

Stop Letting Social Security Disability Cheat You Out of the Benefits You Deserve

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By FIRE FOXX

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After Mary's failed back surgery, her doctor told her he'd support her claim for disability. His eyes were comforting and Mary felt like she'd finally found someone who understood the pain she was in. She'd already gone through years of undiagnosed Fibromyalgia. Some days she even had sneaking thoughts of suicide– at least then it wouldn't hurt so much.

Mary's doctor told Social Security that she was indeed disabled and could not work. So, Mary waited... and waited... and waited.

She borrowed money from friends. She assured them her doctor had promised her she was qualified. Even the Social Security representative who took her application could see that she could barely bend and walked with a noticeable limp. In fact, he'd commented on it.

Mary had paid into the system, and now– unfortunately– Mary needed help. Rent was behind, she was already on food stamps... who would hire her in her condition anyway?

Months went by with no word, until FINALLY. The letter from Social Security arrived. When Mary read the letter she almost fainted. **THEY HAD DENIED HER!**

Mary had not taken the time to read the Social Security website at <http://www.ssa.gov/>. If she had, she would have been able to put some personal information into one of their calculators <http://best.ssa.gov/> and determine if she was eligible for any of their disability programs. Had she read the website, she would have known that it takes more than your doctor saying you're disabled to get on disability benefits.

The sad fact is 3 out of 10 of today's 20 year olds will become disabled before reaching the age of 67. And if you are one of the unfortunate who need to apply, it can take 3–6 months for a decision. And... if you are granted benefits, you may be asked to serve a 5–month waiting period **BEFORE** you can get

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any benefits at all! And those benefits are NOT always retroactive!

There are many reasons why your claim can be delayed or denied, but you will waste valuable time if you don't go in well informed. While it may be a complex program to understand, you can arm yourself with the basics before launching into a prolonged wait that could end up in further poverty and humiliation.

Some people prefer to ask a qualified attorney to handle their claim, but if you take the time to read the Social Security website, you will see that the information is laid out very logically, is easy to understand and tries to answer all your questions in an open and honest way. Your chances of being allowed disability benefits is NOT increased if you use an attorney– that is simply NOT true. However, if you appeal the decision to higher levels of law, then an attorney would be helpful.

There are 10 top reasons your claim is likely to be denied by Social Security.

You are not insured for disability benefits (SSD). You have to work a certain amount of years to be eligible and your insurance can lapse. This one is like car insurance. The company doesn't continue to insure you if you don't continue to make the premiums.

And ... the amount you may get on a monthly basis may be such a paltry amount, that you couldn't possibly live on it. It is not based on what you need to live, it is based on how much you paid in. So if you're a 20–yr–old worker who has only paid in since age 18, you will not get much money at all. AND, since you are a young person, your claim may be reviewed more often to see if you are well enough to work again.

You are not eligible because of your income and resources (SSI). This program is based on your financial need. If you have substantial assets, you'll probably be denied. If your spouse works and you do not live within certain poverty guidelines– you will probably be denied. The decision as to whether you are eligible begins with the income and resources in your household.

Then, if you are found eligible and are approved benefits, the average monthly check will only be about \$550 dollars. That is, unless your state supplements your check. But even so, it wouldn't be for much more.

Your impairment, while severe, does not meet the criteria for severity as recognized by Social Security. You can see the actual criteria Social Security uses to determine the severity of impairments by looking at THE BLUE BOOK online <http://www.ssa.gov/disability/professionals/bluebook/index.htm>. The Blue Book specifies EXACTLY how severe a certain impairment must be before you are considered severe enough. The Blue Book is available for the public to view on the Social Security website (NOTE: The Blue Book is written with the professional in mind, so be aware that you could misinterpret or not fully understand parts of it.)

Your impairment is severe, but not likely to last 12 months or end in death. Let's say you had a bad car accident and broke both legs, preventing you from working as an auto mechanic. Chances are,

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fractures are going to heal within 12 months and you will be denied. Social Security disability benefits are for more permanent impairments.

Plus, they don't give you 10% or 40% disability like some insurances do. And other insurance companies often use different criteria for deciding if you're disabled. That means, just because the Veterans Administration or Worker's Comp has found you disabled— that does not always mean Social Security will find you disabled.

You're working and earning a substantial amount. This is obvious, but some people are under the impression they can continue to work while applying for benefits. This is simply not true, unless you earn less than \$810 a month and the work is not worth more than that in the national economy. There are also those who think they can work under the table.

Social Security has an interesting part of their site

<http://www.ssa.gov/oig/investigations/caseofmonth/caseofmonth.htm> devoted to fraud and the active surveillance and investigation that goes into claims. They also include some colorful stories of how they uncover fraud. There are often fines, restitution and sometimes prison time that some have had to serve due to fraudulent claims.

You are a fugitive felon. Most people would know enough not to apply for government benefits when they are wanted for a felony— but... apparently it happens. And when it does, you will be reported to police agencies.

Also under this category would be those who are injured or become disabled in the course of committing a felony.

And finally, if you are in a correctional institution. You are NOT eligible for Social Security benefits while serving time.

You change your address and phone number and don't alert the Social Security office. Makes sense if they can't find you then you are going to be denied on a technicality.

Similar technicalities involve not completing the paperwork fully or properly. It cannot be stressed enough that you MUST, absolutely, complete the paperwork according to the instructions and within the specified time frame. If they ask you for a list of ALL your doctors, you need to list ALL you doctors. If they say list ALL your jobs for 15 years, you list ALL your jobs for the past 15 years. Each piece of paper Social Security sends you is critical. It needs a response from you. This is not the time to procrastinate or do something halfway. You MUST, MUST , MUST get this part right. You generally have 10 days to return forms. This means 10 days from when it was mailed from Social Security, NOT 10 days after you receive it. And you need to list ALL doctors, clinics, hospitals— everyone you have seen for your condition. Give full names, addresses and phone numbers. Use the internet, phone book or do your own research— but if they can't find these places, they won't have the records. And a decision could be made on only half the story.

It is YOUR responsibility to prove you are disabled. It is NOT Social Security's responsibility to prove you disabled. This is YOUR claim and it is YOU who needs to step up and take charge. A poor memory is not a reasonable excuse. You can enlist the help of a third party, but it is ultimately your responsibility.

If you can't remember your jobs for the past 15 years, call the Social Security office and request a

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printout of all your jobs for the past 15 years. This will help jog your memory so you can describe each job. Just because Social Security already knows you worked at McDonalds in 1990, that doesn't mean they know what job you performed there. It would take a different set of skills to be the cook versus the manager.

And don't assume Social Security knows what a cook has to lift and carry and how much they have to bend— this must be described by YOU. Only YOU know how this job was performed.

Decisions are made based on function and not necessarily always a diagnosis. Social Security always looks at what you can still do despite your impairment. Shocking as it may seem, a diagnosis of cancer will not always get you allowed for Social Security disability benefits. Your doctor can write a letter explaining that you will be undergoing chemotherapy and radiation for breast cancer for the next several months, and say outright you are unable to work— and your claim can still be denied. There are many reasons for this, but it has a lot to do with the type of cancer and your prognosis for survival. While you may be disabled and unable to work 11 of those months, by the 12th month you may be able to perform a very sedentary job. Therefore, you will likely be found not disabled.

While we're on this subject, although a letter from your doctor is helpful, most doctors don't know how to write an effective letter to Social Security. If your doctor has agreed to write you a letter, it must contain your functional capacity despite your impairment. That means, it must spell out exactly how much you can lift/ carry, stand/walk, etc. Your doctor should follow the format outlined in the Dictionary of Occupational Titles, which is also online <http://www.oalj.dol.gov/libdot.htm>

Your doctor must be able to support his/her opinion with objective findings that support that opinion. Generally, that means he/she needs to send all chart notes, tests, exams, etc. His/ her opinion should be one that would be a reasonable conclusion based on your diagnosis and remaining functional capacity. Sad as this may sound, if you can still sit and push a button— you may not be disabled according to Social Security guidelines.

Additionally, your doctors need to have the credentials recognized by Social Security. Generally, that means an MD or DO for physical problems and a PHD or PSYD for mental problems. There are others, depending on the impairment— which you can look up on the SSA website.

You fail to attend a Consultative Exam scheduled by Social Security. Be prepared to be examined by an independent Medical Examiner. Social Security will inform you if they want you to attend an exam. You **MUST** attend this exam and cooperate fully— or your claim will likely be denied. This exam is not for treatment, it is only to examine you so that Social Security can make an accurate decision on your claim.

This examiner will share those results with Social Security. The usual doctor—patient relations will not be established and your confidentiality is compromised by the fact that Social Security will have access to these exam results. If you cannot make this appointment, for whatever reason, you need to call SSA right away and reschedule.

So, there you have it— 10 top ways to get denied right out of the gate. Of course, there are occasional exceptions to the above, but generally this is how it works. Fail this test and you will find yourself holding a denial letter in your hand and wondering "WHY?"

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How Social Security makes disability decisions is not mysterious. In fact, the information is more readily available to the public than how the search engines really rank websites.

There is a myth that says you have to apply for benefits 3 times before being approved. This is absolutely NOT TRUE. This myth has been perpetuated because it generally takes 3 tries before an applicant understands how to maneuver the system (or the applicant's condition worsens, he/she ages or there are other vocational factors that change). And that's not because it's hard, it's because they don't take the time to get informed about the program and process.

Not getting properly prepared is like trying to run the Boston Marathon without any previous training. You are generally going to fail and be sorely disappointed.

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Social Security Disability Secrets

By Nashville

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DisabilitySecrets.com aims to distribute crucial information on the important processes in getting your claim for disability and ssi benefits. We all know how hard it is to apply for disability and ssi benefits since Social Security has an unclear and not understandable procedures. This is the reason why DisabilitySecrets.com has joined the rapid explosion of websites due to the fast-rising Internet technology.

When we look for similar sites and enter the keyword "social security disability" using different search engines, millions of numerous pages pop out. However, they are only related to the topic in some way but not wholly. Usually, the first twenty websites that will come out in that search will fall into categories namely: government websites, companies selling books, law firms soliciting for services, and websites whose focus is a specific impairment such as diabetes or congestive heart failure.

These generated sites will typically offer substantial information about social security disability or ssi benefits. Practically, none will explain in detail how the disability process actually works, particularly from the vantage point of someone who has processed cases. And, being more informed about the mechanics of the claim evaluation process can help you in making decisions for yourselves and can even take steps to be ready for a lengthy and tedious process. Therefore, there is really a need for websites that will serve this purpose - one of which is DisabilitySecrets.com.

However, with DisabilitySecrets.com, the information in this website can definitely help you understand how to apply for benefits with the Social Security Administration (SSA), how the system works, what SSA doesn't tell you about the application and appeal process, what you can do on your own to help

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your case, and what you should never do that might potentially harm your case. These are the things that you must get from SSA but almost never will and DisabilitySecrets.com is delivering them for you.

According to statistics, 70% of all disability benefit claims are denied at application. This only means that you have to learn everything about the benefit approval system to better your chances of winning the claim, with or without the help of an attorney or non-attorney representative.

See it, guys, that's how important DisabilitySecrets.com is for those people who deserve to receive their claims for disability and ssi benefits. And, this site aims to help you in looking for competent and experienced disability examiners who will assist you in the entire process.



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