

How a Social Security Attorney Can Help With Your Claim

Suffering from a disability is challenging enough without having to struggle through the complicated tangle of government legalese regarding Social Security disability benefits.

Among other conditions, if you suffer from bipolar disorder, breast cancer, congestive heart failure, colitis, Crohn's disease, COPD, depression, diabetes, heart disease, IBS, MS, Parkinson's or schizophrenia, you may be eligible to receive disability benefits.

Disability benefits are available to people who fall into three categories: disabled, insured workers under age 65, people who have been disabled since childhood and a disabled widow or widower age 50-60. People with financial need and children may also qualify for benefits.

If you believe you might be entitled to Social Security disability benefits, consider contacting a Social Security disability attorney who specializes in the field. An attorney's expertise in navigating the complications of Social Security disability benefits can go a long way towards making the process seem easier. People with attorneys win a lot more often than those that self-represent.

First Step:

The first step towards receiving Social Security disability benefits is establishing that you are, in fact, disabled. The Social Security Administration (SSA) calls their evaluation for disability the sequential evaluation process. Basically, this process entails the government considering the age, education, work history, severity of disability and functional capacity of the person requesting benefits.

They'll also contact doctors who have treated the applicant, and perhaps request a consultative exam, with the applicant's existing doctor or with another doctor. The general information will be verified by the local Social Security field office, and the evaluation of the disability is the responsibility of the state's Disability Determination Services (DDS).

Disability Application Determination:

Determination of whether the applicant has a disability is made by a disability examiner and a medical or psychological consultant. There are 4 potential outcomes: the examiner might ask for more evidence of the disability, the examiner might refer the applicant to vocational rehab, the applicant might be found not disabled, or the applicant might be determined to be disabled.

If benefits are denied, there are a series of appeal processes.

First Appeal:

If the state determines that the applicant does not have a disability, don't lose hope. This is where a lawyer specializing in disability law becomes even more important, as you'll have to dispute the determination. The Social Security Disability appeal process will be very similar to the first process, but with a different two-person team making the final determination of disability. If the appeal results in a non-disabled determination, further appeals are also possible.

Second Appeal:

The second appeal of a disability benefits case is heard by an administrative law judge at the Hearing Office of the SSA's Office of Disability Adjudication and Review. In this case, the administrative law judge usually conducts a hearing that allows the applicant's attorney to present a case. Generally, the applicant has more evidence of the disability to present at this point, from previous or new medical sources. It's important to work closely with your Social Security disability lawyer at this point.

Once it's determined that the applicant does have a disability, the Social Security Administration computes the benefit amount and begins making payments. The disabled person might be able to receive benefits as quickly as the first full month after they applied.

It is important to remember during the application process that the sooner a lawyer becomes involved the sooner the process can be affected. Good luck with your disability case!

About the Author

Matt Berry is a [Social Security lawyer](#). As a [Social Security attorney](#), he works with various disabled people, including those with [MS disabili](#)

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