the onset of the injury as possible, which requires the completion of both the SSDI and SSI applications at the same time. Yes, you read that correctly — both applications need to be completed at the same time.

The amount of information required on the forms can be extremely overwhelming, especially for someone dealing with the complications of a brain injury, but you can access the SSA's [Disability Checklist](#) to find out what you'll need to have ready in advance. To ensure the process goes as smoothly as possible, it is advisable to contact a professional, such as an SSA administrator or SSDI/SSI attorney. The BIAAZ's Resource Facilitation team can help connect you with these types of resources.

After you submit your applications, the SSA will begin the approval process by examining your finances and work history. If you don't receive a non-medical ("technical") denial, you advance to the next stage, where a disability examiner puts your application through a five-step medical evaluation.

This round typically takes six-to-eight months, with a rejection rate of about 85%. However, don't give up if you're denied, as you have an opportunity to appeal the decision. During the appeals process, it can be especially beneficial to consult with your legal counsel and have them advise you regarding next steps.

The initial appeal is referred to as a “reconsideration,” where the original claim is reviewed. This process can take an additional six-to-eight months. Most reconsiderations are also denied, but there is further recourse available, including requesting a hearing with an Administrative Law Judge. If a claim is denied at this hearing, you can request a review through the SSA Appeals Council, and after that, by the federal court. The bad news? If you don’t appeal, you will have to re-apply if you decide down the road you want to try again to obtain benefits, meaning the whole process starts over. The good news? You can apply an infinite number of times.

More good news: When you are eventually approved, you will receive back payments from the onset date of your injury/illness, the date your inability to work began. The “alleged onset date (AOD)” is the date you can claim on the Social Security application and determines your first day of disability benefits.

Bottom line: Start applying for disability benefits, preferably with a professional, right away. It may not reduce your frustration of a potential two-year wait, but at the very least, it will help expedite the process. Most attorneys will not ask for payment to take your case upfront, instead, they will receive a percentage of the back payments you receive once you’re approved for benefits.

Remember, you don’t have to struggle through this process alone. BIAAZ is available for guidance, as well as free resources for all survivors of brain injury, their families, caregivers, and professionals.

If you have any questions about how to navigate the SSDI/SSI maze, you don’t have to wait for the next installment of this Summer Series. Just email your inquiries directly to [resources@biaaz.org](mailto:resources@biaaz.org) or [outreach@biaaz.org](mailto:outreach@biaaz.org), or call the BIAAZ office at 1-888-500-9165.

*Note: The information presented in this article is not intended to be comprehensive and is not official legal advice. Its purpose is to provide you with insights and direction to help you access the resources most appropriate to your individual*

*situation. Always consult a lawyer who specializes in SSDI/SSI and brain injury regarding legal documentation and questions.*