



Women's Health Council of RI



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

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Getting Better vs. Getting Disability



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Grace

Ease



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?



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Medical Records

Physician's statement

Residual Functional Capacity (RFC)



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Nurse review



Appeal



Physician review



Attorney



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Return to work
Easier work