



The ABC's of SSD, LTD & STD (LOL!)

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Donna Nesselbush, Esq.

The Law Firm of Marasco & Nesselbush, LLP.

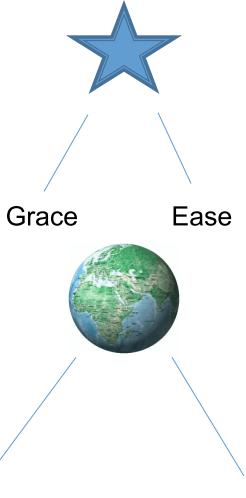




Getting Better vs. Getting Disability







Dis-grace

Dis-ease





Social Security Disability Insurance ssDI

- Credits based (2019 \$1360/month)
- Primary Insurance Amount (PIA)
- Auxiliary benefits
- Waiting periods 5 and 24 months
- One (1) year retroactivity
- Date Last Insured (DLI)
- Basic Medicare (100% hospital & 80% outpatient) & access to prescription coverage through Medicare Part D

Supplemental Security Income ssi

- Income and resource based
- RI Fixed monthly payments subject to deductions - \$735 + \$39.92 = \$774.92
- Federal Benefit Rate (FBR) A: \$771, B: \$514, D: \$50
- No auxiliary benefits
- No waiting period
- No retroactivity
- No DLI
- Medicaid 100% medical & prescription drug plan





Disability

Social Security defines "disabled" as either (A) the "inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than twelve months, or (B) blindness; and the term "blindness" means central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. 42 U.S. Code 416 (i)(1)





The Process

- Filing
- Initial
- Reconsideration
- Hearing
- Appeals Council
- Federal Court





Should Your Adult Client Apply for Social Security Disability?

- Is your client already receiving Social security disability or retirement benefits?
- Is your client working?
- Does your client have a severe medical and/or mental health problem?
- Has this severe medical or mental health problem kept your client out of work for one year, or is expected to keep your client out of work for one year?
- Is your client a legal resident as of August 22, 1996?





Acceptable Medical Sources

Acceptable medical sources:

- Licensed physicians (MD's or DO's).
 - Licensed or certified psychologists
 - PA's, Nurse's, Therapists are given some weight





Importance of Clinical Documentation

- Medical records can make or break a case for your client
- Clear assessment and documentation of providers observations
- Diagnosis alone does not equate to Social Security eligibility
- If you believe that your client is disabled, state so in your notes.
- Legibility! (the EHR/EMR has greatly decreased this issue)





Quality Medical Record

- A comprehensive assessment including a current physical/mental status exam (lab results)
- A clear description of the patient's 's functional impairments
- The frequency (occasional, frequent, chronic) of symptoms
- The severity (mild, moderate, moderately severe, severe) of symptoms





Drug Addiction and Alcoholism = DA&A

- Is (DA&A) is "a contributing factor material to the individual's disability."
- Things to consider
 - Is the person's disability caused by the DA&A?
 - Is the person disabled separate and apart from the D&A
 - Medical Marijuana illegal in federal system





Public vs. Private

- SSD is a public disability program
- LTD/STD are private contracts (ex. UNIM, MetLife)
- Individual or group plans
- Can you get both?





Typical Plan

- 180 day elimination period (TDI?)
- Own occ / Any occ
- Can you do your own occupation? (2 years)
- Can you do any occupation?





Medical Records

Physician's statement

Residual Functional Capacity (RFC)





Nurse review



Appeal



Physician review



Attorney





Return to work
Easier work