

7 Mistakes to Avoid When Filing for Social Security Disability

Most people filing for Social Security Disability Insurance (SSDI) benefits can expect their initial claim to be denied. If they appeal – even if they are successful – they'll still go through several additional steps and may wait two years or longer before they ever see a disability payment.

Here are some common mistakes and advice that may improve your chances for a faster, favorable Social Security Disability Insurance decision.

1. Going into the process uneducated.

Some people believe it's just a matter of filling out a few forms, sending them in and waiting for their checks. You would be surprised to find out just how complicated the process really is. The Social Security Administration follows a five-step sequential evaluation process to determine if an individual qualifies for disability benefits.

- You must not be gainfully employed, which for 2013, is defined as earning more than \$1,040 a month,
- Your condition is severe, meaning it interferes with basic activities of work,
- Your condition is on the Social Security Administration's list of disabling conditions and you will be disabled for more than a year,
- You are not able to do the work you had been doing before the impairment, and,
- You can't perform any other type of work.

The first two criteria must be met before the Social Security Administration will even consider your claim.

For example - If you're a 40-year-old ironworker who hurt your back, the Social Security Administration may find that you are not disabled if you can do desk work. You may not think you can, but if you don't provide compelling information on why you can't, they will deny your claim.

2. Going at it alone.

Those who apply for Social Security Disability Insurance benefits without representation are more likely to have their claim denied.

The average person isn't experienced in working with government agencies and usually doesn't know the nuances of what's needed to get through the SSDI process successfully.

You could look at it this way – it's similar to hiring an accountant to complete your tax returns and represent you before the Internal Revenue Service if you're audited.

People are starting to recognize the need for representation going into the Social Security Disability Insurance process.

3. Underestimating the impact of your disability.

Whether it's pride or simply having lived with a condition long enough to have figured out alternative ways to do things, many people underestimate how much their disability affects their day-to-day lives.

A good example is a 50-year-old grandmother who tells the SSA that she takes care of her grandchildren. If the woman doesn't explain that the children are adolescents and self-sufficient, the claims representative may deny her claim because he believes that if the woman can watch her grandchildren, she's capable of working in a daycare center.

4. Exaggerating the impact of your disability.

On the other end of the spectrum are people who want to make their condition appear worse than it is. For example, a man who uses a cane at a hearing before an administrative law judge, but doesn't normally use a cane would be over-representing his condition.

Using this example, the judge may ask to look at the cane and sees the tip is not worn, the claim is immediately suspect, even though the claimant may have had a legitimate case if he'd just stuck to the unexaggerated truth. It is important to elaborate, but not exaggerate.

5. Being vague about your work history.

Knowing what the expectations are for your work, and showing accurately from the outset why you can't perform this work any longer, is an essential part of qualifying for Social Security Disability Insurance benefits. For example, a service technician might be required to drive for extended periods as part of the job.

If your impairment means you can only drive for 10 minutes without experiencing extreme pain, yet your job requires you drive in 60-minute stretches, you need to make it clear on your disability application what the work expectations are and what your limitations are. Otherwise, you may end up with double jeopardy: Your disability claim is rejected because the Social Security Administration believes you can still perform your work, but you're out of work because you really can't meet the requirements of the job.

6. Missing the appeals deadline.

The Social Security Administration denies more than 65% of all initial Social Security Disability Insurance applications, but there is a formal appeals process with three levels. If you are rejected at any level, you have **only 60 days** to appeal to the next level. If you miss the deadline, you must start the process from the beginning.

7. Giving up.

The process can be excruciatingly long and cumbersome. More than 3.3 million people currently are pending in the disability process. For individuals already facing significant physical or mental disabilities, the delay can add to the difficulty. But Social Security Disability Insurance is a benefit that individuals with disabilities and their families have earned. This benefit often is essential in securing other forms of financial support, including Medicare benefits.

This process isn't easy, and it can be quite long, but don't give up. A good SSDI representative will help you work through this process and help you to secure your benefits as soon as possible.