

DISABILITY & AGING RIGHTS



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Social Security Disability Insurance (SSDI)

This is an overview of the Social Security Disability Insurance program. The information applies to people with disabilities, including older Americans with physical, cognitive, sensory or mental impairments.

Most employees pay into the Social Security system through payroll taxes. Congress created the Social Security system to pay workers a monthly benefit when they became disabled and unable to work, or when they retired.

To be eligible for SSDI (disability benefits), you have to have worked long enough to be “insured” for benefits. Your eligibility depends on how much you have earned and how long you have worked (younger workers do not have to work as long to be eligible). You also have to be found disabled by the Social Security Administration, and your disabling condition has to have been disabling within five years of your date last insured, which usually means the last day you worked.

Your SSDI monthly amount will vary depending on the amount you earned and how long you worked. Every person has a different monthly amount.

If you have any assets (bank accounts, cars, etc.) or unearned income (except workers’ compensation), those do not count and will not affect your monthly benefit or eligibility for SSDI.

When you apply for SSDI, Social Security will decide if you are disabled, based on your medical records.

When you start receiving disability benefits, certain members of your family also may qualify for benefits on your record. Benefits may be paid to your spouse, divorced spouse, children, disabled children or your adult

disabled children (children who were disabled before the age of 22).

Health insurance for SSDI recipients

Medicare

- When you receive SSDI, you are eligible for Medicare after a 24-month waiting period.
- Your waiting period begins with the first month in which you are eligible for a check.
- You may have waited a long time to get your SSDI benefits, so you may have already passed the waiting period when you receive your first check because your case was pending for so long.
- You will have to pay the Part B premiums and buy Part D insurance unless you are eligible for the state to pay some or all of your premiums.

Medicaid

- In Illinois, you can receive Medicaid if your countable income (your SSDI) is below 100 percent of the federal poverty level (\$981 a month for individuals in 2015) and you have assets worth less than \$2,000.
- If you have higher income or assets, you can “spend down” to receive Medicaid.
- If you are working and receiving SSDI, you may qualify for Medicaid through the Health Benefits for Workers with Disabilities program.

Continuing disability reviews

When you are awarded SSDI benefits, SSA will set a review date for your case. These are regularly scheduled reviews. If you go back to

work, that can also trigger a review. The review is called a Medical Continuing Disability Review (CDR).

If you receive a letter that says you will have a review, you must respond. Many people lose benefits because they fail to respond to SSA.

When the Social Security Administration conducts a CDR, they will ask for your updated medical records. The standard in this review is “medical improvement.” If SSA finds that you are medically improved, and you are no longer disabled, your benefits will be stopped.

If you disagree with the determination, you can appeal within 10 days, and you can receive benefits pending appeal. If you miss the 10-day appeal deadline, you still have 60 days to appeal, but your benefits will be stopped during the appeal process.

Working while receiving SSDI benefits

I am receiving SSDI benefits and I want to try to go back to work. What do I need to know?

If you are working and receiving SSDI benefits, you either get a check or you don't get a check, based on the amount of your countable earnings and where you are in the return-to-work process.

During the Trial Work Period, which is triggered by a certain amount of earnings (\$780 a month in 2015) and lasts nine months, the check continues. After the Trial Work Period,

the Extended Period of Eligibility begins and lasts 36 months. During this period, a person can move in and out of cash payment status if countable wages fall above or below a set yearly amount called Substantial Gainful Activity (\$1,090 a month for nonblind; \$1,820 a month for the blind in 2015).

After the Extended Period of Eligibility, if earnings rise above Substantial Gainful Activity, you will no longer be eligible for benefits. But even after this, and for the next five years, you can re-apply for benefits through a special, quicker process called Expedited Reinstatement of Benefits, a privilege reserved only for those who worked their way off benefits.

What happens to my Medicare if I go back to work?

Medicare connected to SSDI continues as long as the person continues to receive an SSDI check. Medicare also continues for at least 93 months from the Trial Work Period if you work your way off cash benefits.

For more information, see the Red Book – A Guide to Work Incentives – www.socialsecurity.gov/redbook.

What can I do if my SSDI check stops?

SSA is supposed to send you a letter if it changes your benefit or stops your check. You should contact SSA when you receive one of these letters to make sure you understand it.

Each year on Jan. 1, your SSDI check will usually increase by a few dollars. You should

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receive a notice of this change in December. You do not have to contact SSA about this change.

Some reasons your check may be stopped

When you go back to work while receiving SSDI, rules apply to the amount of income you can earn. If your check stops, you may have triggered an overpayment. You should file an appeal if you disagree with this decision.

It is possible that SSA decided that you were no longer disabled due to a Continuing Disability Review. You should file an appeal if you disagree with this decision. ■

For more information:

For more information, visit the Social Security Administration website, www.socialsecurity.gov. You can also call SSA at **1-800-772-1213** or **1-800-325-0778** (TTY), or go to your local Social Security office.

To get more information about public benefits in Illinois, call the Illinois Public Benefits Hotline at **1-888-893-5327**



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